
HOUSE BILL 2004

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Phillips, Rust, Cole, Leonard, Prentice, Valle, Brekke and H. Sommers.

Read first time February 19, 1991. Referred to Committee on Education.

1 AN ACT Relating to election of school board directors in first
2 class school districts having within their boundaries a city with a
3 population of four hundred thousand people or more in class AA
4 counties; amending RCW 28A.315.630, 28A.315.670, and 28A.315.680;
5 reenacting and amending RCW 28A.315.110, 28A.315.670, and 28A.315.680;
6 providing an effective date; providing an expiration date; and
7 declaring an emergency.

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

9 **Sec. 1.** RCW 28A.315.110 and 1990 c 161 s 2 and 1990 c 33 s 298 are
10 each reenacted and amended to read as follows:

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

12 (1) To initiate, on its own motion and whenever it deems such
13 action advisable, proposals or alternate proposals for changes in the
14 organization and extent of school districts in the educational service
15 district; to receive, consider, and revise, whenever in its judgment

1 revision is advisable, proposals initiated by petition or presented to
2 the committee by the educational service district superintendent as
3 provided for in this chapter; to prepare and submit to the state board
4 any of the aforesaid proposals that are found by the regional committee
5 to provide for satisfactory improvement in the school district system
6 of the educational service district and state; to prepare and submit
7 with the aforesaid proposals, a map showing the boundaries of existing
8 school districts affected by any proposed change and the boundaries,
9 including a description thereof, of each proposed new school district
10 or of each existing school district as enlarged or diminished by any
11 proposed change, or both, and a summary of the reasons for the proposed
12 change; and such other reports, records, and materials as the state
13 board may request. The committee may utilize as a basis of its
14 proposals and changes that comprehensive plan for changes in the
15 organization and extent of the school districts of the county prepared
16 and submitted to the state board prior to September 1, 1956, or, if the
17 then county committee found, after considering the factors listed in
18 RCW 28A.315.120, that no changes in the school district organization of
19 the county were needed, the report to this effect submitted to the
20 state board.

21 (2)(a) To make an equitable adjustment of the property and other
22 assets and of the liabilities, including bonded indebtedness and excess
23 tax levies as otherwise authorized under this section, as to the old
24 school districts and the new district or districts, if any, involved in
25 or affected by a proposed change in the organization and extent of the
26 school districts; and (b) to make an equitable adjustment of the bonded
27 indebtedness outstanding against any of the aforesaid districts
28 whenever in its judgment such adjustment is advisable, as to all of the
29 school districts involved in or affected by any change heretofore or
30 hereafter effected; and (c) to provide that territory transferred from

1 a school district by a change in the organization and extent of school
2 districts shall either remain subject to, or be relieved of, any one or
3 more excess tax levies which are authorized for the school district
4 under RCW 84.52.053 before the effective date of the transfer of
5 territory from the school district; and (d) to provide that territory
6 transferred to a school district by a change in the organization and
7 extent of school districts shall either be made subject to, or be
8 relieved of, any one or more excess tax levies which are authorized for
9 the school district under RCW 84.52.053 before the effective date of
10 the transfer of territory to the school district; and (e) to submit to
11 the state board the proposed terms of adjustment and a statement of the
12 reasons therefor in each case. In making the adjustments herein
13 provided for, the regional committee shall consider the number of
14 children of school age resident in and the assessed valuation of the
15 property located in each school district and in each part of a district
16 involved or affected; the purpose for which the bonded indebtedness of
17 any school district was incurred; the value, location, and disposition
18 of all improvements located in the school districts involved or
19 affected; and any other matters which in the judgment of the committee
20 are of importance or essential to the making of an equitable
21 adjustment.

