

My ESD 113 Handbook

Changing Director District Boundaries

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My ESD 113 Handbooks

**Are prepared and edited
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My ESD 113 Handbooks Available For 2008-09 Include:

**New Superintendent Orientation
Levy/Bond Orientation
Fiscal Services
School Budgeting
Changing Director District Boundaries**



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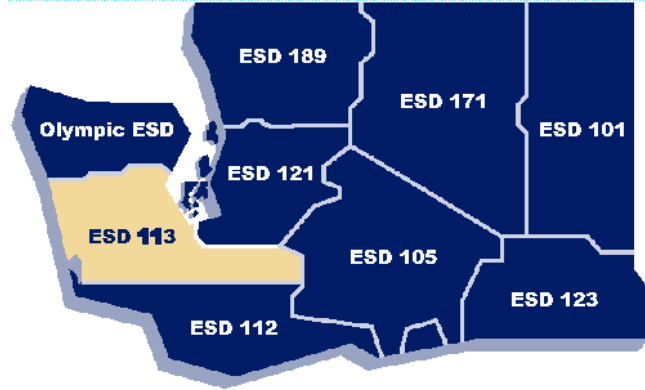
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INTRODUCTION TO ESD 113

Educational Service District 113 is one of nine regional educational service agencies in the state of Washington. Created by the state Legislature, ESDs serve school districts and state approved private schools within specific service areas. ESDs function primarily as support agencies and deliver educational services that can be more efficiently or economically performed regionally.

ESDs statutory mission (RCW 28A.310.010) is to provide services to the local districts, to assist the Superintendent of Public Instruction and the State Board of Education in the performance of their duties and to promote equity in educational opportunity for students throughout the region.

ESDs link local public and private schools with state and national educational resources. ESD programs allow districts to eliminate duplication of services, realize significant savings and receive special programs that might otherwise be unavailable to them. Washington's nine ESDs are similar to regional support systems in other states struggling to stretch limited dollars over demands for ever increasing services. Nationwide, the value of regional service agencies has been emphasized by their inclusion in reauthorization language of federal school mandates and funding.



ESD 113's primary goal is to serve the students in our region. To accomplish this goal, we develop and deliver a wide selection of services that provide instructional and administrative support; business, financial, and information services; program and staff development; and research and evaluation support. Programs are primarily funded through state and federal grant programs and cooperative service agreements. Local school districts reimburse ESDs for these services to the degree that they are not funded by state or federal sources.

ESDs are not taxing districts and depend on the state, the federal government, and local school districts for funding. The Superintendent of Public Instruction approves and monitors ESD budgets.

ESD 113 is governed by a seven-member board, elected by local school directors. Each board member represents several school districts within the ESD region. The ESD board has the responsibility to hire a superintendent to manage its affairs.

Agency operations are overseen by Dr. Bill Keim, Superintendent.

Current ESD 113 Programs			
Cooperatives	Fee for Service	Grant Funded Services	Other Services at No Cost to Districts
Asbestos Abatement Services Capital Regional Data Center - Fiscal Capital Regional Data Center - Student Instructional Resources (Media Center) LASER Kits Legal Services Lewis County Special Education Co-op Lewis County Vocational Co-op Math and Science Kits (MASK) Personnel Co-op / Substitute Calling Service Unemployment Comp. Insurance Co-op Workers' Comp. Insurance Co-op	Art Show Business Manager Academy Business Management and Support Services Certification Collection of Evidence Services Drug & Alcohol Testing Service Fingerprinting Highly Capable Program Support Knowledge Bowl Math Leadership Alliance Network Services Teaching and Learning Specialists Traffic Safety Education Web-Based Products Workshops, In-service, Trainings, Classes	21st Century Learning Centers Chehalis Basin Watershed Education Head Start / ECEAP Program History Grant Math Helping Corps NO LIMIT Technology Grant Nursing Services (includes some fee for service) Readiness to Learn Student Assistance Program Youth Work Experience (YWE)	Administrative Consultation & Training Clock Hour Management Curriculum & Instruction Consultation Certification Consultation Education Tech. Support Center K-20 Internet System Support Nursing Consultation & Training Professional Lending Library Regional Math Specialist Resolve District Boundary Disputes School Fiscal Consultation, Training & Support Services Special Education Consultation & Training WAC In-service Grants

