

---

SENATE BILL 5641

---

State of Washington

65th Legislature

2017 Regular Session

By Senators Keiser and Honeyford

1 AN ACT Relating to school district nomenclature; amending RCW  
2 28A.300.065, 28A.310.370, 28A.330.100, 28A.330.110, 28A.330.230,  
3 28A.335.240, 28A.335.290, 28A.340.020, 28A.343.030, 28A.343.050,  
4 28A.343.300, 28A.343.600, 28A.343.610, 28A.343.620, 28A.343.630,  
5 28A.343.640, 28A.343.650, 28A.343.660, 28A.343.670, 28A.343.680,  
6 28A.505.050, 28A.505.060, 28A.505.170, 28A.505.180, 28A.525.166,  
7 29A.04.340, 42.23.030, 53.36.020, and 84.52.020; and reenacting and  
8 amending RCW 28A.343.020.

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

10 **Sec. 1.** RCW 28A.300.065 and 1999 c 315 s 202 are each amended to  
11 read as follows:

12 (1) The superintendent of public instruction is responsible for  
13 the classification and numbering system of school districts.

14 (2) Any school district in the state that has a student  
15 enrollment in its public schools of two thousand pupils or more, as  
16 shown by evidence acceptable to the educational service district  
17 superintendent and the superintendent of public instruction, is a  
18 class one school district (~~(of the first class)~~). Any other school  
19 district is a class two school district (~~(of the second class)~~).

20 (3) Whenever the educational service district superintendent  
21 finds that the classification of a school district should be changed,

1 and upon the approval of the superintendent of public instruction,  
2 the educational service district superintendent shall make an order  
3 in conformity with his or her findings and alter the records of his  
4 or her office accordingly. Thereafter, the board of directors of the  
5 district shall organize in the manner provided by law for the  
6 organization of the board of a district of the class to which the  
7 district then belongs.

8 (4) Notwithstanding any other provision of chapter 43, Laws of  
9 1975, the educational service district superintendent, with the  
10 concurrence of the superintendent of public instruction, may delay  
11 approval of a change in classification of any school district for a  
12 period not exceeding three years when, in fact, the student  
13 enrollment of the district within any such time period does not  
14 exceed ten percent, either in a decrease or increase thereof.

15 **Sec. 2.** RCW 28A.310.370 and 1983 c 56 s 4 are each amended to  
16 read as follows:

17 The superintendent of public instruction shall examine and revise  
18 the biennial budget request of each educational service district and  
19 shall fix the amount to be requested in state funds for the  
20 educational service district system from the legislature. Once funds  
21 have been appropriated by the legislature, the superintendent of  
22 public instruction shall fix the annual budget of each educational  
23 service district and shall allocate quarterly the state's portion  
24 from funds appropriated for that purpose to the county treasurer of  
25 the headquarters county of the educational service district for  
26 deposit to the credit of the educational service district general  
27 expense fund.

28 In each educational service district, there shall be an  
29 educational service district general expense fund into which there  
30 shall be deposited such moneys as are allocated by the superintendent  
31 of public instruction under provisions of this chapter and other  
32 funds of the educational service district, and such moneys shall be  
33 expended according to the method used by (~~first or second class~~)  
34 class one or class two school districts, whichever is deemed most  
35 feasible by the educational service district board. No vouchers for  
36 warrants other than moneys being distributed to the school districts  
37 shall be approved for expenditures not budgeted by the educational  
38 service district board.

1       **Sec. 3.** RCW 28A.330.100 and 2006 c 263 s 417 are each amended to  
2 read as follows:

3       Every board of directors of a class one school district (~~of the~~  
4 ~~first class~~)), in addition to the general powers for directors  
5 enumerated in this title, shall have the power:

6       (1) To employ for a term of not exceeding three years a  
7 superintendent of schools of the district, and for cause to dismiss  
8 him or her, and to fix his or her duties and compensation;

9       (2) To employ, and for cause dismiss one or more assistant  
10 superintendents and to define their duties and fix their  
11 compensation;

12       (3) To employ a business manager, attorneys, architects,  
13 inspectors of construction, superintendents of buildings and a  
14 superintendent of supplies, all of whom shall serve at the board's  
15 pleasure, and to prescribe their duties and fix their compensation;

16       (4) To employ, and for cause dismiss, supervisors of instruction  
17 and to define their duties and fix their compensation;

18       (5) To prescribe a course of study and a program of exercises  
19 which shall be consistent with the course of study prepared by the  
20 superintendent of public instruction for the use of the common  
21 schools of this state;

22       (6) To, in addition to the minimum requirements imposed by this  
23 title establish and maintain such grades and departments, including  
24 night, high, kindergarten, vocational training and, except as  
25 otherwise provided by law, industrial schools, and schools and  
26 departments for the education and training of any class or classes of  
27 youth with disabilities, as in the judgment of the board, best shall  
28 promote the interests of education in the district;

29       (7) To determine the length of time over and above one hundred  
30 eighty days that school shall be maintained: PROVIDED, That for  
31 purposes of apportionment no district shall be credited with more  
32 than one hundred and eighty-three days' attendance in any school  
33 year; and to fix the time for annual opening and closing of schools  
34 and for the daily dismissal of pupils before the regular time for  
35 closing schools;

36       (8) To maintain a shop and repair department, and to employ, and  
37 for cause dismiss, a foreman and the necessary help for the  
38 maintenance and conduct thereof;

39       (9) To provide free textbooks and supplies for all children  
40 attending school;

1 (10) To require of the officers or employees of the district to  
2 give a bond for the honest performance of their duties in such penal  
3 sum as may be fixed by the board with good and sufficient surety, and  
4 to cause the premium for all bonds required of all such officers or  
5 employees to be paid by the district: PROVIDED, That the board may,  
6 by written policy, allow that such bonds may include a deductible  
7 proviso not to exceed two percent of the officer's or employee's  
8 annual salary;

9 (11) To prohibit all secret fraternities and sororities among the  
10 students in any of the schools of the said districts; and

11 (12) To appoint a practicing physician, resident of the school  
12 district, who shall be known as the school district medical  
13 inspector, and whose duty it shall be to decide for the board of  
14 directors all questions of sanitation and health affecting the safety  
15 and welfare of the public schools of the district who shall serve at  
16 the board's pleasure: PROVIDED, That children shall not be required  
17 to submit to vaccination against the will of their parents or  
18 guardian.

