

Chapter 28A.343 RCW
SCHOOL DIRECTOR DISTRICTS

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Reviser's note: 1999 c 315 ss 804, 805, and 806 directed that numerous sections in chapter 28A.315 RCW be recodified in three new chapters in Title 28A RCW. These sections have been recodified in chapter 28A.343 RCW with subheadings.

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 29A.24.020, and assign position numbers thereto as provided in RCW 28A.343.320 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. [2015 c 53 s 9; 1990 c 33 s 317; 1969 ex.s. c 223 s 28A.57.334. Prior: 1959 c 268 s 12. Formerly RCW 28A.315.560, 28A.57.334, 28.57.420.]

RCW 28A.343.020 Certain school districts—Election for formation of new school district. Whenever an election shall be held for the purpose of securing the approval of the voters for the formation of a new 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, if requested by one of the boards of directors of the school districts affected, there shall also be submitted to the voters at the same election a proposition to authorize the board of directors to divide the school district, if formed, into five directors' districts in first-class school districts and a choice of five directors' districts or no fewer than three directors' districts with the balance of the directors to be elected at large in second-class school districts. Such director districts in second-class districts, if approved, shall not become effective until the regular school election following the next regular school election at which time a new board of directors shall be elected as provided in *RCW 28A.315.550. Such director districts in first-class districts, if approved, shall not become effective until the next regular school election at which time a new board of directors shall be elected as provided in *RCW 28A.315.600, 28A.315.610, and 28A.315.620. Each of the five directors shall be elected 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 school district. [1991 c 363 s 22; 1991 c 288 s 3. Prior: 1990 c 161 s 5; 1990 c 33 s 319; 1985 c 385 s 27; 1979 ex.s. c 183 s 2; 1975 c 43 s 8; 1973 2nd ex.s. c 21 s 2; 1971 c 67 s 2; 1969 ex.s. c 223 s 28A.57.342; prior: 1959 c 268 s 4. Formerly RCW 28A.315.580, 28A.57.342, 28.57.342.]

Reviser's note: *(1) RCW 28A.315.550, 28A.315.600, 28A.315.610, and 28A.315.620 were recodified as RCW 28A.343.680, 28A.343.620, 28A.343.630, and 28A.343.640, respectively, pursuant to 1999 c 315 s 805.

(2) This section was amended by 1991 c 288 s 3 and by 1991 c 363 s 22, each without reference to the other. Both amendments are incorporated in the publication of this section pursuant to RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

Severability—1985 c 385: See note following RCW 28A.315.025.

Effective date—1979 ex.s. c 183: "This amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect on July 1, 1979." [1979 ex.s. c 183 s 12.]

Severability—1979 ex.s. c 183: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1979 ex.s. c 183 s 13.]

Effective date—Severability—1975 c 43: See notes following RCW 28A.535.050.

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 29A.76.010. 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. [2015 c 53 s 10. Prior: 1991 c 363 s 23; 1991 c 288 s 4; 1990 c 161 s 6; 1985 c 385 s 28; 1979 ex.s. c 183 s 3; 1975 c 43 s 9; 1973 2nd ex.s. c 21 s 3; 1971 c 67 s 8; 1969 ex.s. c 223 s 28A.57.344; prior: 1959 c 268 s 3. Formerly RCW 28A.315.590, 28A.57.344, 28.57.344.]

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

Severability—1985 c 385: See note following RCW 28A.315.025.

Effective date—Severability—1979 ex.s. c 183: See notes following RCW 28A.343.020.

Effective date—Severability—1975 c 43: See notes following RCW 28A.535.050.

RCW 28A.343.040 Division or redivision of district into director districts. (1) 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:

(a) Receipt of federal decennial census data from the redistricting commission established in RCW 44.05.030;

(b) Consolidation of two or more districts into one district under RCW 28A.315.195;

(c) Transfer of territory to or from the district or dissolution and annexation of a district under RCW 28A.315.215; or

(d) 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.

(2) The districting or redistricting plan shall be consistent with the criteria and adopted according to the procedure established under RCW 29A.76.010. [2012 c 186 s 16; 1991 c 288 s 1. Formerly RCW 28A.315.593.]

Effective date—2012 c 186: See note following RCW 28A.315.025.

Rule-making authority—2012 c 186: See RCW 28A.315.902.

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 first-class or 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. [2008 c 9 s 1. Prior: 1990 c 161 s 3; 1990 c 33 s 326; 1975-'76 2nd ex.s. c 15 s 9; prior: 1975 1st ex.s. c 275 s 107; 1975 c 43 s 13; 1971 c 48 s 27; 1969 ex.s. c 223 s 28A.57.415. Formerly RCW 28A.315.660, 28A.57.415.]

