

# Relevant RCW 28A references for Vader annexation into Castle Rock.

## RCW 28A.315.005

### Governance structure.

(1) Under the constitutional framework and the laws of the state of Washington, the governance structure for the state's public common school system is comprised of the following bodies: The legislature, the governor, the superintendent of public instruction, the state board of education, the educational service district boards of directors, and local school district boards of directors. The respective policy and administrative roles of each body are determined by the state Constitution and statutes.

(2) Local school districts are political subdivisions of the state and the organization of such districts, including the powers, duties, and boundaries thereof, may be altered or abolished by laws of the state of Washington.

[1999 c 315 § 1.]

## RCW 28A.315.015

### Purpose — Policy.

(1) It is the purpose of this chapter to:

(a) Incorporate into a single, comprehensive, school district organization law all essential provisions governing:

(i) The formation and establishment of new school districts;

(ii) The alteration of the boundaries of existing districts; and

(iii) The adjustment of the assets and liabilities of school districts when changes are made under this chapter; and

(b) Establish methods and procedures whereby changes in the school district system may be brought about by the people concerned and affected.

## RCW 28A.315.045

### Reorganization.

(1) A new school district may be formed comprising contiguous territory lying in either a single county or in two or more counties. The new district may comprise:

(a) Two or more whole school districts;

(b) Parts of two or more school districts; and/or

(c) Territory that is not a part of any school district if such territory is contiguous to the district to which it is transferred.

(2) The boundaries of existing school districts may be altered:

(a) By the transfer of territory from one district to another district;

(b) By the consolidation of one or more school districts with one or more school districts; or

(c) By the dissolution and annexation to a district of a part or all of one or more other districts or of territory that is not a part of any school district: PROVIDED, That such territory shall be contiguous to the district to which it is transferred or annexed.

(3) Territory may be transferred or annexed to or consolidated with an existing school district without regard to county boundaries.

[1999 c 315 § 201.]

## **RCW 28A.315.065**

### **District boundary changes — Submission to county auditor.**

(1) Any district boundary changes shall be submitted to the county auditor by the educational service district superintendent within thirty days after the changes have been approved in accordance with this chapter. The superintendent shall submit both legal descriptions and maps.

(2) Any boundary changes submitted to the county auditor after the fourth Monday in June of odd-numbered years does not take effect until the following calendar year.

[1999 c 315 § 204.]

## **RCW 28A.315.095**

### **Regional committees — Powers and duties.**

The powers and duties of each regional committee are to:

(1) Hear and approve or disapprove proposals for changes in the organization and extent of school districts in the educational service districts when a hearing on a proposal has been requested under RCW [28A.315.195](#);

(2) Act on notices and proposals from the educational service district under RCW [28A.315.225](#);

(3) Make an equitable adjustment of the property and other assets and of the liabilities, including bonded indebtedness and excess tax levies as otherwise authorized under this section, as to the old school districts and the new district or districts, if any, involved in or affected by a proposed change in the organization and extent of the school districts;

(4) Make an equitable adjustment of the bonded indebtedness outstanding against any of the old and new districts whenever in its judgment such adjustment is advisable, as to all of the school districts involved in or affected by any change heretofore or hereafter effected;

(5) Provide that territory transferred from a school district by a change in the organization and extent of school districts shall either remain subject to, or be relieved of, any one or more excess tax levies that are authorized for the school district under RCW [84.52.053](#) before the effective date of the transfer of territory from the school district;

(6) Provide that territory transferred to a school district by a change in the organization and extent of school districts shall either be made subject to, or be relieved of, any one or more excess tax levies that are authorized for the school district under RCW [84.52.053](#) before the effective date of the transfer of territory to the school district;

(7) Establish the date by which a committee-approved transfer of territory shall take effect;