19 **Sec. 4.** RCW 28A.330.110 and 1983 c 59 s 16 are each amended to  
20 read as follows:

21 Class one school districts (~~(of the first class)~~), when in the  
22 judgment of the board of directors it be deemed expedient, shall have  
23 power to create and maintain an insurance reserve for said districts,  
24 to be used to meet losses specified by the board of directors of the  
25 school districts.

26 Funds required for maintenance of such an insurance reserve shall  
27 be budgeted and allowed as are other moneys required for the support  
28 of the school district.

29 **Sec. 5.** RCW 28A.330.230 and 2012 c 209 s 2 are each amended to  
30 read as follows:

31 (~~(Second class)~~) Class two school districts, subject to the  
32 approval of the superintendent of public instruction, may draw and  
33 issue warrants for the payment of moneys upon approval of a majority  
34 of the board of directors, such warrants to be signed by the chair of  
35 the board and countersigned by the secretary: PROVIDED, That when, in  
36 the judgment of the board of directors, the orders for warrants  
37 issued by the district monthly shall have reached such numbers that  
38 the signing of each warrant by the chair of the board personally

1 imposes too great a task on the chair, the board of directors, after  
2 auditing all payrolls and bills, may authorize the issuing of one  
3 general certificate to the county treasurer, to be signed by the  
4 chair of the board, authorizing said treasurer to pay all the  
5 warrants specified by date, number, name and amount, and the funds on  
6 which said warrants shall be drawn; thereupon the secretary of said  
7 board shall be authorized to draw and sign said orders for warrants.  
8 Orders for warrants and warrant registers may be sent in an  
9 electronic format and using facsimile signatures as provided under  
10 chapter 39.62 RCW.

11 **Sec. 6.** RCW 28A.335.240 and 2004 c 6 s 1 are each amended to  
12 read as follows:

13 (1) The board of directors of a (~~second-class~~) class two school  
14 district shall build schoolhouses and teachers' cottages when  
15 directed by a vote of the district to do so and may purchase real  
16 property for any school district purpose.

17 (2) The board of directors of a (~~second-class~~) class two  
18 nonhigh school district that is totally surrounded by water and  
19 serves fewer than forty students also may authorize the construction  
20 of teachers' cottages without a vote of the district using funds from  
21 the district's capital projects fund or general fund. Rental and  
22 other income from the cottages, including sale of the cottages, may  
23 be deposited, in whole or in part, into the school district's general  
24 fund, debt service fund, or capital projects fund as determined by  
25 the board of directors.

26 **Sec. 7.** RCW 28A.335.290 and 1984 c 40 s 10 are each amended to  
27 read as follows:

28 Notwithstanding any other provision of law, any (~~second-class~~)  
29 class two school district with an enrollment of three hundred  
30 students or less may provide housing for the superintendent of the  
31 school district, or any person acting in the capacity of  
32 superintendent, by such means and with such moneys as the school  
33 district shall determine: PROVIDED, That any (~~second-class~~) class  
34 two school district presently providing such housing may continue to  
35 provide the same: PROVIDED FURTHER, That if such housing is exempt  
36 from real property taxation by virtue of school district ownership,  
37 the school district shall charge for such housing, rent at least

1 equal to the amount of real property tax for which such housing would  
2 be liable were it not so owned.

3 **Sec. 8.** RCW 28A.340.020 and 1990 c 33 s 367 are each amended to  
4 read as follows:

5 School districts eligible for funding as a small high school  
6 district pursuant to the state operating appropriations act shall be  
7 eligible to participate in a cooperative project: PROVIDED, That the  
8 superintendent of public instruction may adopt rules permitting  
9 (~~second-class~~) class two school districts that are not eligible for  
10 funding as a small high school district in the state operating  
11 appropriations act to participate in a cooperative project.

12 Two or more school districts may participate in a cooperative  
13 project pursuant to RCW 28A.340.020 through 28A.340.070.

14 **Sec. 9.** RCW 28A.343.020 and 1991 c 363 s 22 and 1991 c 288 s 3  
15 are each reenacted and amended to read as follows:

16 Whenever an election shall be held for the purpose of securing  
17 the approval of the voters for the formation of a new school district  
18 other than a class one school district (~~of the first class~~) having  
19 within its boundaries a city with a population of four hundred  
20 thousand people or more, if requested by one of the boards of  
21 directors of the school districts affected, there shall also be  
22 submitted to the voters at the same election a proposition to  
23 authorize the board of directors to divide the school district, if  
24 formed, into five directors' districts in (~~first-class~~) class one  
25 school districts and a choice of five directors' districts or no  
26 fewer than three directors' districts with the balance of the  
27 directors to be elected at large in (~~second-class~~) class two school  
28 districts. Such director districts in (~~second-class~~) class two  
29 districts, if approved, shall not become effective until the regular  
30 school election following the next regular school election at which  
31 time a new board of directors shall be elected as provided in RCW  
32 (~~28A.315.550~~) 28A.343.680. Such director districts in (~~first-~~  
33 ~~class~~) class one districts, if approved, shall not become effective  
34 until the next regular school election at which time a new board of  
35 directors shall be elected as provided in RCW (~~28A.315.600,~~  
36 ~~28A.315.610, and 28A.315.620~~) 28A.343.620, 28A.343.630, and  
37 28A.343.640. Each of the five directors shall be elected from among  
38 the residents of the respective director district, or from among the

1 residents of the entire school district in the case of directors at  
2 large, by the electors of the entire school district.

