

CERTIFICATION OF ENROLLMENT
SUBSTITUTE HOUSE BILL 1222

52nd Legislature
1991 Regular Session

Passed by the House February 18, 1991
Yeas 98 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate April 10, 1991
Yeas 44 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1222** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

Secretary of State
State of Washington

SUBSTITUTE HOUSE BILL 1222

AS AMENDED BY THE SENATE

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By House Committee on Education (originally sponsored by Representatives Betrozoff, Peery, Brumsickle, G. Fisher, Brough, Holland, Paris, Broback, Nealey and Orr).

Read first time February 6, 1991.

1 AN ACT Relating to school district directors' districts; amending
2 RCW 28A.315.110, 28A.315.590, 28A.315.670, and 28A.315.680; reenacting
3 and amending RCW 28A.315.580, 28A.315.670, and 28A.315.680; adding new
4 sections to chapter 28A.315 RCW; repealing RCW 28A.315.685; providing
5 an effective date; providing an expiration date; and declaring an
6 emergency.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.315
9 RCW to read as follows:

10 It is the responsibility of each school district board of directors
11 to prepare for the division or redivision of the district into director
12 districts no later than eight months after any of the following:

13 (1) Receipt of federal decennial census data from the redistricting
14 commission established in RCW 44.05.030;

1 (2) Consolidation of two or more districts into one district under
2 RCW 28A.315.270;

3 (3) Transfer of territory to or from the district under RCW
4 28A.315.280;

5 (4) Annexation of territory to or from the district under RCW
6 28A.315.290 or 28A.315.320; or

7 (5) Approval by a majority of the registered voters voting on a
8 proposition authorizing the division of the district into director
9 districts pursuant to RCW 28A.315.590.

10 The districting or redistricting plan shall be consistent with the
11 criteria and adopted according to the procedure established under RCW
12 29.70.100.

13 **Sec. 2.** RCW 28A.315.110 and 1990 c 161 s 2 are each amended to
14 read as follows:

15 The powers and duties of each regional committee shall be:

16 (1) To initiate, on its own motion and whenever it deems such
17 action advisable, proposals or alternate proposals for changes in the
18 organization and extent of school districts in the educational service
19 district; to receive, consider, and revise, whenever in its judgment
20 revision is advisable, proposals initiated by petition or presented to
21 the committee by the educational service district superintendent as
22 provided for in this chapter; to prepare and submit to the state board
23 any of the aforesaid proposals that are found by the regional committee
24 to provide for satisfactory improvement in the school district system
25 of the educational service district and state; to prepare and submit
26 with the aforesaid proposals, a map showing the boundaries of existing
27 school districts affected by any proposed change and the boundaries,
28 including a description thereof, of each proposed new school district
29 or of each existing school district as enlarged or diminished by any

1 proposed change, or both, and a summary of the reasons for the proposed
2 change; and such other reports, records, and materials as the state
3 board may request. The committee may utilize as a basis of its
4 proposals and changes that comprehensive plan for changes in the
5 organization and extent of the school districts of the county prepared
6 and submitted to the state board prior to September 1, 1956, or, if the
7 then county committee found, after considering the factors listed in
8 RCW 28A.315.120, that no changes in the school district organization of
9 the county were needed, the report to this effect submitted to the
10 state board.

11 (2)(a) To make an equitable adjustment of the property and other
12 assets and of the liabilities, including bonded indebtedness and excess
13 tax levies as otherwise authorized under this section, as to the old
14 school districts and the new district or districts, if any, involved in
15 or affected by a proposed change in the organization and extent of the
16 school districts; and (b) to make an equitable adjustment of the bonded
17 indebtedness outstanding against any of the aforesaid districts
18 whenever in its judgment such adjustment is advisable, as to all of the
19 school districts involved in or affected by any change heretofore or
20 hereafter effected; and (c) to provide that territory transferred from
21 a school district by a change in the organization and extent of school
22 districts shall either remain subject to, or be relieved of, any one or
23 more excess tax levies which are authorized for the school district
24 under RCW 84.52.053 before the effective date of the transfer of
25 territory from the school district; and (d) to provide that territory
26 transferred to a school district by a change in the organization and
27 extent of school districts shall either be made subject to, or be
28 relieved of, any one or more excess tax levies which are authorized for
29 the school district under RCW 84.52.053 before the effective date of
30 the transfer of territory to the school district; and (e) to submit to

1 the state board the proposed terms of adjustment and a statement of the
2 reasons therefor in each case. In making the adjustments herein
3 provided for, the regional committee shall consider the number of
4 children of school age resident in and the assessed valuation of the
5 property located in each school district and in each part of a district
6 involved or affected; the purpose for which the bonded indebtedness of
7 any school district was incurred; the value, location, and disposition
8 of all improvements located in the school districts involved or
9 affected; and any other matters which in the judgment of the committee
10 are of importance or essential to the making of an equitable
11 adjustment.