22 (3) To hold and keep a record of a public hearing or public
23 hearings (a) on every proposal for the formation of a new school
24 district or for the transfer from one existing district to another of
25 any territory in which children of school age reside or for annexation
26 of territory when the conditions set forth in RCW 28A.315.290 or
27 28A.315.320 prevail; and (b) on every proposal for adjustment of the
28 assets and of the liabilities of school districts provided for in this
29 chapter. Three members of the regional committee or two members of the
30 committee and the educational service district superintendent may be

1 designated by the committee to hold any public hearing that the
2 committee is required to hold. The regional committee shall cause
3 notice to be given, at least ten days prior to the date appointed for
4 any such hearing, in one or more newspapers of general circulation
5 within the geographical boundaries of the school districts affected by
6 the proposed change or adjustment. In addition notice may be given by
7 radio and television, or either thereof, when in the committee's
8 judgment the public interest will be served thereby.

9 (4) To approve the boundaries of director districts in first class
10 school districts having within their boundaries a city with a
11 population of four hundred thousand people or more in class AA
12 counties, under RCW 28A.315.670 and 28A.315.680, and to divide ((into
13 five school directors' districts)) all other first and second class
14 school districts now in existence and not heretofore so divided and all
15 first and second class school districts hereafter established((+
16 PROVIDED, That no first or second class school district shall be
17 divided into directors' districts and no second class school district
18 shall be divided into a combination of no fewer than three directors'
19 districts nor more than two directors at large, unless a majority of
20 the registered voters voting thereon at an election shall approve a
21 proposition authorizing the division of the district in such manner.
22 The boundaries of each directors' district shall be so established that
23 each such district shall comprise as nearly as practicable an equal
24 portion of the population of the school district)) into school
25 directors' districts under RCW 28A.315.590.

26 (5) Except as provided in RCW 28A.315.670 regarding first class
27 school districts having within their boundaries a city with a
28 population of four hundred thousand people or more in class AA
29 counties, to rearrange at any time the committee deems such action
30 advisable in order to correct inequalities caused by changes in

1 population and changes in school district boundaries, the boundaries of
2 any of the directors' districts of any school district heretofore or
3 hereafter so divided: PROVIDED, That a petition therefor, shall be
4 required for rearrangement in order to correct inequalities caused by
5 changes in population. Said petition shall be signed by at least ten
6 registered voters residing in the aforesaid school district, and shall
7 be presented to the educational service district superintendent. A
8 public hearing thereon shall be held by the regional committee, which
9 hearing shall be called and conducted in the manner prescribed in
10 subsection (3) of this section.

11 (6) To prepare and submit to the superintendent of public
12 instruction from time to time or, upon his or her request, reports and
13 recommendations respecting the urgency of need for school plant
14 facilities, the kind and extent of the facilities required, and the
15 development of improved local school administrative units and
16 attendance areas in the case of school districts that seek state
17 assistance in providing school plant facilities.

18 **Sec. 2.** RCW 28A.315.630 and 1990 c 33 s 323 are each amended to
19 read as follows:

20 Upon the establishment of a new school district of the first class
21 having within its boundaries a city with a population of four hundred
22 thousand people or more in class AA counties, the directors of the
23 largest former first class district and three directors representative
24 of the other former first class districts selected by a majority of the
25 board members of the former first class districts and two directors
26 representative of former second class districts selected by a majority
27 of the board members of former second class districts shall meet at the
28 call of the educational service district superintendent and shall
29 constitute the board of directors of the new district. Each board of

1 directors so constituted shall proceed at once to organize in the
2 manner prescribed by law and thereafter shall have all the powers and
3 duties conferred by law upon boards of first class districts, until the
4 next regular school election and until their successors are elected and
5 qualified. Such duties shall include establishment of new director
6 districts as provided for in RCW 28A.315.670. At the next regular
7 school election seven directors shall be elected ~~((by))~~ from each
8 director district~~((s))~~ by all the registered voters in the school
9 district, two for a term of two years, two for a term of four years and
10 three for a term of six years. Thereafter their terms shall be as
11 provided in RCW 28A.315.460.

