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**Education Committee**

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**SB 5437**

**Brief Description:** Allowing all parties to appeal from adverse decisions of school district regional committees.

**Sponsors:** Senators Benton, Schmidt, Zarelli, Shin, Carlson, Stevens and West.

**Brief Summary of Bill**

- Provides an agency appeal process for decisions to deny a proposed change to school district boundaries.

**Hearing Date:** 3/27/03

**Staff:** Sydney Forrester (786-7120).

**Background:**

In 1999, the Legislature modified the process for changing school district boundaries by creating a petition process involving citizens, school districts, regional committees operating within each educational service district (ESD), and the State Board of Education (SBE).

Both citizens and school district boards of directors may petition for a change in school district boundaries involving a transfer of territory from one district to another. Such a petition must be signed by at least ten percent of the registered voters residing in the territory proposed to be transferred, or by the majority of the members of a school board in one of the districts affected by the proposed change in boundaries. The petition is submitted to the ESD and affected districts are notified and are required to negotiate the proposal. If the negotiating school boards are unable to reach agreement, they may request the ESD superintendent appoint a mediator. If the districts still are unable to reach agreement, and either don't request mediation, or are unable to reach agreement through mediation, either district may request a hearing before the ESD regional committee. In the case of a citizen petition, the district in which the citizens reside must file the request for a hearing.

In its review and decision making process for petitions to change school district boundaries, the regional committee must consider the following:

- 1) The annual A+ school performance reports of the districts;
- 2) The safety and welfare of pupils;

- 3) The history and relationship of the property affected to the students and communities;
- 4) Geographic accessibility, including remoteness or isolation from places of residence and travel time to and from school;
- 5) Funding sources, improvement in economies of school operation, and effects on transportation costs of the districts.

Within 30 days after the hearing, or after the final hearing if more than one is held, the regional committee must issue written findings and its decision to approve or disapprove the proposed transfer of territory.

Currently, regional committee decisions to approve a change in school district boundaries may be appealed to the SBE, but regional committee decisions to disapprove a proposed transfer of territory may be appealed to a superior court only.

**Summary of Bill:**

Decisions by an ESD regional committee to deny a proposed change in school district boundaries may be appealed to the SBE in the same manner as committee decisions to approve boundary changes. The SBE's review of denial decisions is governed by the same process and standards as its review of approval decisions. Regional committee decisions made in 2002, may be appealed to the SBE if the appeal is filed within 30 days of the effective date of this bill.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.