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**SUBSTITUTE SENATE BILL 6105**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Hunt, Saldaña, and Wilson, C.; by request of Superintendent of Public Instruction)

READ FIRST TIME 02/04/20.

1 AN ACT Relating to efficient administration of state education  
2 agencies; and amending RCW 28C.18.020, 43.30.205, 43.59.030,  
3 28A.310.030, 28A.305.021, 28A.310.050, 28A.310.060, 28A.310.080,  
4 28A.310.090, 28A.310.100, and 28A.525.025.

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

6 **PART I**  
7 **SUPERINTENDENT OF PUBLIC INSTRUCTION BOARD DESIGNEES**

8 **Sec. 101.** RCW 28C.18.020 and 2010 c 128 s 6 are each amended to  
9 read as follows:

10 (1) There is hereby created the workforce training and education  
11 coordinating board as a state agency and as the successor agency to  
12 the state board for vocational education. Once the coordinating board  
13 has convened, all references to the state board for vocational  
14 education in the Revised Code of Washington shall be construed to  
15 mean the workforce training and education coordinating board, except  
16 that reference to the state board for vocational education in RCW  
17 49.04.030 shall mean the state board for community and technical  
18 colleges.

19 (2)(a) The board shall consist of nine voting members appointed  
20 by the governor with the consent of the senate, as follows: Three

1 representatives of business, three representatives of labor, and,  
2 serving as ex officio members, the superintendent of public  
3 instruction or the superintendent's designee, the executive director  
4 of the state board for community and technical colleges, and the  
5 commissioner of the employment security department. The chair of the  
6 board shall be a nonvoting member selected by the governor with the  
7 consent of the senate, and shall serve at the pleasure of the  
8 governor. In selecting the chair, the governor shall seek a person  
9 who understands the future economic needs of the state and nation and  
10 the role that the state's training system has in meeting those needs.  
11 Each voting member of the board may appoint a designee to function in  
12 his or her place with the right to vote. In making appointments to  
13 the board, the governor shall seek to ensure geographic, ethnic, and  
14 gender diversity and balance. The governor shall also seek to ensure  
15 diversity and balance by the appointment of persons with  
16 disabilities.

17 (b) The business representatives shall be selected from among  
18 nominations provided by a statewide business organization  
19 representing a cross-section of industries. However, the governor may  
20 request, and the organization shall provide, an additional list or  
21 lists from which the governor shall select the business  
22 representatives. The nominations and selections shall reflect the  
23 cultural diversity of the state, including women, people with  
24 disabilities, and racial and ethnic minorities, and diversity in  
25 sizes of businesses.

26 (c) The labor representatives shall be selected from among  
27 nominations provided by statewide labor organizations. However, the  
28 governor may request, and the organizations shall provide, an  
29 additional list or lists from which the governor shall select the  
30 labor representatives. The nominations and selections shall reflect  
31 the cultural diversity of the state, including women, people with  
32 disabilities, and racial and ethnic minorities.

33 (d) Each business member may cast a proxy vote or votes for any  
34 business member who is not present and who authorizes in writing the  
35 present member to cast such vote.

36 (e) Each labor member may cast a proxy vote for any labor member  
37 who is not present and who authorizes in writing the present member  
38 to cast such vote.

39 (f) The chair shall appoint to the board one nonvoting member to  
40 represent racial and ethnic minorities, women, and people with

1 disabilities. The nonvoting member appointed by the chair shall serve  
2 for a term of four years with the term expiring on June 30th of the  
3 fourth year of the term.

4 (g) The business members of the board shall serve for terms of  
5 four years, the terms expiring on June 30th of the fourth year of the  
6 term except that in the case of initial members, one shall be  
7 appointed to a two-year term and one appointed to a three-year term.

8 (h) The labor members of the board shall serve for terms of four  
9 years, the terms expiring on June 30th of the fourth year of the term  
10 except that in the case of initial members, one shall be appointed to  
11 a two-year term and one appointed to a three-year term.

