

## Electoral System

It is the responsibility of the board of directors to establish the electoral system used for electing board members.

The board of directors, with the assistance of the administration, the educational service district, the state redistricting commission and consultants (e.g., attorneys, demographic experts, etc.) as appropriate, will 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;
- B. Consolidation of the district with one or more other districts into one district;
- C. Transfer of territory to or from the district or dissolution and annexation of the district; or
- D. Approval by a majority of the district's registered voters of a proposition to divide the district into director districts pursuant to RCW 28A.343.030.

The districting or redistricting plan shall be adopted according to the procedure established under RCW 29A.76.010.

### Authority under Washington Voting Rights Act

The district will ensure that its voting system does not impair the ability of a protected class or classes, as defined by the Washington Voting Rights Act, to have an equal opportunity to elect candidates of their choice as a result of the dilution or abridgment of the rights of voters who are members of a protected class or classes.

To remedy a potential violation of the Washington Voting Rights Act, the district may change its electoral system, which may include, but is not limited to, implementing director districts.

### Legal References:

RCW 28A.343.030	Certain school districts — Election to authorize division in school districts not already divided into directors' districts
RCW 28A.343.040	Division or redivision of district into director districts
RCW 28A.343.050	Dissolution of directors' districts
RCW 28A.315.195	Transfer of territory by petition — Requirements — Rules
RCW 28A.315.199	Transfer of territory or dissolution of financially insolvent school district by petition - Notification to affected districts - Mediation - Request for hearing - Notification to regional committee - Costs
RCW 28A.315.205	Transfer of territory or dissolution by petition - Regional committee responsibilities - Rules - Appeals

RCW 28A.315.215	Transfer of territory or annexation of financially insolvent district by agreement or order - Approval Order - Previously approved and imposed excess tax levies
RCW 29A.76.010	Counties, municipal corporations, and special purpose districts
Chapter 44.05 RCW	Washington State Redistricting Act Laws of 2018, ch. 113, § 104 Washington Voting Rights Act

Management Resources:

2018 – May Issue

2015 - December Issue

2011 - June Issue

Policy News, August 2008 Restructuring First Class Director Districts

Washington State Redistricting Commission – <http://www.redistricting.wa.gov/>

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## **Electoral System**

### **Division or Re-division of District into Director Districts under 28A.343.040**

If the district decides to create director districts or re-divide director districts under RCW 28A.343.040, the district will develop a plan consistent with the following criteria:

- A. Each director district will be as nearly equal in population as possible;
- B. Each director district will be as compact as possible and consist of geographically contiguous area;
- C. Population data will not be used for purposes of favoring or disfavoring any racial group or political party; and
- D. Each director district will, to the extent feasible and if not inconsistent with the basic enabling legislation for the district, coincide with existing recognized natural boundaries and will, to the extent possible, preserve existing communities of related and mutual interest.

During the adoption of its plan, the district shall ensure that full and reasonable public notice of its actions is provided. The district will publish a draft plan and hold a meeting, including notice, and comment, within ten days of publishing the draft plan and at least one week before adopting the plan. The district will amend the draft plan as necessary after receiving public comments and resubmit any amended plan for additional written public comment at least one week before adopting the plan.

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 fifteen 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 district may be joined as respondent. The superior court shall thereupon review the challenged plan for compliance with the applicable redistricting criteria.

### **Changing the Electoral System under the Washington Voting Rights Act**

If the district changes its electoral system to remedy a potential violation of the Washington Voting Rights Act by implementing director districts, then the district will develop a plan consistent with the following criteria:

- A. Each director district will be as nearly equal in population as possible;
- B. Each director district will be as compact as possible and consist of geographically contiguous area;
- C. Each director district will, to the extent feasible and if not inconsistent with the basic enabling legislation for the district, coincide with existing recognized natural boundaries and will, to the extent possible, preserve existing communities of related and mutual interest; and
- D. Director-district boundaries will not be drawn or maintained in a manner that creates or perpetuates the dilution of the votes of the members of a protected class or classes.

Before adopting its plan, the district will provide public notice to its residents about its proposed remedy. If a significant segment of its residents has limited English proficiency and speak a language other than English, then the district will provide accurate written and verbal notice of the proposed remedy in languages that diverse residents of the district can understand and air radio or television public service announcements describing the proposed remedy in the languages that diverse residents of the district can understand. The district will also hold at least one public hearing at least one week before the district's plan is adopted.

### **Dissolution of Director Districts**

Upon receipt by the educational service district superintendent of a resolution adopted by the board or a written petition from a first-class or second-class school district signed by at least twenty percent of the registered voters of the district previously divided into director districts, which resolution or petition shall request dissolution of the existing director districts and reapportionment of the district into no fewer than three director 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 district to approve or reject such proposal, such election to be called, conducted and the returns canvassed as in regular 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 the district their successors shall be elected in the manner approved.