(8) Hold and keep a record of a public hearing or public hearings (a) on every proposal for the formation of a new school district or for the transfer from one existing district to another of any territory in which children of school age

reside or for annexation of territory when the conditions set forth in \*RCW [28A.315.290](#) or [28A.315.320](#) prevail; and (b) on every proposal for adjustment of the assets and of the liabilities of school districts provided for in this chapter. Three members of the regional committee or two members of the committee and the educational service district superintendent may be designated by the committee to hold any public hearing that the committee is required to hold. The regional committee shall cause notice to be given, at least ten days prior to the date appointed for any such hearing, in one or more newspapers of general circulation within the geographical boundaries of the school districts affected by the proposed change or adjustment. In addition notice may be given by radio and television, or either thereof, when in the committee's judgment the public interest will be served thereby; and

## **RCW 28A.315.255**

### **Adjustment of indebtedness.**

(1) The fact of the issuance of bonds by a school district, heretofore or hereafter, does not prevent changes in the organization and extent of school districts, regardless of whether or not such bonds or any part thereof are outstanding at the time of change.

(2) In case of any change:

(a) The bonded indebtedness outstanding against any school district involved in or affected by such change shall be adjusted equitably among the old school districts and the new district or districts, if any, involved or affected; and

(b) The property and other assets and the liabilities other than bonded indebtedness of any school district involved in or affected by any such change shall also be adjusted in the manner and to the effect provided for in this section, except if all the territory of an old school district is included in a single new district or is annexed to a single existing district, in which event the title to the property and other assets and the liabilities other than bonded indebtedness of the old district vests in and becomes the assets and liabilities of the new district or of the existing district, as applicable.

[1999 c 315 § 702.]

## **RCW 28A.315.265**

### **Adjustment of bonded indebtedness — Order — Special elections.**

If adjustments of bonded indebtedness are made between or among school districts in connection with the alteration of the boundaries of the school districts under this chapter, the order of the educational service district superintendent establishing the terms of adjustment of bonded indebtedness shall provide and specify:

(1) In every case where bonded indebtedness is transferred from one school district to another school district:

(a) That such bonded indebtedness is assumed by the school district to which it is transferred;

(b) That thereafter such bonded indebtedness shall be the obligation of the school district to which it is transferred;

(c) That, if the terms of adjustment so provide, any bonded indebtedness thereafter incurred by such transferee school district through the sale of bonds authorized before the date its boundaries were altered shall be the obligation of such school district including the territory added thereto; and

(d) That taxes shall be levied thereafter against the taxable property located within such school district as it is constituted after its boundaries were altered, the taxes to be levied at the times and in the amounts required to pay the principal of and the interest on the bonded indebtedness assumed or incurred, as the same become due and payable.

(2) In computing the debt limitation of any school district from which or to which bonded indebtedness has been

transferred, the amount of transferred bonded indebtedness at any time outstanding:

(a) Shall be an offset against and deducted from the total bonded indebtedness, if any, of the school district from which the bonded indebtedness was transferred; and

(b) Shall be deemed to be bonded indebtedness solely of the transferee school district that assumed the indebtedness.

(3) In every case where adjustments of bonded indebtedness do not provide for transfer of bonded indebtedness from one school district to another school district:

(a) That the existing bonded indebtedness of each school district, the boundaries of which are altered and any bonded indebtedness incurred by each such school district through the sale of bonds authorized before the date its boundaries were altered is the obligation of the school district in its reduced or enlarged form, as the case may be; and

(b) That taxes shall be levied thereafter against the taxable property located within each such school district in its reduced or enlarged form, as the case may be, at the times and in the amounts required to pay the principal of and interest on such bonded indebtedness as the same become due and payable.

(4) If a change in school district organization approved by the regional committee concerns a proposal to form a new school district or a proposal for adjustment of bonded indebtedness involving an established school district and one or more former school districts now included therein pursuant to a vote of the people concerned, a special election of the voters residing within the territory of the proposed new district, or of the established district involved in a proposal for adjustment of bonded indebtedness as the case may be, shall be held for the purpose of affording those voters an opportunity to approve or reject such proposals as concern or affect them.

(5) In a case involving both the question of the formation of a new school district and the question of adjustment of bonded indebtedness, the questions may be submitted to the voters either in the form of a single proposition or as separate propositions, whichever seems expedient to the educational service district superintendent. When the regional committee has passed appropriate resolutions for the questions to be submitted and the educational service district superintendent has given notice thereof to the county auditor, the special election shall be called and conducted, and the returns canvassed as in regular school district elections.

