

SB 5437 - H AMD TO H AMD (H-2755.1/03) 442
By Representative Talcott

ADOPTED 04/18/2003

1 On page 3, after line 7 of the amendment, insert the following:

2 "Sec. 2. RCW 28A.315.195 and 1999 c 315 s 401 are each amended to
3 read as follows:

4 (1) A proposed change in school district organization by transfer
5 of territory from one school district to another may be initiated by a
6 petition in writing presented to the educational service district
7 superintendent:

8 (a) Signed by at least (~~ten~~) fifty percent plus one of the active
9 registered voters residing in the territory proposed to be transferred;
10 or

11 (b) Signed by a majority of the members of the board of directors
12 of one of the districts affected by a proposed transfer of territory.

13 (2) The petition shall state the name and number of each district
14 affected, describe the boundaries of the territory proposed to be
15 transferred, and state the reasons for desiring the change and the
16 number of children of school age, if any, residing in the territory.

17 (3) The educational service district superintendent shall not
18 complete any transfer of territory under this section that involves ten
19 percent or more of the common school student population of the entire
20 district from which the transfer is proposed, unless the educational
21 service district superintendent has first called and held a special
22 election of the voters of the entire school district from which the
23 transfer of territory is proposed. The purpose of the election is to
24 afford those voters an opportunity to approve or reject the proposed
25 transfer. A simple majority shall determine approval or rejection.

26 (4) The state board may establish rules limiting the frequency of
27 petitions that may be filed pertaining to territory included in whole
28 or in part in a previous petition.

29 (5) Upon receipt of the petition, the educational service district
30 superintendent shall notify in writing the affected districts that:

1 (a) Each school district board of directors, whether or not
2 initiating a proposed transfer of territory, is required to enter into
3 negotiations with the affected district or districts;

4 (b) In the case of a citizen-initiated petition, the affected
5 districts must negotiate on the entire proposed transfer of territory;

6 (c) The districts have ninety calendar days in which to agree to
7 the proposed transfer of territory;

8 (d) The districts may request and shall be granted by the
9 educational service district superintendent one thirty-day extension to
10 try to reach agreement; and

11 (e) Any district involved in the negotiations may at any time
12 during the ninety-day period notify the educational service district
13 superintendent in writing that agreement will not be possible.

14 (6) If the negotiating school boards cannot come to agreement about
15 the proposed transfer of territory, the educational service district
16 superintendent, if requested by the affected districts, shall appoint
17 a mediator. The mediator has thirty days to work with the affected
18 school districts to see if an agreement can be reached on the proposed
19 transfer of territory.

20 (7) If the affected school districts cannot come to agreement about
21 the proposed transfer of territory, and the districts do not request
22 the services of a mediator or the mediator was unable to bring the
23 districts to agreement, either district may file with the educational
24 service district superintendent a written request for a hearing by the
25 regional committee.

26 (8) If the affected school districts cannot come to agreement about
27 the proposed transfer of territory initiated by citizen petition, and
28 the districts do not request the services of a mediator or the mediator
29 was unable to bring the districts to agreement, the district in which
30 the citizens who filed the petition reside shall file with the
31 educational service district superintendent a written request for a
32 hearing by the regional committee, unless a majority of the citizen
33 petitioners request otherwise.

34 (9) Upon receipt of a notice under subsection (7) or (8) of this
35 section, the educational service district superintendent shall notify
36 the chair of the regional committee in writing within ten days.

1 (10) Costs incurred by school districts under this section shall be
2 reimbursed by the state from such funds as are appropriated for this
3 purpose."

EFFECT: Increases from 10 percent to 50 percent plus one the
number of active registered voter signatures required for a petition to
change school district boundaries by the transfer of territory from one
school district to another.

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