Effective date—Severability—1975 c 43: See notes following RCW 28A.535.050.

Severability—1971 c 48: See note following RCW 28A.310.250.

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. [1991 c 288 s 9. Formerly RCW 28A.315.597.]

RCW 28A.343.070 Map of directors' districts. Each educational service district superintendent shall prepare and keep in his or her office 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. [2008 c 159 s 9; 1990 c 33 s 324; 1985 c 385 s 29; 1975 1st ex.s. c 275 s 106; 1969 ex.s. c 176 s 140; 1969 ex.s. c 223 s 28A.57.390. Prior: 1947 c 266 s 38; Rem. Supp. 1947 s 4693-57. Formerly RCW 28A.315.640, 28A.57.390, 28.57.390.]

Severability—1985 c 385: See note following RCW 28A.315.025.

Rights preserved—Severability—1969 ex.s. c 176: See notes following RCW 28A.310.010.

RCW 28A.343.080 Condensed compliance reports—Second-class districts. Any compliance reporting requirements as a result of laws in this chapter that apply to second-class districts may be submitted in accordance with RCW 28A.330.250. [2011 c 45 s 29.]

Conflict with federal requirements—2011 c 45: See note following RCW 28A.330.250.

RCW 28A.343.090 Voluntary change to electoral system. The school board of directors may authorize a change to its electoral system pursuant to RCW 29A.92.040. Any staggering of directors' terms shall be accomplished as provided in RCW 28A.343.030 and 28A.343.600 through 28A.343.650. [2018 c 113 s 203.]

Findings—Intent—Short title—2018 c 113: See RCW 29A.92.005 and 29A.92.900.

RCW 28A.343.100 Governance training program. (1) Except as provided otherwise by this subsection (1), beginning with the 2022 calendar year, each member of a board of directors shall complete a governance training program once per term of elected office. If the director is appointed or elected to a first term of office, the

director must complete a governance training required by this subsection (1) within two years of appointment or certification of the election in which they were elected.

(2) Governance training programs completed by directors in accordance with subsection (1) of this section must be aligned with the cultural competency, diversity, equity, and inclusion standards for school director governance developed under RCW 28A.345.115 and provided by the Washington state school directors' association.

(3) For purposes of this section, "cultural competency," "diversity," "equity," and "inclusion" have the same meaning as in RCW 28A.415.443. [2021 c 197 s 7.]

Finding—Intent—2021 c 197: See note following RCW 28A.415.443.

ELECTIONS

RCW 28A.343.300 Directors—Terms—Number. The governing board of a school district shall be known as the board of directors of the district.

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

Except for a school district of the first class having within its boundaries a city with a population of four hundred thousand people or more which shall have a board of directors of seven members, the board of directors of every school district of the first class or school district of the second class shall consist of five members. [2009 c 107 s 1; 1991 c 363 s 20; 1980 c 35 s 1; 1980 c 47 s 1. Prior: 1979 ex.s. c 183 s 1; 1979 ex.s. c 126 s 4; 1975 c 43 s 5; 1973 2nd ex.s. c 21 s 1; 1969 c 131 s 8; 1969 ex.s. c 223 s 28A.57.312; prior: 1957 c 67 s 1; 1955 c 55 s 11; 1947 c 266 s 10; Rem. Supp. 1947 s 4693-29; prior: 1909 pp 289, 290 ss 1,2; RRS ss 4790, 4791. Formerly RCW 28A.315.450, 28A.57.312, 28.57.338, 28.58.080.]

Retroactive application—2009 c 107 ss 1-4: "Sections 1 through 4 of this act are retroactive and shall be applied from July 1, 2004, the date that RCW 29.13.060 was inadvertently repealed as part of a reorganization and recodification of the statutes on elections." [2009 c 107 s 6.]

Effective date—2009 c 107: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [April 16, 2009]." [2009 c 107 s 7.]

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

Severability—1980 c 35: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1980 c 35 s 10.]

Severability—1980 c 47: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1980 c 47 s 5.]

Effective date—Severability—1979 ex.s. c 183: See notes following RCW 28A.343.020.

Purpose—1979 ex.s. c 126: See RCW 29A.60.280(1).

Effective date—Severability—1975 c 43: See notes following RCW 28A.535.050.

RCW 28A.343.310 Terms for directors in divided districts.