[1999 c 315 § 703.]

### **RCW 28A.315.305**

## **School district organizational changes — Corporate existence — Payment of bonded indebtedness — Levy authority.**

(1) Each school district involved in or affected by any change made in the organization and extent of school districts under this chapter retains its corporate existence insofar as is necessary for the purpose, until the bonded indebtedness outstanding against it on and after the effective date of the change has been paid in full. This section may not be construed to prevent, after the effective date of the change, such adjustments of bonded indebtedness as are provided for in this chapter.

(2) The county legislative authority shall provide, by appropriate levies on the taxable property of each school district, for the payment of the bonded indebtedness outstanding against it after any of the changes or adjustments under this chapter have been effected.

(3) In case any such changes or adjustments involve a joint school district, the tax levy for the payment of any bonded indebtedness outstanding against the joint district, after the changes or adjustments are effected, shall be made and the proceeds thereof shall be transmitted, credited, and paid out in conformity with the provisions of law applicable to the payment of the bonded indebtedness of joint school districts.

[1999 c 315 § 707.]

**C**

CITY OF SEATTLE SCHOOL-DIST. NO. 1 v.  
BOARD OF COUNTY COM'RS KING COUNTY  
ET AL.  
Wash. 1891.

Supreme Court of Washington.  
CITY OF SEATTLE SCHOOL-DIST. NO. 1  
v.  
BOARD OF COUNTY COM'RS KING COUNTY  
ET AL.  
Nov. 18, 1891.

Appeal from superior court, King county; I. J. LICHTENBERG, Judge.

Application by the city of Seattle school-district No. 1 in King county for a *mandamus* to compel the board of county commissioners to levy taxes. Petitioner appeals from an order denying the writ. Reversed.

West Headnotes

**Schools 345 ↪ 102**

345 Schools

345II Public Schools

345II(G) Fiscal Matters

345k98 School Taxes

345k102 k. Persons and Property Liab.

Most Cited Cases

Where the boundaries of a city of 10,000 inhabitants, which, under Act March 26, 1890, constitutes one school district, are enlarged, the school board and funds of the district as enlarged are charged with the maintenance of the schools in the whole district; and under section 30, providing that the school board at its meeting next preceding the annual tax levy shall fix the amount required for school purposes, which the county commissioners shall levy and collect, the funds for the school must be raised from the whole district by equal taxation, regardless of when the assessment period commenced, or the boundaries of the district at such time, or when the money will be expended; and mandamus will issue to compel the levy.

**Schools 345 ↪ 103(1)**

345 Schools

345II Public Schools

345II(G) Fiscal Matters

345k98 School Taxes

345k103 Levy and Assessment

345k103(1) k. Making, Requisites, and Validity in General. Most Cited Cases

**Schools 345 ↪ 106**

345 Schools

345II Public Schools

345II(G) Fiscal Matters

345k106 k. Collection and Enforcement of School Taxes in General. Most Cited Cases

The statute, Acts 1891, p. 300, § 53, requires the commissioners to furnish the assessor a map of the county, showing the **school district** boundaries. Held, that where the map was not corrected after the annexation of territory and the assessor's report or list was therefore incorrect, the **auditor**, from the data of the list should make the necessary corrections, assessing personalty at the residence of the **taxpayer**, unless some **exceptional** statutory rule applied.

**\*\*376 \*155 White & Munday**, for appellant.  
*Austin G. McBride*, Dep. Pros. Atty., and *Andrew F. Burleigh*, for respondents.  
STILES, J.