SCHOOL FINANCIAL SERVICES

RCW 28A.310.010 requires ESDs to provide services to the local districts, and assist the Superintendent of Public Instruction and the State Board of Education in the performance of their duties. Consulting and financial report processing services are included in these services and are funded by the state. These services are available to all districts. In addition, ESDs have statutory monitoring duties over second class school district finances (districts with fewer than 2000 FTE).

Financial Consulting Services

These are services delegated to the ESD by OSPI including but not limited to:

- interpretation of laws and regulations on school finance
- interpretation of the Accounting Manual for School Districts
- interpretation of OSPI financial bulletins and memorandums
- interpretation of Administrative, Budgeting, and Financial Reporting Policies and Procedures Handbook
- cash flow planning and monitoring – long and short term including Debt Service
- annual budget and financial statement review and approval
- technical assistance for Special Education Safety Net applications
- financial and management practice reviews and comparisons

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CHANGING DIRECTOR DISTRICT BOUNDARIES

This handbook is provided for districts contemplating changing from director districts to at-large districts.

A. CURRENT LIMITATIONS TO AT-LARGE DISTRICTS

School districts that currently have all at-large districts may remain that way until a statutory change is made; and districts with all director districts may change to have at-large positions, but they are limited to a maximum of 2 at-large positions.

B. BACKGROUND

The language in RCW 28A.343.010 and in RCW 28A.343.320 recognize the existence of districts with all at-large director positions. Such districts are a holdover from earlier times; there is currently no provision for districts to dissolve into entirely at-large districts. Rather, RCW 28A.343.050 provides the only procedure for dissolution of director districts and it specifically limits such dissolution to 3 director districts with 2 at-large. By making such a limitation, the legislature is presumed to exclude the possibility of dissolving into all at-large.

Prior to 1990 (more specifically, between 1969 and 1990), there was no avenue for school districts to reorganize themselves – they either had five director districts or five at-large positions. Tekoa School District was divided into five director districts and they (along with some other small school districts) were having difficulty in finding candidates to file for one or more of the five director districts. Since other director districts had persons interested in running for school board positions, it was assumed that an allowance for at-large positions would be advantageous. Tekoa, through WSSDA, requested legislation and the Legislature made the change in 1990, with a further clarifying bill in the 1991 Session. Prior to 1990, 28A.343.050 provided for written petition to "return to the system of directors running at large within the district." The 1990 amendment replaced that with the current language.

Many smaller school districts in Washington were forced into the director district organizational structure as a result of consolidation (Washington had 1500 school districts as recently as the 1920's and 30's). The theory was that by having director districts, some representation would be assured in those areas which previously existed as its own separate school district. Even though the Legislature provided an allowance in 1990 for returning at-large positions, they very clearly wanted to limit the number of at-large positions – presumably to "assure representation."

C. CONSIDERATIONS AND TIMELINES

The following are items that need to be considered when planning to change a Director District boundary.

Events Leading to Voter Authorization

The District Board must submit to the voters at any regular school district election a proposition to authorize the board of directors to (RCW 28A.343.030):

- for first class districts divide the district into directors' districts or
- for second-class school districts into director districts or a combination of no fewer than three director districts and no more than two at large positions.

The District must provide to the ESD 113 superintendent a signed copy of the Board resolution (28A.343.050) request dissolution of the existing directors' districts and reapportionment of the district into no fewer than three directors' districts and with no more than two directors at large.

The District should work with the County Prosecutor to form the ballot question to be submitted to the voters.