Whenever all directors to be elected in a school district that is divided into directors' districts are not all to be elected for the same term of years, the county auditor, prior to the date set by law for filing a declaration of candidacy for the office of director, shall determine by lot the directors' districts from which directors shall be elected for a term of two years and the directors' districts from which directors shall be elected for a term of four years. In districts with a combination of directors' districts and directors at large, the county auditor shall determine the terms of office in such a manner that two-year terms and four-year terms are distributed evenly to the extent possible between the director district and at large positions. Each candidate shall indicate on his or her declaration of candidacy the directors' district from which he or she seeks to be elected or whether the candidate is seeking election as a director at large. [1990 c 161 s 7; 1990 c 33 s 325; 1969 ex.s. c 223 s 28A.57.410. Prior: 1959 c 268 s 11. Formerly RCW 28A.315.650, 28A.57.410, 28.57.410.]

Reviser's note: This section was amended by 1990 c 33 s 325 and by 1990 c 161 s 7, each without reference to the other. Both amendments are incorporated in the publication of this section pursuant to RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

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 29A 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. [2015 c 53 s 11. Prior: 1990 c 161 s 4; 1990 c 59 s 98;

1969 ex.s. c 223 s 28A.57.314; prior: 1963 c 223 s 1. Formerly RCW 28A.315.470, 28A.57.314, 28.58.082.]

Intent—Effective date—1990 c 59: See notes following RCW 29A.04.013.

Commencement of terms of office: RCW 29A.04.330, 29A.60.270.

Nonpartisan primaries and elections: Chapter 29A.52 RCW.

School district elections

in counties with a population of less than two hundred ten thousand, times for holding: RCW 29A.04.330.

in counties with a population of two hundred ten thousand or more, times for holding: RCW 29A.04.330.

Terms of office: RCW 29A.04.330, 29A.60.270.

RCW 28A.343.330 Ballots—Form. Except as provided in RCW 29A.52.210, the positions of school directors and the candidates therefor shall appear separately on the nonpartisan ballot in substantially the following form:

SCHOOL DIRECTOR ELECTION BALLOT

District No.

Date

To vote for a person make a cross (X) in the square at the right of the name of the person for whom you desire to vote.

School District Directors

Position No. 1

Vote for One

-
-
-

Position No. 2

Vote for One

-
-
-

To Fill Unexpired Term

Position No. 3

2 (or 4) year term

Vote for One

-

..... □
..... □

The names of candidates shall appear upon the ballot in order of filing for each position. There shall be no rotation of names in the printing of such ballots. [2015 c 53 s 12; 1969 ex.s. c 223 s 28A.57.316. Prior: 1963 c 223 s 2. Formerly RCW 28A.315.480, 28A.57.316, 28.58.083.]

RCW 28A.343.340 When elected—Eligibility. Directors of school districts shall be elected at regular school elections. No person shall be eligible to the office of school director who is not a citizen of the United States and the state of Washington and a registered voter of either the school district or director district, as the case may be. [1969 ex.s. c 223 s 28A.57.318. Prior: 1909 c 97 p 285 s 1; RRS s 4775; prior: 1903 c 104 s 16; 1901 c 41 s 2; 1899 c 142 s 7; 1897 c 118 s 39; 1893 c 107 s 2; 1890 p 364 s 25. Formerly RCW 28A.315.490, 28A.57.318, 28.58.090.]

RCW 28A.343.350 Residency. Notwithstanding RCW 42.12.010(4), a school director elected from a director district may continue to serve as a director from the district even though the director no longer resides in the director district, but continues to reside in the school district, under the following conditions:

(1) If, as a result of redrawing the director district boundaries, the director no longer resides in the director district, the director shall retain his or her position for the remainder of his or her term of office; and

(2) If, as a result of the director changing his or her place of residence the director no longer resides in the director district, the director shall retain his or her position until a successor is elected and assumes office as follows: (a) If the change in residency occurs after the opening of the regular filing period provided under RCW 29A.24.050, in the year two years after the director was elected to office, the director shall remain in office for the remainder of his or her term of office; or (b) if the change in residency occurs prior to the opening of the regular filing period provided under RCW 29A.24.050, in the year two years after the director was elected to office, the director shall remain in office until a successor assumes office who has been elected to serve the remainder of the unexpired term of office at the school district general election held in that year. [2015 c 53 s 13; 1999 c 194 s 1.]

