
HOUSE BILL 1450

State of Washington 59th Legislature 2005 Regular Session

By Representatives Anderson and McDermott

Read first time 01/25/2005. Referred to Committee on Education.

1 AN ACT Relating to transfer of territory between school districts;
2 amending RCW 28A.315.195; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the citizens of
5 Washington have long enjoyed the right to petition for a transfer of
6 territory between one school district and another and to have their
7 petition decided upon by a neutral body separate from either school
8 district. Recent legislation intended to encourage decisions about
9 school boundaries to be made at the local level by the affected school
10 boards was not intended to abrogate the right of citizens to have their
11 petition heard and decided by the educational service district regional
12 committee.

13 **Sec. 2.** RCW 28A.315.195 and 2003 c 413 s 2 are each amended to
14 read as follows:

15 (1) A proposed change in school district organization by transfer
16 of territory from one school district to another may be initiated by a
17 petition in writing presented to the educational service district
18 superintendent:

1 (a) Signed by at least fifty percent plus one of the active
2 registered voters residing in the territory proposed to be transferred;
3 or

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

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

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

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

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

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

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

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

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

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

37 (6) If the negotiating school boards cannot come to agreement about
38 the proposed transfer of territory, the educational service district

1 superintendent, if requested by the affected districts, shall appoint
2 a mediator. The mediator has thirty days to work with the affected
3 school districts to see if an agreement can be reached on the proposed
4 transfer of territory.

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

11 (8) If the affected school districts (~~cannot come to agreement~~
12 ~~about~~) do not agree to the proposed transfer of territory initiated by
13 citizen petition, (~~and the districts do not request the services of a~~
14 ~~mediator or the mediator was unable to bring the districts to~~
15 ~~agreement,~~) the district in which the citizens who filed the petition
16 reside shall file on behalf of the citizen petitioners with the
17 educational service district superintendent a written request for a
18 hearing by the regional committee, unless a majority of the citizen
19 petitioners request otherwise.

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

23 (10) Costs incurred by school districts under this section shall be
24 reimbursed by the state from such funds as are appropriated for this
25 purpose.

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