

**HOUSE BILL 1222**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** Representatives Berozoff, Peery, Brumsickle, G. Fisher, Brough, Holland, Paris, Broback, Nealey and Orr.

Read first time January 23, 1991. Referred to Committee on Education.

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; adding a  
3 new section to chapter 28A.315 RCW; repealing RCW 28A.315.685; and  
4 declaring an emergency.

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

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

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

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

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

1 (3) Transfer of territory to or from the district under RCW  
2 28A.315.280;

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

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

8 (6) Adoption by the board of directors of a resolution that  
9 redistricting is necessary due to significant changes in population.

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.315.590 and 1990 c 161 s 6 are each amended to  
2 read as follows:

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

25       **Sec. 4.** RCW 28A.315.670 and 1990 c 33 s 327 are each amended to  
26 read as follows:

27       Notwithstanding any other provision of law, any school district of  
28 the first class having within its boundaries a city with a population  
29 of four hundred thousand people or more in class AA counties shall be

1 divided into seven director districts. The boundaries of such director  
2 districts shall be established by the members of the school board (~~and~~  
3 ~~approved by the county committee on school district organization~~),  
4 such boundaries to be established so that each such district shall  
5 (~~comprise~~) comply, as nearly as practicable, (~~an equal portion of~~  
6 ~~the population of the school district~~) with the criteria established  
7 in RCW 29.70.100. Boundaries of such director districts shall be  
8 adjusted by the school board (~~and approved by the county committee~~)  
9 following the procedure established in RCW 29.70.100 after each federal  
10 decennial census if population change shows the need thereof to comply  
11 with the (~~equal population requirement above~~) criteria of RCW  
12 29.70.100. No person shall be eligible for the position of school  
13 director in any such director district unless such person resides in  
14 the particular director district. Residents in the particular director  
15 district desiring to be a candidate for school director shall file  
16 their declarations of candidacy for such director district and for the  
17 position of director in that district and shall be voted upon in the  
18 primary election by the registered voters of that particular director  
19 district: PROVIDED, That if not more than one person files a  
20 declaration of candidacy for the position of school director in any  
21 director district, no primary election shall be held in that district,  
22 and such candidate's name alone shall appear on the ballot for the  
23 director district position at the general election. The name of the  
24 person who receives the greatest number of votes and the name of the  
25 person who receives the next greatest number of votes at the primary  
26 for each director district position shall appear on the general  
27 election ballot under such position and shall be voted upon by all the  
28 registered voters in the school district. Except as provided in RCW  
29 28A.315.680, every such director so elected in school districts divided

1 into seven director districts shall serve for a term of four years as  
2 otherwise provided in RCW 28A.315.460.

3 **Sec. 5.** RCW 28A.315.680 and 1990 c 33 s 328 are each amended to  
4 read as follows:

5 (~~Within thirty days after March 25, 1969,~~) The school boards of  
6 any school district of the first class having within its boundaries a  
7 city with a population of four hundred thousand people or more in class  
8 AA counties shall establish the director district boundaries (~~and~~  
9 ~~obtain approval thereof by the county committee on school district~~  
10 ~~organization~~)). Appointment of a board member to fill any vacancy  
11 existing for a new director district prior to the next regular school  
12 election shall be by the school board. Prior to the next regular  
13 election in the school district and the filing of declarations of  
14 candidacy therefor, the incumbent school board shall designate said  
15 director districts by number. Directors appointed to fill vacancies as  
16 above provided shall be subject to election, one for a six-year term,  
17 and one for a two-year term and thereafter the term of their respective  
18 successors shall be for four years. The term of office of incumbent  
19 members of the board of such district shall not be affected by RCW  
20 28A.315.450, 28A.315.460, 28A.315.570, 28A.315.670, 28A.315.680,  
21 29.21.180, and 29.21.210.

22 NEW SECTION. **Sec. 6.** RCW 28A.315.685 and 1990 c 161 s 1 are  
23 each repealed.

24 NEW SECTION. **Sec. 7.** This act is necessary for the immediate  
25 preservation of the public peace, health, or safety, or support of the  
26 state government and its existing public institutions, and shall take  
27 effect immediately.