RCW 28A.343.360 Oath of office. Every person elected or appointed to the office of school director, before entering upon the discharge of the duties thereof, shall take an oath or affirmation to support the Constitution of the United States and the state of Washington and to faithfully discharge the duties of the office according to the best of his or her ability. In case any official has a written appointment or commission, the official's oath or affirmation shall be endorsed thereon and sworn to before any officer authorized to administer oaths. School officials are hereby authorized to administer all oaths or affirmations pertaining to their respective

offices without charge or fee. All oaths of office, when properly made, shall be filed with the county auditor. Every person elected to the office of school director shall begin his or her term of office at the first official meeting of the board of directors following certification of the election results. [1990 c 33 s 314; 1988 c 187 s 1; 1986 c 167 s 16; 1969 ex.s. c 223 s 28A.57.322. Prior: 1909 c 97 p 288 s 11; RRS s 4786; prior: 1897 c 118 s 61; 1890 p 380 s 70. Formerly RCW 28A.315.500, 28A.57.322, 28.58.095, 28.63.015, 28.63.017, 42.04.030.]

Severability—1986 c 167: See note following RCW 29A.16.040.

RCW 28A.343.370 Vacancies. (1) In case of a vacancy from any cause on the board of directors of a school district other than a reconstituted board resulting from reorganized school districts, a majority of the legally established number of board members shall fill such vacancy by appointment: PROVIDED, That should there exist fewer board members on the board of directors of a school district than constitutes a majority of the legally established number of board members, the educational service district board members of the district in which the school district is located by the vote of a majority of its legally established number of board members shall appoint a sufficient number of board members to constitute a legal majority on the board of directors of such school district; and the remaining vacancies on such board of directors shall be filled by such board of directors in accordance with the provisions of this section: PROVIDED FURTHER, That should any board of directors for whatever reason fail to fill a vacancy within ninety days from the creation of such vacancy, the members of the educational service district board of the district in which the school district is located by majority vote shall fill such vacancy.

(2) Appointees to fill vacancies on boards of directors of school districts shall meet the requirements provided by law for school directors and shall serve until the next regular school district election, at which time a successor shall be elected for the unexpired term.

(3) If a vacancy will be created by a board member who has submitted a resignation, that board member may not vote on the selection of his or her replacement. [1991 c 60 s 1; 1975 1st ex.s. c 275 s 100; 1971 c 53 s 2; 1969 ex.s. c 176 s 156; 1969 ex.s. c 223 s 28A.57.326. Prior: (i) 1909 c 97 p 292 s 12; RRS 4801; prior: 1907 c 31 s 3; 1897 c 118 s 89; 1890 p 390 s 16. Formerly RCW 28.62.120. (ii) 1909 c 97 p 298 s 3; RRS s 4813. Formerly RCW 28.63.020. (iii) 1909 c 97 p 301 s 3; RRS s 4825. Formerly RCW 28.63.022. (iv) 1959 c 216 s 7, part; 1955 c 157 s 14, part; prior: 1909 p 281 s 4, part; 1903 c 104 s 14, part; 1899 c 142 s 6, part; 1897 c 118 s 33, part; 1891 c 127 s 3, part; 1890 p 355 s 11, part; RRS s 4770, part. Formerly RCW 28A.315.530, 28A.57.326, 28.19.060, part.]

Severability—1971 c 53: See note following RCW 28A.323.060.

Rights preserved—Severability—1969 ex.s. c 176: See notes following RCW 28A.310.010.

RCW 28A.343.380 Meetings. Regular meetings of the board of directors of any school district shall be held monthly or more often at such a time as the board of directors by resolution shall determine or the bylaws of the board may prescribe. Special or deferred meetings may be held from time to time as circumstances may demand, at the call of the president, if a first-class district, or the chair of the board, if a second-class district, or on petition of a majority of the members of the board. All meetings shall be open to the public unless the board shall otherwise order an executive session as provided in RCW 42.30.110. [1990 c 33 s 315; 1983 c 3 s 35; 1975 c 43 s 6; 1969 ex.s. c 223 s 28A.57.324. Prior: (i) 1909 c 97 p 291 s 9; RRS s 4798; prior: 1897 c 118 s 86; 1890 p 389 s 13. Formerly RCW 28.62.090. (ii) 1965 ex.s. c 87 s 1; 1909 c 97 p 299 s 6; RRS s 4816. Formerly RCW 28.63.030. (iii) 1965 ex.s. c 87 s 2; 1909 c 97 p 302 s 6; RRS s 4828. Formerly RCW 28A.315.510, 28A.57.324, 28.63.032.]

Effective date—Severability—1975 c 43: See notes following RCW 28A.535.050.