3 **Sec. 10.** RCW 28A.343.030 and 2015 c 53 s 10 are each amended to  
4 read as follows:

5 The board of directors of every (~~first-class~~) class one school  
6 district other than a class one school district (~~of the first~~  
7 ~~class~~) having within its boundaries a city with a population of four  
8 hundred thousand people or more which is not divided into directors'  
9 districts may submit to the voters at any regular school district  
10 election a proposition to authorize the board of directors to divide  
11 the district into directors' districts or for (~~second-class~~) class  
12 two school districts into director districts or a combination of no  
13 fewer than three director districts and no more than two at large  
14 positions. If a majority of the votes cast on the proposition is  
15 affirmative, the board of directors shall proceed to divide the  
16 district into directors' districts following the procedure  
17 established in RCW 29A.76.010. Such director districts, if approved,  
18 shall not become effective until the next regular school election  
19 when a new five member board of directors shall be elected, one from  
20 each of the director districts from among the residents of the  
21 respective director district, or from among the residents of the  
22 entire school district in the case of directors at large, by the  
23 electors of the entire district, two for a term of two years and  
24 three for a term of four years, unless such district elects its  
25 directors for six years, in which case, one for a term of two years,  
26 two for a term of four years, and two for a term of six years.

27 **Sec. 11.** RCW 28A.343.050 and 2008 c 9 s 1 are each amended to  
28 read as follows:

29 Upon receipt by the educational service district superintendent  
30 of a resolution adopted by the board of directors or a written  
31 petition from a (~~first-class~~) class one or (~~second-class~~) class  
32 two school district signed by at least twenty percent of the  
33 registered voters of a school district previously divided into  
34 directors' districts, which resolution or petition shall request  
35 dissolution of the existing directors' districts and reapportionment  
36 of the district into no fewer than three directors' districts and  
37 with no more than two directors at large, the superintendent, after  
38 formation of the question to be submitted to the voters, shall give

1 notice thereof to the county auditor who shall call and hold a  
2 special election of the voters of the entire school district to  
3 approve or reject such proposal, such election to be called,  
4 conducted and the returns canvassed as in regular school district  
5 elections.

6 If approval of a majority of those registered voters voting in  
7 said election is acquired, at the expiration of terms of the  
8 incumbent directors of such school district their successors shall be  
9 elected in the manner approved.

10 **Sec. 12.** RCW 28A.343.300 and 2009 c 107 s 1 are each amended to  
11 read as follows:

12 The governing board of a school district shall be known as the  
13 board of directors of the district.

14 Unless otherwise specifically provided, as in RCW 29A.04.340,  
15 each member of a board of directors shall be elected by ballot by the  
16 registered voters of the school district and shall hold office for a  
17 term of four years and until a successor is elected and qualified.  
18 Terms of school directors shall be staggered, and insofar as  
19 possible, not more than a majority of one shall be elected to full  
20 terms at any regular election. In case a member or members of a board  
21 of directors are to be elected to fill an unexpired term or terms,  
22 the ballot shall specify the term for which each such member is to be  
23 elected.

24 Except for a class one school district (~~(of the first class)~~)  
25 having within its boundaries a city with a population of four hundred  
26 thousand people or more which shall have a board of directors of  
27 seven members, the board of directors of every class one school  
28 district (~~(of the first class)~~) or class two school district (~~(of the~~  
29 ~~second class)~~) shall consist of five members.

30 **Sec. 13.** RCW 28A.343.600 and 2009 c 107 s 2 are each amended to  
31 read as follows:

32 Any (~~(first class)~~) class one school district having a board of  
33 directors of five members as provided in RCW 28A.343.300 and which  
34 elects directors for a term of six years under the provisions of RCW  
35 29A.04.340 shall cause the office of at least one director and no  
36 more than two directors to be up for election at each regular school  
37 district election held hereafter and, except as provided in RCW  
38 28A.343.670, any (~~(first class)~~) class one school district having a

1 board of directors of seven members as provided in RCW 28A.343.300  
2 shall cause the office of two directors and no more than three  
3 directors to be up for election at each regular school district  
4 election held hereafter.

5 **Sec. 14.** RCW 28A.343.610 and 1991 c 363 s 21 are each amended to  
6 read as follows:

7 After July 1, 1979, the election of directors of any (~~first-~~  
8 ~~class~~) class one school district having within its boundaries a city  
9 with a population of four hundred thousand people or more, shall be  
10 to four-year terms. The initial four-year terms required by this  
11 section shall commence upon the expiration of terms in existence at  
12 July 1, 1979. Nothing in chapter 183, Laws of 1979 ex. sess. shall  
13 affect the term of office of any incumbent director of any such  
14 (~~first-class~~) class one school district.

15 **Sec. 15.** RCW 28A.343.620 and 1991 c 363 s 24 are each amended to  
16 read as follows:

17 Upon the establishment of a new class one school district (~~of~~  
18 ~~the first class~~) as provided for in RCW (~~(28A.315.580)~~) 28A.343.020  
19 containing no former (~~first-class~~) class one district, the  
20 directors of the old school districts who reside within the limits of  
21 the new district shall meet at the call of the educational service  
22 district superintendent and shall constitute the board of directors  
23 of the new district. If fewer than five such directors reside in such  
24 new district, they shall become directors of said district and the  
25 educational service district board shall appoint the number of  
26 additional directors to constitute a board of five directors for the  
27 district. Vacancies, once such a board has been reconstituted, shall  
28 not be filled unless the number of remaining board members is less  
29 than five, and such vacancies shall be filled in the manner otherwise  
30 provided by law.

31 Each board of directors so constituted shall proceed at once to  
32 organize in the manner prescribed by law and thereafter shall have  
33 all the powers and authority conferred by law upon boards of  
34 directors of (~~first-class~~) class one school districts until the  
35 next regular school election in the district at which election their  
36 successors shall be elected and qualified. At such election no more  
37 than five directors shall be elected either at large or by director  
38 districts, as the case may be, two for a term of two years and three

1 for a term of four years: PROVIDED, That if such (~~first-class~~)  
2 class one district is in a county with a population of two hundred  
3 ten thousand or more and contains a city of the first class, two  
4 directors shall be elected for a term of three years and three  
5 directors shall be elected for a term of six years.