12 (i) Any vacancies among board members representing business or  
13 labor shall be filled by the governor with nominations provided by  
14 statewide organizations representing business or labor, respectively.

15 (j) The board shall adopt bylaws and shall meet at least  
16 bimonthly and at such other times as determined by the chair who  
17 shall give reasonable prior notice to the members or at the request  
18 of a majority of the voting members.

19 (k) Members of the board shall be compensated in accordance with  
20 RCW 43.03.040 and shall receive travel expenses in accordance with  
21 RCW 43.03.050 and 43.03.060.

22 (l) The board shall be formed and ready to assume its  
23 responsibilities under this chapter by October 1, 1991.

24 (m) The director of the board shall be appointed by the governor  
25 from a list of three names submitted by a committee made up of the  
26 business and labor members of the board. However, the governor may  
27 request, and the committee shall provide, an additional list or lists  
28 from which the governor shall select the director. The governor may  
29 dismiss the director only with the approval of a majority vote of the  
30 board. The board, by a majority vote, may dismiss the director with  
31 the approval of the governor.

32 (3) The state board for vocational education is hereby abolished  
33 and its powers, duties, and functions are hereby transferred to the  
34 workforce training and education coordinating board. All references  
35 to the director or the state board for vocational education in the  
36 Revised Code of Washington shall be construed to mean the director or  
37 the workforce training and education coordinating board.

38 **Sec. 102.** RCW 43.30.205 and 2010 c 189 s 1 are each amended to  
39 read as follows:

1 (1) The board shall consist of six members:

2 (a) The governor or the governor's designee;

3 (b) The superintendent of public instruction or the  
4 superintendent's designee;

5 (c) The commissioner;

6 (d) The director of the University of Washington school of forest  
7 resources;

8 (e) The dean of the Washington State University college of  
9 agricultural, human, and natural resource sciences; and

10 (f) A representative of those counties that contain state  
11 forestlands acquired or transferred under RCW 79.22.010, 79.22.040,  
12 and 79.22.020.

13 (2)(a) The county representative on the board shall be selected  
14 by the legislative authorities of those counties that contain state  
15 forestlands acquired or transferred under RCW 79.22.010, 79.22.040,  
16 and 79.22.020. In the selection of the county representative, each  
17 participating county shall have one vote. The Washington state  
18 association of counties shall convene a meeting for the purpose of  
19 making the selection and shall notify the board of the selection.

20 (b) The county representative must be a duly elected member of a  
21 county legislative authority who shall serve a term of four years  
22 unless the representative should leave office for any reason. The  
23 initial term shall begin on July 1, 1986.

24 **Sec. 103.** RCW 43.59.030 and 2018 c 201 s 8010 are each amended  
25 to read as follows:

26 The governor shall be assisted in his or her duties and  
27 responsibilities by the Washington state traffic safety commission.  
28 The Washington traffic safety commission shall be composed of the  
29 governor as chair, the superintendent of public instruction or the  
30 superintendent's designee, the director of licensing, the secretary  
31 of transportation, the chief of the state patrol, the secretary of  
32 health, the director of the health care authority, a representative  
33 of the association of Washington cities to be appointed by the  
34 governor, a member of the association of counties to be appointed by  
35 the governor, and a representative of the judiciary to be appointed  
36 by the governor. Appointments to any vacancies among appointee  
37 members shall be as in the case of original appointment.

38 The governor may designate an employee of the governor's office  
39 familiar with the traffic safety commission to act on behalf of the

1 governor during the absence of the governor at one or more of the  
2 meetings of the commission. The vote of the designee shall have the  
3 same effect as if cast by the governor if the designation is in  
4 writing and is presented to the person presiding at the meetings  
5 included within the designation.