12 (3) To hold and keep a record of a public hearing or public
13 hearings (a) on every proposal for the formation of a new school
14 district or for the transfer from one existing district to another of
15 any territory in which children of school age reside or for annexation
16 of territory when the conditions set forth in RCW 28A.315.290 or
17 28A.315.320 prevail; and (b) on every proposal for adjustment of the
18 assets and of the liabilities of school districts provided for in this
19 chapter. Three members of the regional committee or two members of the
20 committee and the educational service district superintendent may be
21 designated by the committee to hold any public hearing that the
22 committee is required to hold. The regional committee shall cause
23 notice to be given, at least ten days prior to the date appointed for
24 any such hearing, in one or more newspapers of general circulation
25 within the geographical boundaries of the school districts affected by
26 the proposed change or adjustment. In addition notice may be given by
27 radio and television, or either thereof, when in the committee's
28 judgment the public interest will be served thereby.

29 ~~(4) ((To divide into five school directors' districts all first and~~
30 ~~second class school districts now in existence and not heretofore so~~

1 ~~divided and all first and second class school districts hereafter~~
2 ~~established: PROVIDED, That no first or second class school district~~
3 ~~shall be divided into directors' districts and no second class school~~
4 ~~district shall be divided into a combination of no fewer than three~~
5 ~~directors' districts nor more than two directors at large, unless a~~
6 ~~majority of the registered voters voting thereon at an election shall~~
7 ~~approve a proposition authorizing the division of the district in such~~
8 ~~manner. The boundaries of each directors' district shall be so~~
9 ~~established that each such district shall comprise as nearly as~~
10 ~~practicable an equal portion of the population of the school district.~~

11 ~~(5) To rearrange at any time the committee deems such action~~
12 ~~advisable in order to correct inequalities caused by changes in~~
13 ~~population and changes in school district boundaries, the boundaries of~~
14 ~~any of the directors' districts of any school district heretofore or~~
15 ~~hereafter so divided: PROVIDED, That a petition therefor, shall be~~
16 ~~required for rearrangement in order to correct inequalities caused by~~
17 ~~changes in population. Said petition shall be signed by at least ten~~
18 ~~registered voters residing in the aforesaid school district, and shall~~
19 ~~be presented to the educational service district superintendent. A~~
20 ~~public hearing thereon shall be held by the regional committee, which~~
21 ~~hearing shall be called and conducted in the manner prescribed in~~
22 ~~subsection (3) of this section.~~

23 ~~(6)) To prepare and submit to the superintendent of public~~
24 ~~instruction from time to time or, upon his or her request, reports and~~
25 ~~recommendations respecting the urgency of need for school plant~~
26 ~~facilities, the kind and extent of the facilities required, and the~~
27 ~~development of improved local school administrative units and~~
28 ~~attendance areas in the case of school districts that seek state~~
29 ~~assistance in providing school plant facilities.~~

1 **Sec. 3.** RCW 28A.315.580 and 1990 c 161 s 5 and 1990 c 33 s 319 are
2 each reenacted and amended to read as follows:

3 Whenever an election shall be held for the purpose of securing the
4 approval of the voters for the formation of a new school district other
5 than a school district of the first class having within its boundaries
6 a city with a population of four hundred thousand people or more in
7 class AA counties, if requested by one of the boards of directors of
8 the school districts affected, there shall also be submitted to the
9 voters at the same election a proposition to authorize the (~~regional~~
10 ~~committee~~) board of directors to divide the school district, if
11 formed, into five directors' districts in first class school districts
12 and a choice of five directors' districts or no fewer than three
13 directors' districts with the balance of the directors to be elected at
14 large in second class school districts. Such director districts in
15 second class districts, if approved, shall not become effective until
16 the regular school election following the next regular school election
17 at which time a new board of directors shall be elected as provided in
18 RCW 28A.315.550. Such director districts in first class districts, if
19 approved, shall not become effective until the next regular school
20 election at which time a new board of directors shall be elected as
21 provided in RCW 28A.315.600, 28A.315.610, and 28A.315.620. Each of the
22 five directors shall be elected from among the residents of the
23 respective director district, or from among the residents of the entire
24 school district in the case of directors at large, by the electors of
25 the entire school district.