6 **Sec. 16.** RCW 28A.343.630 and 1991 c 363 s 25 are each amended to  
7 read as follows:

8 Upon the establishment of a new class one school district (~~of~~  
9 ~~the first-class~~) as provided for in RCW (~~28A.315.580~~) 28A.343.020  
10 containing only one former (~~first-class~~) class one district, the  
11 directors of the former (~~first-class~~) class one district and two  
12 directors representative of former (~~second-class~~) class two  
13 districts selected by a majority of the board members of former  
14 (~~second-class~~) class two districts shall meet at the call of the  
15 educational service district superintendent and shall constitute the  
16 board of directors of the new district. Vacancies, once such a board  
17 has been reconstituted, shall not be filled unless the number of  
18 remaining board members is less than five, and such vacancies shall  
19 be filled in the manner otherwise provided by law.

20 Each board of directors so constituted shall proceed at once to  
21 organize in the manner prescribed by law and thereafter shall have  
22 all the powers and authority conferred by law upon boards of  
23 directors of (~~first-class~~) class one school districts until the  
24 next regular school election in the district at which election their  
25 successors shall be elected and qualified. At such election no more  
26 than five directors shall be elected either at large or by director  
27 districts, as the case may be, two for a term of two years and three  
28 for a term of four years: PROVIDED, That if such (~~first-class~~)  
29 class one district is in a county with a population of two hundred  
30 ten thousand or more and contains a city of the first class, two  
31 directors shall be elected for a term of three years and three  
32 directors shall be elected for a term of six years.

33 **Sec. 17.** RCW 28A.343.640 and 2009 c 107 s 3 are each amended to  
34 read as follows:

35 Upon the establishment of a new class one school district (~~of~~  
36 ~~the first-class~~) as provided for in RCW 28A.343.020 containing more  
37 than one former (~~first-class~~) class one district, the directors of  
38 the largest former (~~first-class~~) class one district and three

1 directors representative of the other former (~~first-class~~) class  
2 one districts selected by a majority of the board members of the  
3 former (~~first-class~~) class one districts and two directors  
4 representative of former (~~second-class~~) class two districts  
5 selected by a majority of the board members of former (~~second-~~  
6 ~~class~~) class two districts shall meet at the call of the educational  
7 service district superintendent and shall constitute the board of  
8 directors of the new district. Vacancies once such a board has been  
9 reconstituted shall not be filled unless the number of remaining  
10 board members is less than seven, and such vacancies shall be filled  
11 in the manner otherwise provided by law.

12 Each board of directors so constituted shall proceed at once to  
13 organize in the manner prescribed by law and thereafter shall have  
14 all of the powers and authority conferred by law upon boards of  
15 (~~first-class~~) class one districts until the next regular school  
16 election and until their successors are elected and qualified. At  
17 such election other than districts electing directors for six-year  
18 terms as provided in RCW 29A.04.340, five directors shall be elected  
19 either at large or by director districts, as the case may be, two for  
20 a term of two years and three for a term of four years. At such  
21 election for districts electing directors for six years other than a  
22 district having within its boundaries a city with a population of  
23 four hundred thousand people or more and electing directors for six  
24 year terms, five directors shall be elected either at large or by  
25 director districts, as the case may be, one for a term of two years,  
26 two for a term of four years, and two for a term of six years.

27 **Sec. 18.** RCW 28A.343.650 and 1991 c 363 s 27 are each amended to  
28 read as follows:

29 Upon the establishment of a new class one school district (~~of~~  
30 ~~the first-class~~) having within its boundaries a city with a  
31 population of four hundred thousand people or more, the directors of  
32 the largest former (~~first-class~~) class one district and three  
33 directors representative of the other former (~~first-class~~) class  
34 one districts selected by a majority of the board members of the  
35 former (~~first-class~~) class one districts and two directors  
36 representative of former (~~second-class~~) class two districts  
37 selected by a majority of the board members of former (~~second-~~  
38 ~~class~~) class two districts shall meet at the call of the educational  
39 service district superintendent and shall constitute the board of

1 directors of the new district. Each board of directors so constituted  
2 shall proceed at once to organize in the manner prescribed by law and  
3 thereafter shall have all the powers and duties conferred by law upon  
4 boards of (~~first-class~~) class one districts, until the next regular  
5 school election and until their successors are elected and qualified.  
6 Such duties shall include establishment of new director districts as  
7 provided for in RCW (~~28A.315.670~~) 28A.343.660. At the next regular  
8 school election seven directors shall be elected by director  
9 districts, two for a term of two years, two for a term of four years  
10 and three for a term of six years. Thereafter their terms shall be as  
11 provided in RCW (~~28A.315.460~~) 28A.343.610.

12 Vacancies once such a board has been reconstituted shall not be  
13 filled unless the number of remaining board members is less than  
14 seven, and such vacancies shall be filled in the manner otherwise  
15 provided by law.

16 **Sec. 19.** RCW 28A.343.660 and 2015 c 53 s 14 are each amended to  
17 read as follows:

18 Notwithstanding any other provision of law, any class one school  
19 district (~~of the first-class~~) having within its boundaries a city  
20 with a population of four hundred thousand people or more shall be  
21 divided into seven director districts. The boundaries of such  
22 director districts shall be established by the members of the school  
23 board, such boundaries to be established so that each such district  
24 shall comply, as nearly as practicable, with the criteria established  
25 in RCW 29A.76.010. Boundaries of such director districts shall be  
26 adjusted by the school board following the procedure established in  
27 RCW 29A.76.010 after each federal decennial census if population  
28 change shows the need thereof to comply with the criteria of RCW  
29 29A.76.010. No person shall be eligible for the position of school  
30 director in any such director district unless such person resides in  
31 the particular director district. Residents in the particular  
32 director district desiring to be a candidate for school director  
33 shall file their declarations of candidacy for such director district  
34 and for the position of director in that district and shall be voted  
35 upon, in any primary required to be held for the position under Title  
36 29A RCW, by the registered voters of that particular director  
37 district. In the general election, each position shall be voted upon  
38 by all the registered voters in the school district. The order of the  
39 names of candidates shall appear on the primary and general election

1 ballots as required for nonpartisan positions under Title 29A RCW.  
2 Except as provided in RCW 28A.343.670, every such director so elected  
3 in school districts divided into seven director districts shall serve  
4 for a term of four years as otherwise provided in RCW 28A.343.610.