The District must provide to the County Auditor:

- A signed original and one copy of the resolution. The resolution must contain original signatures.
- A certificate of Resolution - an affidavit signed by the secretary to the Board certifying the resolution.

Events Following Voter Authorization and Prior to Director Election

Within 8 months of approval by the voters, district boundaries must be established consistent with the following criteria (RCW 29A.76.010):

- Each internal director, council, or commissioner district shall be as nearly equal in population as possible to each and every other such district comprising the school district.
- Each district shall be as compact as possible.
- Each district shall consist of geographically contiguous area.
- Population data may not be used for purposes of favoring or disfavoring any racial group or political party.
- To the extent feasible and if not inconsistent with the basic enabling legislation for the municipal corporation, county, or district, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

The District must provide to the ESD 113 superintendent:

- Boundary maps and legal descriptions for each director district.

Within 30 days of approval by the Board, the District must provide to the County Auditor (RCW 28A.343.060):

- Boundary maps and legal descriptions for each director district.
- A letter requesting the County Auditor to change the boundaries.

All mapping costs are the responsibility of the school district.

Director Election

Such director districts shall not become effective until the next regular school election when a new five member board of directors shall be elected (RCW 28A.343.030):

- one from each of the director districts from among the residents of the respective director district, or from among the residents of the entire school district in the case of directors at large, by the electors of the entire district, and
- two for a term of two years and three for a term of four years, unless such district elects its directors for six years, in which case, one for a term of two years, two for a term of four years, and two for a term of six years.

REFERENCES:

For convenience, the related sections of Chapter 28A.343 RCW are included here.

RCW 28A.343.010 - Director candidates in undivided districts -- Indication of term sought -- How elected. Whenever the directors to be elected in a school district that is not divided into directors' districts are not all to be elected for the same term of years, the county auditor shall distinguish them and designate the same as provided for in RCW [29.21.140](#), and assign position numbers thereto as provided in RCW [28A.315.470](#) and each candidate shall indicate on his or her declaration of candidacy the term for which he or she seeks to be elected and position number for which he or she is filing. The candidate receiving the largest number of votes for each position shall be deemed elected.

RCW 28A.343.030 -- Certain school districts — Election to authorize division in school districts not already divided into directors' districts. The board of directors of every first-class school district other than a school district of the first class having within its boundaries a city with a population of four hundred thousand people or more which is not divided into directors' districts may submit to the voters at any regular school district election a proposition to authorize the board of directors to divide the district into directors' districts or for second-class school districts into director districts or a combination of no fewer than three director districts and no more than two at large positions. If a majority of the votes cast on the proposition is affirmative, the board of directors shall proceed to divide the district into directors' districts following the procedure established in RCW [29.70.100](#). Such director districts, if approved, shall not become effective until the next regular school election when a new five member board of directors shall be elected, one from each of the director districts from among the residents of the respective director district, or from among the residents of the entire school district in the case of directors at large, by the electors of the entire district, two for a term of two years and three for a term of four years, unless such district elects its directors for six years, in which case, one for a term of two years, two for a term of four years, and two for a term of six years.

RCW 28A.343.040 -- Division or redivision of district into director districts. It is the responsibility of each school district board of directors to prepare for the division or redivision of the district into director districts no later than eight months after any of the following:

- (1) Receipt of federal decennial census data from the redistricting commission established in RCW [44.05.030](#);
- (2) Consolidation of two or more districts into one district under RCW [28A.315.270](#);
- (3) Transfer of territory to or from the district under RCW [28A.315.280](#);
- (4) Annexation of territory to or from the district under RCW [28A.315.290](#) or [28A.315.320](#); or
- (5) Approval by a majority of the registered voters voting on a proposition authorizing the division of the district into director districts pursuant to RCW 28A.343.030

The districting or redistricting plan shall be consistent with the criteria and adopted according to the procedure established under RCW [29.70.100](#).