26 **Sec. 4.** RCW 28A.315.590 and 1990 c 161 s 6 are each amended to
27 read as follows:

28 The board of directors of every first class school district other
29 than a school district of the first class having within its boundaries

1 a city with a population of four hundred thousand people or more in
2 class AA counties which is not divided into directors' districts may
3 submit to the voters at any regular school district election a
4 proposition to authorize the (~~regional committee~~) board of directors
5 to divide the district into directors' districts or for second class
6 school districts into director districts or a combination of no fewer
7 than three director districts and no more than two at large positions.
8 If a majority of the votes cast on the proposition (~~shall be~~) is
9 affirmative, the (~~regional committee~~) board of directors shall
10 proceed to divide the district into directors' districts following the
11 procedure established in RCW 29.70.100. Such director districts, if
12 approved, shall not become effective until the next regular school
13 election when a new five member board of directors shall be elected,
14 one from each of the director districts from among the residents of the
15 respective director district, or from among the residents of the entire
16 school district in the case of directors at large, by the electors of
17 the entire district, two for a term of two years and three for a term
18 of four years, unless such district elects its directors for six years,
19 in which case, one for a term of two years, two for a term of four
20 years, and two for a term of six years.

21 **Sec. 5.** RCW 28A.315.670 and 1990 c 33 s 327 are each amended to
22 read as follows:

23 Notwithstanding any other provision of law, any school district of
24 the first class having within its boundaries a city with a population
25 of four hundred thousand people or more in class AA counties shall be
26 divided into seven director districts. The boundaries of such director
27 districts shall be established by the members of the school board (~~and~~
28 ~~approved by the county committee on school district organization~~),
29 such boundaries to be established so that each such district shall

1 (~~comprise~~) comply, as nearly as practicable, (~~an equal portion of~~
2 ~~the population of the school district~~) with the criteria established
3 in RCW 29.70.100. Boundaries of such director districts shall be
4 adjusted by the school board (~~and approved by the county committee~~)
5 following the procedure established in RCW 29.70.100 after each federal
6 decennial census if population change shows the need thereof to comply
7 with the (~~equal population requirement above~~) criteria of RCW
8 29.70.100. No person shall be eligible for the position of school
9 director in any such director district unless such person resides in
10 the particular director district. Residents in the particular director
11 district desiring to be a candidate for school director shall file
12 their declarations of candidacy for such director district and for the
13 position of director in that district and shall be voted upon in the
14 primary election by the registered voters of that particular director
15 district: PROVIDED, That if not more than one person files a
16 declaration of candidacy for the position of school director in any
17 director district, no primary election shall be held in that district,
18 and such candidate's name alone shall appear on the ballot for the
19 director district position at the general election. The name of the
20 person who receives the greatest number of votes and the name of the
21 person who receives the next greatest number of votes at the primary
22 for each director district position shall appear on the general
23 election ballot under such position and shall be voted upon by all the
24 registered voters in the school district. Except as provided in RCW
25 28A.315.680, every such director so elected in school districts divided
26 into seven director districts shall serve for a term of four years as
27 otherwise provided in RCW 28A.315.460.

28 **Sec. 6.** RCW 28A.315.670 and 1990 c 59 s 99 and 1990 c 33 s 327 are
29 each reenacted and amended to read as follows:

1 Notwithstanding any other provision of law, any school district of
2 the first class having within its boundaries a city with a population
3 of four hundred thousand people or more in class AA counties shall be
4 divided into seven director districts. The boundaries of such director
5 districts shall be established by the members of the school board (~~and~~
6 ~~approved by the county committee on school district organization~~),
7 such boundaries to be established so that each such district shall
8 (~~comprise~~) comply, as nearly as practicable, (~~an equal portion of~~
9 ~~the population of the school district~~) with the criteria established
10 in RCW 29.70.100. Boundaries of such director districts shall be
11 adjusted by the school board (~~and approved by the county committee~~)
12 following the procedure established in RCW 29.70.100 after each federal
13 decennial census if population change shows the need thereof to comply
14 with the (~~equal population requirement above~~) criteria of RCW
15 29.70.100. No person shall be eligible for the position of school
16 director in any such director district unless such person resides in
17 the particular director district. Residents in the particular director
18 district desiring to be a candidate for school director shall file
19 their declarations of candidacy for such director district and for the
20 position of director in that district and shall be voted upon, in any
21 primary required to be held for the position under Title 29 RCW, by the
22 registered voters of that particular director district. In the general
23 election, each position shall be voted upon by all the registered
24 voters in the school district. The order of the names of candidates
25 shall appear on the primary and general election ballots as required
26 for nonpartisan positions under Title 29 RCW. Except as provided in
27 RCW 28A.315.680, every such director so elected in school districts
28 divided into seven director districts shall serve for a term of four
29 years as otherwise provided in RCW 28A.315.460.

1 **Sec. 7.** RCW 28A.315.680 and 1990 c 33 s 328 are each amended to
2 read as follows:

3 (~~Within thirty days after March 25, 1969,~~) The school boards of
4 any school district of the first class having within its boundaries a
5 city with a population of four hundred thousand people or more in class
6 AA counties shall establish the director district boundaries (~~and~~
7 ~~obtain approval thereof by the county committee on school district~~
8 ~~organization~~). Appointment of a board member to fill any vacancy
9 existing for a new director district prior to the next regular school
10 election shall be by the school board. Prior to the next regular
11 election in the school district and the filing of declarations of
12 candidacy therefor, the incumbent school board shall designate said
13 director districts by number. Directors appointed to fill vacancies as
14 above provided shall be subject to election, one for a six-year term,
15 and one for a two-year term and thereafter the term of their respective
16 successors shall be for four years. The term of office of incumbent
17 members of the board of such district shall not be affected by RCW
18 28A.315.450, 28A.315.460, 28A.315.570, 28A.315.670, 28A.315.680,
19 29.21.180, and 29.21.210.

20 **Sec. 8.** RCW 28A.315.680 and 1990 c 59 s 72 and 1990 c 33 s 328 are
21 each reenacted and amended to read as follows:

22 (~~Within thirty days after March 25, 1969,~~) The school boards of
23 any school district of the first class having within its boundaries a
24 city with a population of four hundred thousand people or more in class
25 AA counties shall establish the director district boundaries (~~and~~
26 ~~obtain approval thereof by the county committee on school district~~
27 ~~organization~~). Appointment of a board member to fill any vacancy
28 existing for a new director district prior to the next regular school
29 election shall be by the school board. Prior to the next regular

1 election in the school district and the filing of declarations of
2 candidacy therefor, the incumbent school board shall designate said
3 director districts by number. Directors appointed to fill vacancies as
4 above provided shall be subject to election, one for a six-year term,
5 and one for a two-year term and thereafter the term of their respective
6 successors shall be for four years. The term of office of incumbent
7 members of the board of such district shall not be affected by RCW
8 28A.315.450, 28A.315.460, 28A.315.570, 28A.315.670, 28A.315.680, and
9 29.21.180.

10 NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.315
11 RCW to read as follows:

12 (1) Any district boundary changes, including changes in director
13 district boundaries, shall be submitted to the county auditor by the
14 school district board of directors within thirty days after the changes
15 have been approved by the board. The board shall submit both legal
16 descriptions and maps.

17 (2) Any boundary changes submitted to the county auditor after the
18 fourth Monday in June of odd-numbered years shall not take effect until
19 the following year.

20 NEW SECTION. **Sec. 10.** RCW 28A.315.685 and 1990 c 161 s 1 are
21 each repealed.

22 NEW SECTION. **Sec. 11.** Sections 5 and 7 of this act shall
23 expire July 1, 1992.

24 NEW SECTION. **Sec. 12.** Sections 6 and 8 of this act shall take
25 effect July 1, 1992.

1 NEW SECTION. **Sec. 13.** Sections 1 through 5, 7, and 10 of this
2 act are necessary for the immediate preservation of the public peace,
3 health, or safety, or support of the state government and its existing
4 public institutions, and shall take effect immediately.