RCW 28A.343.390 Quorum—Failure to attend meetings. A majority of all members of the board of directors shall constitute a quorum. Absence of any board member from four consecutive regular meetings of the board, unless on account of sickness or authorized by resolution of the board, shall be sufficient cause for the remaining members of the board to declare by resolution that such board member position is vacated. In addition, vacancies shall occur as provided in RCW 42.12.010. [1994 c 223 s 5; 1971 c 53 s 4. Formerly RCW 28A.315.520, 28A.57.325.]

Severability—1971 c 53: See note following RCW 28A.323.060.

RCW 28A.343.400 Compensation—Waiver. Each member of the board of directors of a school district may receive compensation of fifty dollars per day or portion thereof for attending board meetings and for performing other services on behalf of the school district, not to exceed four thousand eight hundred dollars per year, if the district board of directors has authorized by board resolution, at a regularly scheduled meeting, the provision of such compensation. A board of directors of a school district may authorize such compensation only from locally collected excess levy funds available for that purpose, and compensation for board members shall not cause the state to incur any present or future funding obligation.

Any director may waive all or any portion of his or her compensation under this section as to any month or months during his or her term of office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the director's election and before the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

The compensation provided in this section shall be in addition to any reimbursement for expenses paid to such directors by the school district. [1987 c 307 s 2. Formerly RCW 28A.315.540, 28A.57.327.]

Intent—1987 c 307: "The legislature declares it is the policy of the state to:

(1) Ensure, for the sake of educational excellence, that the electorate has the broadest possible field in which to choose qualified candidates for its school boards;

(2) Ensure that the opportunity to serve on school boards be open to all, regardless of financial circumstances; and

(3) Ensure that the time-consuming and demanding service as directors not be limited to those able or willing to make substantial personal and financial sacrifices." [1987 c 307 s 1.]

Effective date—1987 c 307: "This act shall take effect on September 1, 1987." [1987 c 307 s 3.]

PROVISIONS RELATING TO CERTAIN DISTRICTS

RCW 28A.343.600 Certain first-class districts—Staggered terms.

Any first-class school district having a board of directors of five members as provided in RCW 28A.343.300 and which elects directors for a term of six years under the provisions of RCW 29A.04.340 shall cause the office of at least one director and no more than two directors to be up for election at each regular school district election held hereafter and, except as provided in RCW 28A.343.670, any first-class school district having a board of directors of seven members as provided in RCW 28A.343.300 shall cause the office of two directors and no more than three directors to be up for election at each regular school district election held hereafter. [2009 c 107 s 2; 1990 c 33 s 318; 1969 c 131 s 11; 1969 ex.s. c 223 s 28A.57.336. Prior: 1959 c 268 s 13. Formerly RCW 28A.315.570, 28A.57.336, 28.57.430.]

Retroactive application—2009 c 107 ss 1-4: See note following RCW 28A.343.300.

Effective date—2009 c 107: See note following RCW 28A.343.300.

RCW 28A.343.610 First-class districts having city with population of 400,000 people or more—Directors' terms. After July 1, 1979, the election of directors of any first-class school district having within its boundaries a city with a population of four hundred thousand people or more, shall be to four year terms. The initial four year terms required by this section shall commence upon the expiration of terms in existence at July 1, 1979. Nothing in chapter 183, Laws of 1979 ex. sess. shall affect the term of office of any incumbent director of any such first-class school district. [1991 c 363 s 21; 1979 ex.s. c 183 s 10. Formerly RCW 28A.315.460, 28A.57.313.]

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

Effective date—Severability—1979 ex.s. c 183: See notes following RCW 28A.343.020.

Directors—Number and terms of in new first-class district having city with population of 400,000 people or more: RCW 28A.343.650.

RCW 28A.343.620 First-class districts containing no former first-class district—Number and terms of directors. Upon the establishment of a new school district of the first class as provided for in *RCW 28A.315.580 containing no former first-class district, the directors of the old school districts who reside within the limits of the new district shall meet at the call of the educational service district superintendent and shall constitute the board of directors of the new district. If fewer than five such directors reside in such new district, they shall become directors of said district and the educational service district board shall appoint the number of additional directors to constitute a board of five directors for the district. Vacancies, once such a board has been reconstituted, shall not be filled unless the number of remaining board members is less than five, and such vacancies shall be filled in the manner otherwise provided by law.

Each board of directors so constituted shall proceed at once to organize in the manner prescribed by law and thereafter shall have all the powers and authority conferred by law upon boards of directors of first-class school districts until the next regular school election in the district at which election their successors shall be elected and qualified. At such election no more than five directors shall be elected either at large or by director districts, as the case may be, two for a term of two years and three for a term of four years: PROVIDED, That if such first-class district is in a county with a population of two hundred ten thousand or more and contains a city of the first class, two directors shall be elected for a term of three years and three directors shall be elected for a term of six years. [1991 c 363 s 24; 1990 c 33 s 320; 1980 c 35 s 3; 1979 ex.s. c 126 s 6; 1975 1st ex.s. c 275 s 102; 1971 c 67 s 3. Formerly RCW 28A.315.600, 28A.57.355.]