6 The governor may designate a member, other than the governor's  
7 designee, to preside during the governor's absence.

8 **Sec. 104.** RCW 28A.310.030 and 2006 c 263 s 603 are each amended  
9 to read as follows:

10 Except as otherwise provided in this chapter, in each educational  
11 service district there shall be an educational service district board  
12 consisting of seven members elected by the school directors of the  
13 educational service district, one from each of seven educational  
14 service district board-member districts. Board-member districts in  
15 districts reorganized under RCW 28A.310.020, or as provided for in  
16 RCW 28A.310.120 and under this section, shall be initially determined  
17 by the state board of education. If a reorganization pursuant to RCW  
18 28A.310.020 places the residence of a board member into another or  
19 newly created educational service district, such member shall serve  
20 on the board of the educational service district of residence and at  
21 the next election called by the (~~superintendent of public~~  
22 ~~instruction~~)) executive director of the Washington state school  
23 directors' association pursuant to RCW 28A.310.080 a new seven member  
24 board shall be elected. If the redrawing of board-member district  
25 boundaries pursuant to this chapter shall cause the resident board-  
26 member district of two or more board members to coincide, such board  
27 members shall continue to serve on the board and at the next election  
28 called by the (~~superintendent of public instruction~~)) executive  
29 director of the Washington state school directors' association a new  
30 board shall be elected. The board-member districts shall be arranged  
31 so far as practicable on a basis of equal population, with  
32 consideration being given existing board members of existing  
33 educational service district boards. Each educational service  
34 district board member shall be elected by the school directors of  
35 each school district within the educational service district.  
36 Beginning in 1971 and every ten years thereafter, educational service  
37 district boards shall review and, if necessary, shall change the  
38 boundaries of board-member districts so as to provide so far as  
39 practicable equal representation according to population of such

1 board-member districts and to conform to school district boundary  
2 changes: PROVIDED, That all board-member district boundaries, to the  
3 extent necessary to conform with this chapter, shall be immediately  
4 redrawn for the purposes of the next election called by the  
5 (~~superintendent of public instruction~~) executive director of the  
6 Washington state school directors' association following any  
7 reorganization pursuant to this chapter. Such district board, if  
8 failing to make the necessary changes prior to June 1st of the  
9 appropriate year, shall refer for settlement questions on board-  
10 member district boundaries to the office of the superintendent of  
11 public instruction, which, after a public hearing, shall decide such  
12 questions.

13 **PART II**

14 **ADMINISTRATION OF STATE BOARD OF EDUCATION AND EDUCATIONAL SERVICE**

15 **DISTRICT ELECTIONS**

16 **Sec. 201.** RCW 28A.305.021 and 2005 c 497 s 102 are each amended  
17 to read as follows:

18 The election of state board of education members by school  
19 directors and private school board members shall be conducted by the  
20 (~~office of the superintendent of public instruction~~) Washington  
21 state school directors' association for the members of the state  
22 board who begin serving on January 1, 2006, and thereafter.

23 (1) The (~~superintendent~~) school directors' association shall  
24 adopt rules for the conduct of elections, which shall include, but  
25 need not be limited to: The definition of the eastern Washington and  
26 western Washington geographic regions of the state for the purpose of  
27 determining board member positions; the weighting of votes cast by  
28 the number of students in the school director's school district or  
29 board member's private school; election and dispute resolution  
30 procedures; the process for filling vacancies; and election  
31 timelines. The election timeline shall include calling for elections  
32 no later than the twenty-fifth of August, and notification of the  
33 election results no later than the fifteenth of December.

34 (2) State board member positions one and two shall be filled by  
35 residents of the eastern Washington region and positions three, four,  
36 and five shall be filled by residents of the western Washington  
37 region.

1 (3) A school director shall be eligible to vote only for a  
2 candidate for each position in the geographic region within which the  
3 school director resides.

4 (4) Initial terms of the individuals elected by the school  
5 directors shall be for terms of two to four years in length as  
6 follows: Two members, one from eastern Washington and one from  
7 western Washington, shall be elected to two-year terms; two members,  
8 one from eastern Washington and one from western Washington, shall be  
9 elected to four-year terms; and one member from western Washington  
10 shall be elected to a three-year term. The term of the private school  
11 member shall be two years. All terms shall expire on the second  
12 Monday of January of the applicable year.