5 **Sec. 20.** RCW 28A.343.670 and 2015 c 53 s 15 are each amended to  
6 read as follows:

7 The school boards of any class one school district (~~(of the first~~  
8 ~~class))~~ having within its boundaries a city with a population of four  
9 hundred thousand people or more shall establish the director district  
10 boundaries. Appointment of a board member to fill any vacancy  
11 existing for a new director district prior to the next regular school  
12 election shall be by the school board. Prior to the next regular  
13 election in the school district and the filing of declarations of  
14 candidacy therefor, the incumbent school board shall designate said  
15 director districts by number. Directors appointed to fill vacancies  
16 as above provided shall be subject to election, one for a six-year  
17 term, and one for a two-year term and thereafter the term of their  
18 respective successors shall be for four years. The term of office of  
19 incumbent members of the board of such district shall not be affected  
20 by RCW 28A.343.300, 28A.343.600, 28A.343.610, 28A.343.660, and  
21 (~~(28A.343.670)~~) this section.

22 **Sec. 21.** RCW 28A.343.680 and 1990 c 33 s 316 are each amended to  
23 read as follows:

24 Upon the establishment of a new class two school district (~~(of~~  
25 ~~the second class))~~, the directors of the old school districts who  
26 reside within the limits of the new district shall meet at the call  
27 of the educational service district superintendent and shall  
28 constitute the board of directors of the new district. If fewer than  
29 five such directors reside in any such new (~~(second class))~~ class two  
30 school district, they shall become directors of said district, and  
31 the educational service district board shall appoint the number of  
32 additional directors required to constitute a board of five directors  
33 for the new (~~(second class))~~ class two district. Vacancies once such  
34 a board has been reconstituted shall not be filled unless the number  
35 of remaining board members is less than five in a (~~(second class))~~  
36 class two district, and such vacancies shall be filled in the manner  
37 otherwise provided by law.

1 Each board of directors so constituted shall proceed at once to  
2 organize in the manner prescribed by law and thereafter shall have  
3 all the powers and authority conferred by law upon boards of  
4 directors of other districts of the same class. Each initial director  
5 shall hold office until his or her successor is elected and  
6 qualified: PROVIDED, That the election of the successor shall be held  
7 during the second district general election after the initial  
8 directors have assumed office. At such election, no more than five  
9 directors shall be elected either at large or by director districts,  
10 as the case may be, two for a term of two years and three for a term  
11 of four years. Directors thereafter elected and qualified shall serve  
12 such terms as provided for in RCW (~~(28A.315.450)~~) 28A.343.300.

13 **Sec. 22.** RCW 28A.505.050 and 1995 c 121 s 2 are each amended to  
14 read as follows:

15 Upon completion of their budgets as provided in RCW 28A.505.040,  
16 every school district shall publish a notice stating that the board  
17 of directors will meet for the purpose of fixing and adopting the  
18 budget of the district for the ensuing fiscal year. Such notice shall  
19 designate the date, time, and place of said meeting which shall occur  
20 no later than the thirty-first day of August for (~~(first-class)~~)  
21 class one school districts, and the first day of August for (~~(second-~~  
22 ~~class))~~) class two school districts. The notice shall also state that  
23 any person may appear thereat and be heard for or against any part of  
24 such budget. Said notice shall be published at least once each week  
25 for two consecutive weeks in a newspaper of general circulation in  
26 the district, or, if there be none, in a newspaper of general  
27 circulation in the county or counties in which such district is a  
28 part. The last notice shall be published no later than seven days  
29 immediately prior to the hearing.

30 **Sec. 23.** RCW 28A.505.060 and 1990 c 33 s 418 are each amended to  
31 read as follows:

32 On the date given in said notice as provided in RCW 28A.505.050  
33 the school district board of directors shall meet at the time and  
34 place designated. Any person may appear thereat and be heard for or  
35 against any part of such budget. Such hearing may be continued not to  
36 exceed a total of two days: PROVIDED, That the budget must be adopted  
37 no later than August 31st in (~~(first-class)~~) class one school

1 districts, and not later than August 1st in (~~second-class~~) class  
2 two school districts.

3 Upon conclusion of the hearing, the board of directors shall fix  
4 and determine the appropriation from each fund contained in the  
5 budget separately, and shall by resolution adopt the budget and the  
6 appropriations as so finally determined, and enter the same in the  
7 official minutes of the board: PROVIDED, That (~~first-class~~) class  
8 one school districts shall file copies of their adopted budget with  
9 their educational service district no later than September 3rd, and  
10 (~~second-class~~) class two school districts shall forward copies of  
11 their adopted budget to their educational service district no later  
12 than August 3rd for review, alteration and approval as provided for  
13 in RCW 28A.505.070 by the budget review committee.

14 **Sec. 24.** RCW 28A.505.170 and 1990 c 33 s 424 are each amended to  
15 read as follows:

16 (1) Notwithstanding any other provision of this chapter, upon the  
17 happening of any emergency in (~~first-class~~) class one school  
18 districts caused by fire, flood, explosion, storm, earthquake,  
19 epidemic, riot, insurrection, or for the restoration to a condition  
20 of usefulness of any school district property, the usefulness of  
21 which has been destroyed by accident, and no provision has been made  
22 for such expenditures in the adopted appropriation, the board of  
23 directors, upon the adoption by the vote of the majority of all board  
24 members of a resolution stating the facts constituting the emergency,  
25 may make an appropriation therefor without notice or hearing.