***Reviser's note:** RCW 28A.315.580 was recodified as RCW 28A.343.020 pursuant to 1999 c 315 s 806.

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

Severability—1980 c 35: See note following RCW 28A.343.300.

Purpose—1979 ex.s. c 126: See RCW 29A.60.280(1).

RCW 28A.343.630 First-class districts containing only one former first-class district—Number and terms of directors. Upon the establishment of a new school district of the first class as provided for in *RCW 28A.315.580 containing only one former first-class district, the directors of the former first-class district and two directors representative of former second-class districts selected by a majority of the board members of former second-class districts shall meet at the call of the educational service district superintendent and shall constitute the board of directors of the new district. Vacancies, once such a board has been reconstituted, shall not be filled unless the number of remaining board members is less than five,

and such vacancies shall be filled in the manner otherwise provided by law.

Each board of directors so constituted shall proceed at once to organize in the manner prescribed by law and thereafter shall have all the powers and authority conferred by law upon boards of directors of first-class school districts until the next regular school election in the district at which election their successors shall be elected and qualified. At such election no more than five directors shall be elected either at large or by director districts, as the case may be, two for a term of two years and three for a term of four years: PROVIDED, That if such first-class district is in a county with a population of two hundred ten thousand or more and contains a city of the first class, two directors shall be elected for a term of three years and three directors shall be elected for a term of six years. [1991 c 363 s 25; 1990 c 33 s 321; 1980 c 35 s 4; 1979 ex.s. c 126 s 7; 1975-'76 2nd ex.s. c 15 s 6. Prior: 1975 1st ex.s. c 275 s 103; 1975 c 43 s 10; 1971 c 67 s 4. Formerly RCW 28A.315.610, 28A.57.356.]

***Reviser's note:** RCW 28A.315.580 was recodified as RCW 28A.343.020 pursuant to 1999 c 315 s 806.

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

Severability—1980 c 35: See note following RCW 28A.343.300.

Purpose—1979 ex.s. c 126: See RCW 29A.60.280(1).

Effective date—Severability—1975 c 43: See notes following RCW 28A.535.050.

RCW 28A.343.640 First-class districts containing more than one former first-class district—Number and terms of directors. Upon the establishment of a new school district of the first class as provided for in RCW 28A.343.020 containing more than one former first-class district, the directors of the largest former first-class district and three directors representative of the other former first-class districts selected by a majority of the board members of the former first-class districts and two directors representative of former second-class districts selected by a majority of the board members of former second-class districts shall meet at the call of the educational service district superintendent and shall constitute the board of directors of the new district. Vacancies once such a board has been reconstituted shall not be filled unless the number of remaining board members is less than seven, and such vacancies shall be filled in the manner otherwise provided by law.

Each board of directors so constituted shall proceed at once to organize in the manner prescribed by law and thereafter shall have all of the powers and authority conferred by law upon boards of first-class districts until the next regular school election and until their successors are elected and qualified. At such election other than districts electing directors for six-year terms as provided in RCW 29A.04.340, five directors shall be elected either at large or by director districts, as the case may be, two for a term of two years and three for a term of four years. At such election for districts electing directors for six years other than a district having within

its boundaries a city with a population of four hundred thousand people or more and electing directors for six year terms, five directors shall be elected either at large or by director districts, as the case may be, one for a term of two years, two for a term of four years, and two for a term of six years. [2009 c 107 s 3; 1991 c 363 s 26; 1990 c 33 s 322; 1980 c 35 s 5; 1980 c 47 s 2. Prior: 1979 ex.s. c 183 s 4; 1979 ex.s. c 126 s 8; 1975-'76 2nd ex.s. c 15 s 7; prior: 1975 1st ex.s. c 275 s 104; 1975 c 43 s 11; 1973 2nd ex.s. c 21 s 10; 1973 c 19 s 1; 1971 c 67 s 5. Formerly RCW 28A.315.620, 28A.57.357.]

Retroactive application—2009 c 107 ss 1-4: See note following RCW 28A.343.300.

Effective date—2009 c 107: See note following RCW 28A.343.300.

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

Severability—1980 c 35: See note following RCW 28A.343.300.

Severability—1980 c 47: See note following RCW 28A.343.300.