13 (5) No person employed in any public or private school, college,  
14 university, or other educational institution or any educational  
15 service district superintendent's office or in the office of the  
16 superintendent of public instruction is eligible for membership on  
17 the state board of education. No member of a board of directors of a  
18 local school district or private school may continue to serve in that  
19 capacity after having been elected to the state board.

20 **Sec. 202.** RCW 28A.310.050 and 2006 c 263 s 604 are each amended  
21 to read as follows:

22 Any educational service district board may elect by resolution of  
23 the board to increase the board member size to nine board members. In  
24 such case positions number eight and nine shall be filled at the next  
25 election called by the (~~superintendent of public instruction~~)  
26 executive director of the Washington state school directors'  
27 association, position numbered eight to be for a term of two years,  
28 position numbered nine to be for a term of four years. Thereafter the  
29 terms for such positions shall be for four years.

30 **Sec. 203.** RCW 28A.310.060 and 2006 c 263 s 605 are each amended  
31 to read as follows:

32 The term of every educational service district board member shall  
33 begin on the second Monday in January next following the election at  
34 which he or she was elected: PROVIDED, That a person elected to less  
35 than a full term pursuant to this section shall take office as soon  
36 as the election returns have been certified and he or she has  
37 qualified. In the event of a vacancy in the board from any cause,  
38 such vacancy shall be filled by appointment of a person from the same

1 board-member district by the educational service district board. In  
2 the event that there are more than three vacancies in a seven-member  
3 board or four vacancies in a nine-member board, the superintendent of  
4 public instruction shall fill by appointment sufficient vacancies so  
5 that there shall be a quorum of the board serving. Each appointed  
6 board member shall serve until his or her successor has been elected  
7 at the next election called by the (~~superintendent of public~~  
8 ~~instruction~~) executive director of the Washington state school  
9 directors' association and has qualified.

10 **Sec. 204.** RCW 28A.310.080 and 2007 c 460 s 1 are each amended to  
11 read as follows:

12 Not later than the twenty-fifth day of August of every odd-  
13 numbered year, the (~~superintendent of public instruction~~) executive  
14 director of the Washington state school directors' association shall  
15 call an election to be held in each educational service district  
16 within which resides a member of the board of the educational service  
17 district whose term of office expires on the second Monday of January  
18 next following, and shall give written notice thereof to each member  
19 of the board of directors of each school district in such educational  
20 service district. Such notice shall include instructions and rules  
21 established by the (~~superintendent of public instruction~~)  
22 Washington state school directors' association for the conduct of the  
23 election.

24 **Sec. 205.** RCW 28A.310.090 and 2006 c 263 s 606 are each amended  
25 to read as follows:

26 Candidates for membership on an educational service district  
27 board shall file declarations of candidacy with the (~~superintendent~~  
28 ~~of public instruction~~) Washington state school directors'  
29 association on forms prepared by the (~~superintendent~~) association.  
30 Declarations of candidacy may be filed by person or by mail not  
31 earlier than the first day of September, nor later than the sixteenth  
32 day of September. The (~~superintendent~~) association may not accept  
33 any declaration of candidacy that is not on file in his or her office  
34 or is not postmarked before the seventeenth day of September.