26 (2) Notwithstanding any other provision of this chapter, if in  
27 (~~first-class~~) class one districts it becomes necessary to increase  
28 the amount of the appropriation, and if the reason is not one of the  
29 emergencies specifically enumerated in subsection (1) of this  
30 section, the school district board of directors, before incurring  
31 expenditures in excess of the appropriation, shall adopt a resolution  
32 stating the facts and the estimated amount of appropriation to meet  
33 it.

34 Such resolution shall be voted on at a public meeting, notice to  
35 be given in the manner provided in RCW 28A.505.050. Its introduction  
36 and passage shall require the vote of a majority of all members of  
37 the school district board of directors.

1 Any person may appear at the meeting at which the appropriation  
2 resolution is to be voted on and be heard for or against the adoption  
3 thereof.

4 Copies of all adopted appropriation resolutions shall be filed  
5 with the educational service district who shall forward one copy each  
6 to the office of the superintendent of public instruction. One copy  
7 shall be retained by the educational service district.

8 **Sec. 25.** RCW 28A.505.180 and 1990 c 33 s 425 are each amended to  
9 read as follows:

10 Notwithstanding any other provision of this chapter, if a  
11 (~~second-class~~) class two school district needs to increase the  
12 amount of the appropriation from any fund for any reason, the school  
13 district board of directors, before incurring expenditures in excess  
14 of appropriation, shall adopt a resolution stating the facts and  
15 estimating the amount of additional appropriation needed.

16 Such resolution shall be voted on at a public meeting, notice to  
17 be given in the manner provided by RCW 28A.505.050. Its introduction  
18 and passage shall require the vote of a majority of all members of  
19 the school district board of directors.

20 Any person may appear at the meeting at which the appropriation  
21 resolution is to be voted on and be heard for or against the adoption  
22 thereof.

23 Upon passage of the appropriation resolution the school district  
24 shall petition the superintendent of public instruction for approval  
25 to increase the amount of its appropriations in the manner prescribed  
26 in rules and regulations for such approval by the superintendent.

27 Copies of all appropriation resolutions approved by the  
28 superintendent of public instruction shall be filed by the office of  
29 the superintendent of public instruction with the educational service  
30 district.

31 **Sec. 26.** RCW 28A.525.166 and 2015 3rd sp.s. c 3 s 7018 are each  
32 amended to read as follows:

33 Allocations to school districts of state funds provided by RCW  
34 28A.525.162 through 28A.525.180 shall be made by the superintendent  
35 of public instruction and the amount of state funding assistance to a  
36 school district in financing a school plant project shall be  
37 determined in the following manner:

1 (1) The boards of directors of the districts shall determine the  
 2 total cost of the proposed project, which cost may include the cost  
 3 of acquiring and preparing the site, the cost of constructing the  
 4 building or of acquiring a building and preparing the same for school  
 5 use, the cost of necessary equipment, taxes chargeable to the  
 6 project, necessary architects' fees, and a reasonable amount for  
 7 contingencies and for other necessary incidental expenses: PROVIDED,  
 8 That the total cost of the project shall be subject to review and  
 9 approval by the superintendent.

10 (2) The state funding assistance percentage for a school district  
 11 shall be computed by the following formula:

12 The ratio of the school district's adjusted valuation per pupil  
 13 divided by the ratio of the total state adjusted valuation per pupil  
 14 shall be subtracted from three, and then the result of the foregoing  
 15 shall be divided by three plus (the ratio of the school district's  
 16 adjusted valuation per pupil divided by the ratio of the total state  
 17 adjusted valuation per pupil).

	District adjusted	Total state	
	3-valuation	÷ adjusted valuation	
Computed	per pupil	per pupil	State
State =	_____		= - % Funding
Ratio	District adjusted	Total state	Assistance
	3+valuation	÷ adjusted valuation	
	per pupil	per pupil	

25 PROVIDED, That in the event the state funding assistance percentage  
 26 to any school district based on the above formula is less than twenty  
 27 percent and such school district is otherwise eligible for state  
 28 funding assistance under RCW 28A.525.162 through 28A.525.180, the  
 29 superintendent may establish for such district a state funding  
 30 assistance percentage not in excess of twenty percent of the approved  
 31 cost of the project, if the superintendent finds that such additional  
 32 assistance is necessary to provide minimum facilities for housing the  
 33 pupils of the district.

34 (3) In addition to the computed state funding assistance  
 35 percentage developed in subsection (2) of this section, a school  
 36 district shall be entitled to additional percentage points determined  
 37 by the average percentage of growth for the past three years. One  
 38 percent shall be added to the computed state funding assistance

1 percentage for each percent of growth, with a maximum of twenty  
2 percent.

3 (4) In computing the state funding assistance percentage in  
4 subsection (2) of this section and adjusting the percentage under  
5 subsection (3) of this section, students residing outside the school  
6 district who are enrolled in alternative learning experience courses  
7 under RCW 28A.232.010 shall be excluded from the count of total  
8 pupils. In lieu of the exclusion in this subsection, a district may  
9 submit an alternative calculation for excluding students enrolled in  
10 alternative learning experience courses. The alternative calculation  
11 must show the student headcount use of district classroom facilities  
12 on a regular basis for a reasonable duration by out-of-district  
13 alternative learning experience students subtracted by the headcount  
14 of in-district alternative learning experience students not using  
15 district classroom facilities on a regular basis for a reasonable  
16 duration. The alternative calculation must be submitted in a form  
17 approved by the office of the superintendent of public instruction.  
18 The office of the superintendent of public instruction must develop  
19 rules to define "regular basis" and "reasonable duration."