Effective date—Severability—1979 ex.s. c 183: See notes following RCW 28A.343.020.

Purpose—1979 ex.s. c 126: See RCW 29A.60.280(1).

Effective date—Severability—1975 c 43: See notes following RCW 28A.535.050.

RCW 28A.343.650 New first-class district having city with population of 400,000 people or more—Number and terms of directors. Upon the establishment of a new school district of the first class having within its boundaries a city with a population of four hundred thousand people or more, the directors of the largest former first-class district and three directors representative of the other former first-class districts selected by a majority of the board members of the former first-class districts and two directors representative of former second-class districts selected by a majority of the board members of former second-class districts shall meet at the call of the educational service district superintendent and shall constitute the board of directors of the new district. Each board of directors so constituted shall proceed at once to organize in the manner prescribed by law and thereafter shall have all the powers and duties conferred by law upon boards of first-class districts, until the next regular school election and until their successors are elected and qualified. Such duties shall include establishment of new director districts as provided for in *RCW 28A.315.670. At the next regular school election seven directors shall be elected by director districts, two for a term of two years, two for a term of four years and three for a term of six years. Thereafter their terms shall be as provided in *RCW 28A.315.460.

Vacancies once such a board has been reconstituted shall not be filled unless the number of remaining board members is less than

seven, and such vacancies shall be filled in the manner otherwise provided by law. [1991 c 363 s 27; 1990 c 33 s 323; 1980 c 35 s 6; 1980 c 47 s 3. Prior: 1979 ex.s. c 183 s 5; 1979 ex.s. c 126 s 9; 1975-'76 2nd ex.s. c 15 s 8; prior: 1975 1st ex.s. c 275 s 105; 1975 c 43 s 12; 1973 2nd ex.s. c 21 s 4; 1971 c 67 s 6. Formerly RCW 28A.315.630, 28A.57.358.]

***Reviser's note:** RCW 28A.315.670 and 28A.315.460 were recodified as RCW 28A.343.660 and 28A.343.610, respectively, pursuant to 1999 c 315 s 805.

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

Severability—1980 c 35: See note following RCW 28A.343.300.

Severability—1980 c 47: See note following RCW 28A.343.300.

Effective date—Severability—1979 ex.s. c 183: See notes following RCW 28A.343.020.

Purpose—1979 ex.s. c 126: See RCW 29A.60.280(1).

Effective date—Severability—1975 c 43: See notes following RCW 28A.535.050.

Directors—First-class districts having city with population of 400,000 people or more—Terms: RCW 28A.343.610.

RCW 28A.343.660 First-class districts having city with population of 400,000 people or more—Boundaries of director districts—Candidate eligibility—Declaration of candidacy—Primary limited to district voters—Terms of directors. Notwithstanding any other provision of law, any school district of the first class having within its boundaries a city with a population of four hundred thousand people or more shall be divided into seven director districts. The boundaries of such director districts shall be established by the members of the school board, such boundaries to be established so that each such district shall comply, as nearly as practicable, with the criteria established in RCW 29A.76.010. Boundaries of such director districts shall be adjusted by the school board following the procedure established in RCW 29A.76.010 after each federal decennial census if population change shows the need thereof to comply with the criteria of RCW 29A.76.010. No person shall be eligible for the position of school director in any such director district unless such person resides in the particular director district. Residents in the particular director district desiring to be a candidate for school director shall file their declarations of candidacy for such director district and for the position of director in that district and shall be voted upon, in any primary required to be held for the position under Title 29A RCW, by the registered voters of that particular director district. In the general election, each position shall be voted upon by all the registered voters in the school district. The order of the names of candidates shall appear on the primary and general election ballots as required for nonpartisan positions under

Title 29A RCW. Except as provided in RCW 28A.343.670, every such director so elected in school districts divided into seven director districts shall serve for a term of four years as otherwise provided in RCW 28A.343.610. [2015 c 53 s 14. Prior: 1991 c 363 s 28; 1991 c 288 ss 5, 6; prior: 1990 c 59 s 99; 1990 c 33 s 327; 1979 ex.s. c 183 s 6; 1973 2nd ex.s. c 21 s 5; 1969 c 131 s 9. Formerly RCW 28A.315.670, 28A.57.425.]

Effective dates—1991 c 363 ss 28, 29, 33, 47, and 131: "(1) Sections 28, 29, 33, and 131 of this act shall take effect July 1, 1992.

(2) Section 47 of this act shall take effect July 1, 1993." [1991 c 363 s 165.]