12 Vacancies once such a board has been reconstituted shall not be
13 filled unless the number of remaining board members is less than seven,
14 and such vacancies shall be filled in the manner otherwise provided by
15 law.

16 **Sec. 3.** RCW 28A.315.670 and 1990 c 33 s 327 are each amended to
17 read as follows:

18 Notwithstanding any other provision of law, any school district of
19 the first class having within its boundaries a city with a population
20 of four hundred thousand people or more in class AA counties shall be
21 divided into seven director districts. The boundaries of such director
22 districts shall be established by the members of the school board and
23 approved by the ~~((county committee on school district organization))~~
24 regional committee, such boundaries to be established so that each such
25 district shall comprise, as nearly as practicable, an equal portion of
26 the population of the school district. Boundaries of such director
27 districts shall be adjusted by the school board and approved by the
28 ~~((county))~~ regional committee after each federal decennial census if
29 population change shows the need thereof to comply with the equal

1 population requirement above. No person shall be eligible for the
2 position of school director in any such director district unless such
3 person resides in the particular director district. Residents in the
4 particular director district desiring to be a candidate for school
5 director shall file their declarations of candidacy for such director
6 district and for the position of director in that district and shall be
7 voted upon in the primary election by all the registered voters (~~of~~
8 ~~that particular director~~) in the school district(~~(: PROVIDED, That)~~).
9 If not more than one person files a declaration of candidacy for the
10 position of school director in any director district, no primary
11 election shall be held in that district, and such candidate's name
12 alone shall appear on the ballot for the director district position at
13 the general election. The name of the person who receives the greatest
14 number of votes and the name of the person who receives the next
15 greatest number of votes at the primary for each director district
16 position shall appear on the general election ballot under such
17 position and shall be voted upon by all the registered voters in the
18 school district. Except as provided in RCW 28A.315.680, every such
19 director so elected in school districts divided into seven director
20 districts shall serve for a term of four years as otherwise provided in
21 RCW 28A.315.460.

22 **Sec. 4.** RCW 28A.315.670 and 1990 c 59 s 99 and 1990 c 33 s 327 are
23 each reenacted and amended to read as follows:

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

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

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

25 Within thirty days after March 25, 1969, the school boards of any
26 school district of the first class having within its boundaries a city
27 with a population of four hundred thousand people or more in class AA
28 counties shall establish the director district boundaries and obtain
29 approval thereof by the ((county)) regional committee ((~~on school~~

1 ~~district organization~~)). Appointment of a board member to fill any
2 vacancy existing for a new director district prior to the next regular
3 school election shall be by the school board. Prior to the next regular
4 election in the school district and the filing of declarations of
5 candidacy therefor, the incumbent school board shall designate said
6 director districts by number. Directors appointed to fill vacancies as
7 above provided shall be subject to election, one for a six-year term,
8 and one for a two-year term and thereafter the term of their respective
9 successors shall be for four years. The term of office of incumbent
10 members of the board of such district shall not be affected by RCW
11 28A.315.450, 28A.315.460, 28A.315.570, 28A.315.670, 28A.315.680,
12 29.21.180, and 29.21.210.

13 **Sec. 6.** RCW 28A.315.680 and 1990 c 59 s 72 and 1990 c 33 s 328 are
14 each reenacted and amended to read as follows:

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

1 28A.315.450, 28A.315.460, 28A.315.570, 28A.315.670, and 28A.315.680(~~(7~~
2 ~~and 29.21.180))~~).

3 NEW SECTION. **Sec. 7.** Sections 4 and 6 of this act shall take
4 effect July 1, 1992.

5 NEW SECTION. **Sec. 8.** Sections 3 and 5 of this act shall
6 expire July 1, 1992.

7 NEW SECTION. **Sec. 9.** Sections 1 through 3 and 5 of this act
8 are necessary for the immediate preservation of the public peace,
9 health, or safety, or support of the state government and its existing
10 public institutions, and shall take effect immediately.