RCW 28A.343.050 -- Dissolution of directors' districts. Upon receipt by the educational service district superintendent of a resolution adopted by the board of directors or a written petition from a second-class school district signed by at least twenty percent of the registered voters of a school district previously divided into directors' districts, which resolution or petition shall request dissolution of the existing directors' districts and reapportionment of the district into no fewer than three directors' districts and with no more than two directors at large, the superintendent, after formation of the question to be submitted to the voters, shall give notice thereof to the county auditor who shall call and hold a special election of the voters of the entire school district to approve or reject such proposal, such election to be called, conducted and the returns canvassed as in regular school district elections.

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

RCW 28A.343.060 -- District boundary changes -- Submission to county auditor.

- (1) Any district boundary changes, including changes in director district boundaries, shall be submitted to the county auditor by the school district board of directors within thirty days after the changes have been approved by the board. The board 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 shall not take effect until the following year.

RCW 28A.343.070 -- Map and record of directors' districts. Each educational service district superintendent shall prepare and keep in his or her office (1) a map showing the boundaries of the directors' districts of all school districts in or belonging to his or her educational service district that are so divided, and (2) a record of the action taken by the regional committee in establishing such boundaries.

RCW 28A.343.320 -- Declarations of candidacy — Positions as separate offices. Candidates for the position of school director shall file their declarations of candidacy as provided in Title 29 RCW.

The positions of school directors in each district shall be dealt with as separate offices for all election purposes, and where more than one position is to be filled, each candidate shall file for one of the positions so

designated: PROVIDED, That in school districts containing director districts, or a combination of director districts and director at large positions, candidates shall file for such director districts or at large positions. Position numbers shall be assigned to correspond to director district numbers to the extent possible.

RCW 29A.76.010 -- Counties, municipal corporations, and special purpose districts.

(1) It is the responsibility of each county, municipal corporation, and special purpose district with a governing body comprised of internal director, council, or commissioner districts not based on statutorily required land ownership criteria to periodically redistrict its governmental unit, based on population information from the most recent federal decennial census.

(2) Within forty-five days after receipt of federal decennial census information applicable to a specific local area, the commission established in RCW [44.05.030](#) shall forward the census information to each municipal corporation, county, and district charged with redistricting under this section.

(3) No later than eight months after its receipt of federal decennial census data, the governing body of the municipal corporation, county, or district shall prepare a plan for redistricting its internal or director districts.

(4) The plan shall be consistent with the following criteria:

- (a) Each internal director, council, or commissioner district shall be as nearly equal in population as possible to each and every other such district comprising the municipal corporation, county, or special purpose district.
- (b) Each district shall be as compact as possible.
- (c) Each district shall consist of geographically contiguous area.
- (d) Population data may not be used for purposes of favoring or disfavoring any racial group or political party.
- (e) To the extent feasible and if not inconsistent with the basic enabling legislation for the municipal corporation, county, or district, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

(5) During the adoption of its plan, the municipal corporation, county, or district shall ensure that full and reasonable public notice of its actions is provided. The municipal corporation, county, or district shall hold at least one public hearing on the redistricting plan at least one week before adoption of the plan.

(6)

- (a) Any registered voter residing in an area affected by the redistricting plan may request review of the adopted local plan by the superior court of the county in which he or she resides, within forty-five days of the plan's adoption. Any request for review must specify the reason or reasons alleged why the local plan is not consistent with the applicable redistricting criteria. The municipal corporation, county, or district may be joined as respondent. The superior court shall thereupon review the challenged plan for compliance with the applicable redistricting criteria set out in subsection (4) of this section.
- (b) If the superior court finds the plan to be consistent with the requirements of this section, the plan shall take effect immediately.
- (c) If the superior court determines the plan does not meet the requirements of this section, in whole or in part, it shall remand the plan for further or corrective action within a specified and reasonable time period.
- (d) If the superior court finds that any request for review is frivolous or has been filed solely for purposes of harassment or delay, it may impose appropriate sanctions on the party requesting review, including payment of attorneys' fees and costs to the respondent municipal corporation, county, or district.