35 **Sec. 206.** RCW 28A.310.100 and 2006 c 263 s 607 are each amended  
36 to read as follows:



1 Each member of an educational service district board shall be  
2 elected by a majority of the votes cast at the election for all  
3 candidates for the position. All votes shall be cast by mail  
4 addressed to the (~~superintendent of public instruction~~) Washington  
5 state school directors' association and no votes shall be accepted  
6 for counting if postmarked after the sixteenth day of October or if  
7 not postmarked or the postmark is not legible, if received by mail  
8 after the twenty-first day of October following the call of the  
9 election. (~~The superintendent of public instruction and~~) An  
10 election board comprised of three persons appointed by the  
11 (~~superintendent~~) executive director of the Washington state school  
12 directors' association shall count and tally the votes not later than  
13 the twenty-fifth day of October in the following manner: Each vote  
14 cast by a school director shall be accorded as one vote. If no  
15 candidate receives a majority of the votes cast, then, not later than  
16 the first day of November, the (~~superintendent of public~~  
17 ~~instruction~~) executive director of the Washington state school  
18 directors' association shall call a second election to be conducted  
19 in the same manner and at which the candidates shall be the two  
20 candidates receiving the highest number of votes cast. No vote cast  
21 at such second election shall be received for counting if postmarked  
22 after the sixteenth day of November or if not postmarked or the  
23 postmark is not legible, if received by mail after the twenty-first  
24 day of November and the votes shall be counted as hereinabove  
25 provided on the twenty-fifth day of November. The candidate receiving  
26 a majority of votes at any such second election shall be declared  
27 elected. In the event of a tie in such second election, the candidate  
28 elected shall be determined by a chance drawing of a nature  
29 established by the (~~superintendent of public instruction~~) executive  
30 director of the Washington state school directors' association.  
31 Within ten days following the count of votes in an election at which  
32 a member of an educational service district board is elected, the  
33 (~~superintendent of public instruction~~) executive director of the  
34 Washington state school directors' association shall certify to the  
35 county auditor of the headquarters county of the educational service  
36 district the name or names of the persons elected to be members of  
37 the educational service district board.

38 **PART III**

39 **SCHOOL FACILITY ADVISORY GROUP**

1       **Sec. 301.** RCW 28A.525.025 and 2006 c 263 s 308 are each amended  
2 to read as follows:

3       ~~(1) ((To maintain citizen oversight on issues pertaining to~~  
4 ~~school facilities and funding for school construction, a school~~  
5 ~~facilities citizen advisory panel shall be created by the state board~~  
6 ~~of education. The panel shall advise and make recommendations to the~~  
7 ~~superintendent of public instruction regarding school facilities,~~  
8 ~~funding for school construction, joint planning and financing of~~  
9 ~~educational facilities, facility plans and programs for nonhigh~~  
10 ~~school districts, and determinations of remote and necessary schools.~~

11       ~~(2) The membership of the school facilities citizen advisory~~  
12 ~~panel shall be as follows:~~

13       ~~(a) One member of the state board of education;~~

14       ~~(b) Two school district directors representing school districts~~  
15 ~~of various sizes and geographic locations, who are appointed by the~~  
16 ~~state board of education and selected from a list of five names~~  
17 ~~submitted to the board by the Washington state school directors'~~  
18 ~~association; and~~

19       ~~(c) Four additional citizen members appointed by the state board~~  
20 ~~of education.~~

21       ~~(3) Members of the panel shall be reimbursed for travel expenses~~  
22 ~~in accordance with RCW 43.03.050 and 43.03.060.~~

23       ~~(4) In addition to the school facilities citizen advisory~~  
24 ~~panel,)) To advise the superintendent of public instruction on issues~~  
25 ~~pertaining to school facilities and funding for school construction,~~  
26 ~~the superintendent of public instruction may convene a technical~~  
27 ~~advisory group ((including)), which must include citizen members and~~  
28 ~~representatives from school business officers, building and~~  
29 ~~construction contracting and trade organizations, architecture and~~  
30 ~~engineering organizations, and other organizations with expertise in~~  
31 ~~school facilities. The group may advise and make recommendations to~~  
32 ~~the superintendent of public instruction regarding school facilities,~~  
33 ~~funding for school construction, joint planning and financing of~~  
34 ~~educational facilities, facility plans and programs for nonhigh~~  
35 ~~school districts, and determinations of remote and necessary schools.~~

36       (2) Members of the group may be reimbursed for travel expenses in  
37 accordance with RCW 43.03.050 and 43.03.060.

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