The purpose of this proceeding was to obtain a construction of the first clause of section 30 of the act of March 26, 1890, relating to common schools in cities of 10,000 or more inhabitants. Acts, p. 386. The clause reads: "The board of education shall annually, at a meeting next preceding the annual tax levy for state and county purposes, report to the county commissioners an estimate of the amount of funds required for the support of the schools, etc., \*\*\* and the county commissioners are hereby authorized and required to levy and collect said amount the same as other taxes." It appears that by proper proceedings, and in accordance with the law on that subject, the boundaries of the city of Seattle were somewhat enlarged on the 1st day of June, 1891, and the board **\*156** of education have reported **\*\*377** the amount of funds required, and requested that amount to be levied and collected upon the property in the district as enlarged; but the board of commissioners decline to levy upon any property except such as was within the city limits prior to the enlargement. A *mandamus* was asked, requiring the commissioners and other county officers to levy, extend, and collect the tax, which the superior court refused.

(Cite as: 3 Wash. 154, 28 P. 376)

Counsel furnished us with valuable briefs relating to the matter of the assessment of property for taxation, and the period for which the annual levy of taxes is made; but with all deference we cannot see wherein either matter has a bearing upon the question as to the duty of the officers sought to be controlled. The revenue law (Acts 1891, p. 309, § 74) requires the board of county commissioners, at its November session in each year, to levy a tax. Section 13 of the act of March 26, 1890, requires the board of education to hold monthly meetings; and section 30 requires the latter board, at its meeting next preceding the annual tax levy, to fix the amount required for certain school purposes, which the former board is required to collect. Now, the school-district, by the voluntary act of the people, both in the old limits and in the added territory, was enlarged June 1st, and immediately the school board and funds of the district, as enlarged, were charged with the maintenance of schools in the whole district, and the remainder of the county was relieved therefrom. McGovern v. Fairchild, 27 Pac. Rep. 173, 2 Wash. 479. The funds for the schools should therefore be raised from the whole district by equal taxation. So much would be conceded upon grounds of natural justice. But when to that we add the plain direction of section 30, we think there can be no room for question or construction. When the assessment period commenced, or where the boundaries of the districts were then, or when the money will be expended, cannot affect the question of \*157 providing the funds. The peremptory writ should be allowed, and it is so ordered.

ANDERS, C. J., and SCOTT, HOYT, and DUNBAR, JJ., concur.

ON REHEARING.

(Nov. 25, 1891.)

STILES, J.

The petition for a rehearing on file in this case seeks no reconsideration of the court's decision, but an exemplification of it, as though the petition for the writ had named the various acts each officer was expected to perform. The application was merely for a writ to require the board of commissioners to levy the tax over the added territory, and the other officers to collect it, and on that basis the decision was made. The difficulty seems to be that the officers do not quite understand how they are to perform the duty required of them. That would seem to be a matter upon which

they should consult their legal advisers, but, as this is a case of singular emergency, we see no objection to our stating that, from the rather hasty survey of the law which we have been able to make since this case came up, there can be no difficulty in the auditor's correcting the tax-roll so that it shall conform to the facts, although the assessor may have made errors. The statute (1891, p. 300, § 53) requires the commissioners to furnish the assessor a map of the county showing the school-district boundaries. This map should have been corrected after the annexation of June 1st, and the assessor's report or list would have tallied with it when returned. This not having been done, the auditor, from the data in his possession, in extending the tax, should make the necessary corrections. With real property there can be no difficulty, and with personalty none, if, as required by the statute, the property lists show the residence of each person taxed, since the general rule is that personalty follows the residence of the tax-payer. If the record shows exceptions to \*158 this rule, the rule should not be followed in those cases, but such other exceptional rule as the cases may require under the statute.

ANDERS, C. J., and HOYT, SCOTT, and DUNBAR, JJ., concur.

Wash. 1891.

City of Seattle School Dist. No. 1 v. Board of King County Com'rs

3 Wash. 154, 28 P. 376

END OF DOCUMENT

**KEYCITE**

**City of Seattle School Dist. No. 1 v. Board of King County Com'rs, 3 Wash. 154, 28 P. 376 (Wash., Nov 18, 1891) (NO. 379)**

**History**

=> 1 **City of Seattle School Dist. No. 1 v. Board of King County Com'rs**, 3 Wash. 154, 28 P. 376 (Wash. Nov 18, 1891) (NO. 379)