20 (5) The approved cost of the project determined in the manner  
21 prescribed in this section multiplied by the state funding assistance  
22 percentage derived as provided for in this section shall be the  
23 amount of state funding assistance to the district for the financing  
24 of the project: PROVIDED, That need therefor has been established to  
25 the satisfaction of the superintendent: PROVIDED, FURTHER, That  
26 additional state funding assistance may be allowed if it is found by  
27 the superintendent, considering policy recommendations from the  
28 school facilities citizen advisory panel that such assistance is  
29 necessary in order to meet (a) a school housing emergency resulting  
30 from the destruction of a school building by fire, the condemnation  
31 of a school building by properly constituted authorities, a sudden  
32 excessive and clearly foreseeable future increase in school  
33 population, or other conditions similarly emergent in nature; or (b)  
34 a special school housing burden resulting from projects of statewide  
35 significance or imposed by virtue of the admission of nonresident  
36 students into educational programs established, maintained and  
37 operated in conformity with the requirements of law; or (c) a  
38 deficiency in the capital funds of the district resulting from  
39 financing, subsequent to April 1, 1969, and without benefit of the  
40 state funding assistance provided by prior state assistance programs,

1 the construction of a needed school building project or projects  
2 approved in conformity with the requirements of such programs, after  
3 having first applied for and been denied state funding assistance  
4 because of the inadequacy of state funds available for the purpose,  
5 or (d) a condition created by the fact that an excessive number of  
6 students live in state owned housing, or (e) a need for the  
7 construction of a school building to provide for improved school  
8 district organization or racial balance, or (f) conditions similar to  
9 those defined under (a), (b), (c), (d), and (e) of this subsection,  
10 creating a like emergency.

11 (6) For the 2015-2017 biennium, schools determined to have a lack  
12 of sufficient space to provide science classrooms or labs, to meet  
13 the requirements of law, have a special housing burden condition  
14 similar to those defined under subsection (5)(b) of this section,  
15 creating a like emergency. For the 2015-2017 biennium, school  
16 districts are entitled to additional percentage points for school  
17 construction projects that have a special housing burden condition  
18 only and have received private donations in the form of cash, in-  
19 kind, or equipment of more than one hundred thousand dollars. The  
20 additional percentage points are determined by (a) school district  
21 student enrollments in the free and reduced-price meals program, (b)  
22 school district class as defined by RCW 28A.300.065, and (c) the  
23 funding assistance percentage as calculated in subsection (2) of this  
24 section. The additional percentage points under (a) of this  
25 subsection are twenty percent of the percent of student enrollments  
26 eligible and enrolled in the free and reduced-price meals program.  
27 The additional percentage points under (b) of this subsection are ten  
28 for (~~second~~) class two school districts. The additional percentage  
29 points under (c) of this subsection are ten for school districts with  
30 funding assistance percentages of more than fifty percent.

31 **Sec. 27.** RCW 29A.04.340 and 2009 c 107 s 4 are each amended to  
32 read as follows:

33 (1) In each county with a population of two hundred ten thousand  
34 or more, (~~first-class~~) class one school districts containing a city  
35 of the first-class shall hold their elections biennially as provided  
36 in RCW 29A.04.330.

37 (2) Except as provided in RCW 28A.343.610, the directors to be  
38 elected may be elected for terms of six years and until their

1 successors are elected, qualified, and assume office in accordance  
2 with RCW ((29A.20.040)) 29A.60.280.

3 (3) If the board of directors of a school district pursuant to  
4 subsection (1) of this section reduces the length of the term of  
5 office for school directors in the district from six to four years,  
6 the reduction in the length of term must not affect the term of  
7 office of any incumbent director without his or her consent, and a  
8 provision must be made to appropriately stagger future elections of  
9 school directors.

10 **Sec. 28.** RCW 42.23.030 and 2007 c 298 s 1 are each amended to  
11 read as follows:

12 No municipal officer shall be beneficially interested, directly  
13 or indirectly, in any contract which may be made by, through or under  
14 the supervision of such officer, in whole or in part, or which may be  
15 made for the benefit of his or her office, or accept, directly or  
16 indirectly, any compensation, gratuity or reward in connection with  
17 such contract from any other person beneficially interested therein.  
18 This section shall not apply in the following cases:

19 (1) The furnishing of electrical, water or other utility services  
20 by a municipality engaged in the business of furnishing such  
21 services, at the same rates and on the same terms as are available to  
22 the public generally;

23 (2) The designation of public depositaries for municipal funds;

24 (3) The publication of legal notices required by law to be  
25 published by any municipality, upon competitive bidding or at rates  
26 not higher than prescribed by law for members of the general public;

27 (4) The designation of a school director as clerk or as both  
28 clerk and purchasing agent of a school district;

29 (5) The employment of any person by a municipality for unskilled  
30 day labor at wages not exceeding two hundred dollars in any calendar  
31 month. The exception provided in this subsection does not apply to a  
32 county with a population of one hundred twenty-five thousand or more,  
33 a city with a population of more than one thousand five hundred, an  
34 irrigation district encompassing more than fifty thousand acres, or a  
35 ((~~first-class~~)) class one school district;

36 (6)(a) The letting of any other contract in which the total  
37 amount received under the contract or contracts by the municipal  
38 officer or the municipal officer's business does not exceed one  
39 thousand five hundred dollars in any calendar month.

1 (b) However, in the case of a particular officer of a second-  
2 class city or town, or a noncharter optional code city, or a member  
3 of any county fair board in a county which has not established a  
4 county purchasing department pursuant to RCW 36.32.240, the total  
5 amount of such contract or contracts authorized in this subsection  
6 (6) may exceed one thousand five hundred dollars in any calendar  
7 month but shall not exceed eighteen thousand dollars in any calendar  
8 year.

9 (c)(i) In the case of a particular officer of a rural public  
10 hospital district, as defined in RCW 70.44.460, the total amount of  
11 such contract or contracts authorized in this subsection (6) may  
12 exceed one thousand five hundred dollars in any calendar month, but  
13 shall not exceed twenty-four thousand dollars in any calendar year.