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

Effective date—1991 c 288 ss 6 and 8: "Sections 6 and 8 of this act shall take effect July 1, 1992." [1991 c 288 s 12.]

Expiration date—1991 c 288 ss 5 and 7: "Sections 5 and 7 of this act shall expire July 1, 1992." [1991 c 288 s 11.]

Intent—Effective date—1990 c 59: See notes following RCW 29A.04.013.

Effective date—Severability—1979 ex.s. c 183: See notes following RCW 28A.343.020.

RCW 28A.343.670 First-class districts having city with population of 400,000 people or more—Initial director district boundaries—Appointments to fill vacancies for new director districts—Director district numbers. The school boards of any school district of the first class having within its boundaries a city with a population of four hundred thousand people or more shall establish the director district boundaries. Appointment of a board member to fill any vacancy existing for a new director district prior to the next regular school election shall be by the school board. Prior to the next regular election in the school district and the filing of declarations of candidacy therefor, the incumbent school board shall designate said director districts by number. Directors appointed to fill vacancies as above provided shall be subject to election, one for a six-year term, and one for a two-year term and thereafter the term of their respective successors shall be for four years. The term of office of incumbent members of the board of such district shall not be affected by RCW 28A.343.300, 28A.343.600, 28A.343.610, 28A.343.660, and this section. If the district is changing its director district boundaries under RCW 29A.92.040 or 29A.92.110, all director positions are subject to election at the next regular election. [2019 c 454 s 3; 2015 c 53 s 15; 1995 c 335 s 106. Prior: 1991 c 363 s 29; 1991 c 288 ss 7, 8; prior: 1990 c 59 s 72; 1990 c 33 s 328; 1983 c 3 s 36; 1979 ex.s. c 183 s 7; 1973 2nd ex.s. c 21 s 6; 1969 c 131 s 10. Formerly RCW 28A.315.680, 28A.57.435.]

Retroactive application—Effective date—2019 c 454: See notes following RCW 29A.92.050.

Part headings, table of contents not law—1995 c 335: See note following RCW 28A.150.360.

Effective dates—1991 c 363 ss 28, 29, 33, 47, and 131: See note following RCW 28A.343.660.

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

Effective date—1991 c 288 ss 6 and 8: See note following RCW 28A.343.660.

Intent—Effective date—1990 c 59: See notes following RCW 29A.04.013.

Effective date—Severability—1979 ex.s. c 183: See notes following RCW 28A.343.020.

RCW 28A.343.680 New second-class districts—Number and terms of directors. Upon the establishment of a new school district of the second class, the directors of the old school districts who reside within the limits of the new district shall meet at the call of the educational service district superintendent and shall constitute the board of directors of the new district. If fewer than five such directors reside in any such new second-class school district, they shall become directors of said district, and the educational service district board shall appoint the number of additional directors required to constitute a board of five directors for the new second-class district. Vacancies once such a board has been reconstituted shall not be filled unless the number of remaining board members is less than five in a second-class district, and such vacancies shall be filled in the manner otherwise provided by law.

Each board of directors so constituted shall proceed at once to organize in the manner prescribed by law and thereafter shall have all the powers and authority conferred by law upon boards of directors of other districts of the same class. Each initial director shall hold office until his or her successor is elected and qualified: PROVIDED, That the election of the successor shall be held during the second district general election after the initial directors have assumed office. At such election, no more than five directors shall be elected either at large or by director districts, as the case may be, two for a term of two years and three for a term of four years. Directors thereafter elected and qualified shall serve such terms as provided for in *RCW 28A.315.450. [1990 c 33 s 316; 1980 c 35 s 2; 1979 ex.s. c 126 s 5; 1975-'76 2nd ex.s. c 15 s 5. Prior: 1975 1st ex.s. c 275 s 101; 1975 c 43 s 7; 1971 c 67 s 1; 1969 ex.s. c 176 s 137; 1969 ex.s. c 223 s 28A.57.328; prior: 1959 c 268 s 7, part; 1947 c 266 s 24, part; Rem. Supp. 1947 s 4693-43, part. Formerly RCW 28A.315.550, 28A.57.328, 28.57.350, part.]

***Reviser's note:** RCW 28A.315.450 was recodified as RCW 28A.343.300 pursuant to 1999 c 315 s 804.

Severability—1980 c 35: See note following RCW 28A.343.300.

Purpose—1979 ex.s. c 126: See RCW 29A.60.280(1).

Effective date—Severability—1975 c 43: See notes following RCW 28A.535.050.

Rights preserved—Severability—1969 ex.s. c 176: See notes following RCW 28A.310.010.