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**SENATE BILL 5501**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senator Fortunato

Prefiled 12/07/21.

1 AN ACT Relating to state board of education membership; adding  
2 new sections to chapter 28A.305 RCW; and repealing RCW 28A.305.011  
3 and 28A.305.021.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.305  
6 RCW to read as follows:

7 (1) Except as provided by subsection (2) of this section, the  
8 state board of education shall be comprised of two nonpartisan  
9 members from each congressional district of the state, not including  
10 any congressional district at large, elected by the voters of each  
11 congressional district in the state.

12 (2) In the event that an even number of congressional districts  
13 exists in the state, an additional member shall be selected by an  
14 organization that represents approved private K-12 schools in the  
15 state.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.305  
17 RCW to read as follows:

18 (1) If any new and additional congressional district is created,  
19 except a congressional district at large, two persons shall be  
20 elected at the next general election at which state board of

1 education members are elected to serve as members of the state board  
2 of education. At the first such election one member of the state  
3 board of education shall be elected for a term of four years.

4 (2) The terms of office of members of the state board of  
5 education who are elected from the various congressional districts  
6 shall not be affected by the creation of either new or new and  
7 additional districts. In such an event, each board member may  
8 continue to serve in office for the balance of the term for which he  
9 or she was elected or appointed: PROVIDED, That the board member  
10 continues to reside within the boundaries of the congressional  
11 district as they existed at the time of his or her election or  
12 appointment. Vacancies that occur in a board member position during  
13 the balance of any such term shall be filled under section 3 of this  
14 act by a successor who resides within the boundaries of the  
15 congressional district from which the member whose office was vacated  
16 was elected as they existed at the time of his or her election. At  
17 the election immediately preceding expiration of the term of office  
18 of each board member provided for in this subsection following the  
19 creation of either new or new and additional congressional districts,  
20 and thereafter, a successor shall be elected from the congressional  
21 district that corresponds in number with the congressional district  
22 from which the incumbent was appointed or elected.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.305  
24 RCW to read as follows:

25 If there is a vacancy upon the state board of education, from any  
26 cause whatever, it is the duty of the remaining members of the board  
27 to fill that vacancy by appointment, and the person appointed  
28 continues in office until his or her successor has been elected and  
29 has qualified. At the next general election following the date of the  
30 occurrence of the vacancy, a successor shall be elected to hold  
31 office for the unexpired term of the member whose office was vacated.

32 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.305  
33 RCW to read as follows:

34 (1) An election shall be held at the general election after the  
35 effective date of this section to elect members to the state board of  
36 education. Members shall take office on the second Monday of January  
37 following the election, on which date the terms of all members of the  
38 state board of education holding office on the effective date of this

1 section shall expire. Of the initial members elected under this  
2 section, members elected from even-numbered congressional districts  
3 shall serve four-year terms and members elected from odd-numbered  
4 congressional districts shall serve two-year terms. Newly elected  
5 members of the state board of education shall serve until their  
6 successors are elected and qualified. Members who are elected  
7 subsequently shall be elected to four-year terms of office and shall  
8 serve until their successors are elected and qualified and assume  
9 office in accordance with RCW 29A.60.280.

10 (2) This section shall not apply to members selected under  
11 section 1(2) of this act.

12 NEW SECTION. **Sec. 5.** The following acts or parts of acts are  
13 each repealed:

14 (1) RCW 28A.305.011 (Board membership--Terms--Compensation) and  
15 2006 c 263 s 105 & 2005 c 497 s 101; and

16 (2) RCW 28A.305.021 (Election of board members--Restrictions) and  
17 2005 c 497 s 102.

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