14 (ii) At the beginning of each calendar year, beginning with the  
15 2006 calendar year, the legislative authority of the rural public  
16 hospital district shall increase the calendar year limitation  
17 described in this subsection (6)(c) by an amount equal to the dollar  
18 amount for the previous calendar year multiplied by the change in the  
19 consumer price index as of the close of the twelve-month period  
20 ending December 31st of that previous calendar year. If the new  
21 dollar amount established under this subsection is not a multiple of  
22 ten dollars, the increase shall be rounded to the next lowest  
23 multiple of ten dollars. As used in this subsection, "consumer price  
24 index" means the consumer price index compiled by the bureau of labor  
25 statistics, United States department of labor for the state of  
26 Washington. If the bureau of labor statistics develops more than one  
27 consumer price index for areas within the state, the index covering  
28 the greatest number of people, covering areas exclusively within the  
29 boundaries of the state, and including all items shall be used.

30 (d) The exceptions provided in this subsection (6) do not apply  
31 to:

32 (i) A sale or lease by the municipality as the seller or lessor;

33 (ii) The letting of any contract by a county with a population of  
34 one hundred twenty-five thousand or more, a city with a population of  
35 ten thousand or more, or an irrigation district encompassing more  
36 than fifty thousand acres; or

37 (iii) Contracts for legal services, except for reimbursement of  
38 expenditures.

1 (e) The municipality shall maintain a list of all contracts that  
2 are awarded under this subsection (6). The list must be made  
3 available for public inspection and copying;

4 (7) The leasing by a port district as lessor of port district  
5 property to a municipal officer or to a contracting party in which a  
6 municipal officer may be beneficially interested, if in addition to  
7 all other legal requirements, a board of three disinterested  
8 appraisers and the superior court in the county where the property is  
9 situated finds that all terms and conditions of such lease are fair  
10 to the port district and are in the public interest. The appraisers  
11 must be appointed from members of the American Institute of Real  
12 Estate Appraisers by the presiding judge of the superior court;

13 (8) The letting of any employment contract for the driving of a  
14 school bus in a (~~second-class~~) class two school district if the  
15 terms of such contract are commensurate with the pay plan or  
16 collective bargaining agreement operating in the district;

17 (9) The letting of an employment contract as a substitute teacher  
18 or substitute educational aide to an officer of a (~~second-class~~)  
19 class two school district that has two hundred or fewer full-time  
20 equivalent students, if the terms of the contract are commensurate  
21 with the pay plan or collective bargaining agreement operating in the  
22 district and the board of directors has found, consistent with the  
23 written policy under RCW 28A.330.240, that there is a shortage of  
24 substitute teachers in the school district;

25 (10) The letting of any employment contract to the spouse of an  
26 officer of a school district, when such contract is solely for  
27 employment as a substitute teacher for the school district. This  
28 exception applies only if the terms of the contract are commensurate  
29 with the pay plan or collective bargaining agreement applicable to  
30 all district employees and the board of directors has found,  
31 consistent with the written policy under RCW 28A.330.240, that there  
32 is a shortage of substitute teachers in the school district;

33 (11) The letting of any employment contract to the spouse of an  
34 officer of a school district if the spouse was under contract as a  
35 certificated or classified employee with the school district before  
36 the date in which the officer assumes office and the terms of the  
37 contract are commensurate with the pay plan or collective bargaining  
38 agreement operating in the district. However, in a (~~second-class~~)  
39 class two school district that has less than two hundred full-time  
40 equivalent students enrolled at the start of the school year as

1 defined in RCW 28A.150.040, the spouse is not required to be under  
2 contract as a certificated or classified employee before the date on  
3 which the officer assumes office;

4 (12) The authorization, approval, or ratification of any  
5 employment contract with the spouse of a public hospital district  
6 commissioner if: (a) The spouse was employed by the public hospital  
7 district before the date the commissioner was initially elected; (b)  
8 the terms of the contract are commensurate with the pay plan or  
9 collective bargaining agreement operating in the district for similar  
10 employees; (c) the interest of the commissioner is disclosed to the  
11 board of commissioners and noted in the official minutes or similar  
12 records of the public hospital district prior to the letting or  
13 continuation of the contract; and (d) and the commissioner does not  
14 vote on the authorization, approval, or ratification of the contract  
15 or any conditions in the contract.

16 A municipal officer may not vote in the authorization, approval,  
17 or ratification of a contract in which he or she is beneficially  
18 interested even though one of the exemptions allowing the awarding of  
19 such a contract applies. The interest of the municipal officer must  
20 be disclosed to the governing body of the municipality and noted in  
21 the official minutes or similar records of the municipality before  
22 the formation of the contract.

23 **Sec. 29.** RCW 53.36.020 and 1973 1st ex.s. c 195 s 56 are each  
24 amended to read as follows:

25 A district may raise revenue by levy of an annual tax not to  
26 exceed forty-five cents per thousand dollars of assessed value  
27 against the assessed valuation of the taxable property in such port  
28 district for general port purposes, including the establishment of a  
29 capital improvement fund for future capital improvements, except that  
30 any levy for the payment of the principal and interest of the general  
31 bonded indebtedness of the port district shall be in excess of any  
32 levy made by the port district under the forty-five cents per  
33 thousand dollars of assessed value limitation. The levy shall be made  
34 and taxes collected in the manner provided for the levy and  
35 collection of taxes in class one school districts (~~of the first~~  
36 ~~class~~)).

37 **Sec. 30.** RCW 84.52.020 and 2005 c 52 s 1 are each amended to  
38 read as follows:

1       It shall be the duty of the city council or other governing body  
2 of every city, other than a city having a population of three hundred  
3 thousand or more, the board of directors of class one school  
4 districts (~~(of the first class)~~), the superintendent of each  
5 educational service district for each constituent (~~(second class)~~)  
6 class two school district, commissioners of port districts,  
7 commissioners of metropolitan park districts, and of all officials or  
8 boards of taxing districts within or coextensive with any county  
9 required by law to certify to the county legislative authority, for  
10 the purpose of levying district taxes, budgets or estimates of the  
11 amounts to be raised by taxation on the assessed valuation of the  
12 property in the city or district, through their chair and clerk, or  
13 secretary, to make and file such certified budget or estimates with  
14 the clerk of the county legislative authority on or before the  
15 thirtieth day of November.

--- END ---