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SUBSTITUTE HOUSE BILL 2148

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State of Washington                      60th Legislature                      2007 Regular Session

By House Committee on Education (originally sponsored by Representative Quall)

READ FIRST TIME 2/28/07.

1            AN ACT Relating to changing school district boundaries; and  
2 amending RCW 28A.315.195.

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

4            **Sec. 1.** RCW 28A.315.195 and 2006 c 263 s 502 are each amended to  
5 read as follows:

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

10            (+)) signed by at least fifty percent plus one of the active  
11 registered voters residing in the territory proposed to be  
12 transferred((+ or

13            ~~(b) Signed by a majority of the members of the board of directors~~  
14 ~~of one of the districts affected by a proposed transfer of territory)).~~

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

1 (3) The educational service district superintendent shall not  
2 complete any transfer of territory under this section that involves ten  
3 percent or more of the common school student population of the entire  
4 district from which the transfer is proposed, unless the educational  
5 service district superintendent has first called and held a special  
6 election of the voters of the entire school district from which the  
7 transfer of territory is proposed. The purpose of the election is to  
8 afford those voters an opportunity to approve or reject the proposed  
9 transfer. A simple majority shall determine approval or rejection.

10 (4) The superintendent of public instruction may establish rules  
11 limiting the frequency of petitions that may be filed pertaining to  
12 territory included in whole or in part in a previous petition.

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

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

18 ~~(b) In the case of a citizen initiated petition, the affected  
19 districts))~~ Each school district board of directors must negotiate on  
20 the entire proposed transfer of territory;

21 ~~((c))~~ (b) The districts have ninety calendar days in which to  
22 agree to the proposed transfer of territory;

23 ~~((d))~~ (c) The districts may request and shall be granted by the  
24 educational service district superintendent one thirty-day extension to  
25 try to reach agreement; and

26 ~~((e))~~ (d) Any district involved in the negotiations may at any  
27 time during the ninety-day period notify the educational service  
28 district superintendent in writing that agreement will not be possible.

29 (6) If the negotiating school boards cannot come to agreement about  
30 the proposed transfer of territory, the educational service district  
31 superintendent, if requested by the affected districts, shall appoint  
32 a mediator. The mediator has thirty days to work with the affected  
33 school districts to see if an agreement can be reached on the proposed  
34 transfer of territory.

35 ~~(7) ((If the affected school districts cannot come to agreement  
36 about the proposed transfer of territory, and the districts do not  
37 request the services of a mediator or the mediator was unable to bring~~

1 ~~the districts to agreement, either district may file with the~~  
2 ~~educational service district superintendent a written request for a~~  
3 ~~hearing by the regional committee.~~

4 ~~(8))~~ If the affected school districts cannot come to agreement  
5 about the proposed transfer of territory (~~initiated by citizen~~  
6 ~~petition~~), and the districts do not request the services of a mediator  
7 or the mediator was unable to bring the districts to agreement, the  
8 district in which the citizens who filed the petition reside shall file  
9 with the educational service district superintendent a written request  
10 for a hearing by the regional committee, unless a majority of the  
11 citizen petitioners request otherwise.

12 ~~((9))~~ (8) Upon receipt of a notice under subsection (7) (~~(8)~~  
13 ~~(8))~~ of this section, the educational service district superintendent  
14 shall notify the chair of the regional committee in writing within ten  
15 days.

16 ~~((10))~~ (9) Costs incurred by school districts under this section  
17 shall be reimbursed by the state from such funds as are appropriated  
18 for this purpose.

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