

HB 681 Consolidations and Annexations Rep. Holly Raser

Testimony of Support – House Education Committee
2/16/05

Madam Chair & Members of the Committee:

My name is Joan Anderson, representing the Office of Public Instruction. The State Superintendent of Public Instruction supports HB 681.

This bill greatly simplifies the descriptions of the processes in law, so it will help school districts that are trying to annex or consolidate to follow the process more easily.

First, please recognize the difference between annexation and consolidation. “**Annexation**” happens when one district closes and attaches to a neighboring district, becoming a part of the larger district—District A joins with District B to form a bigger District B, which continues with the same board of trustees. “**Consolidation**” happens when 2 districts close and are replaced with a single district—District A joins District B and they become District C, a new district with a new board of trustees.

I have a handout that describes that process, but first I’d like to provide a section-by-section explanation:

Section 1 ___ States the conditions under which a district can annex to another district. This section replaces the current law’s separate sections for elementary and high school annexation, with a single section that covers the conditions for elementary, high school and K-12 district annexation.

Section 2 ___ Defines terms used in the annexation process. Again, this section combines and replaces several sections that used to address elementary and high school processes with a single section that covers all types of districts.

Sections 3 ___ Covers the consolidation process for all types of schools.

Section 4 ___ Is an entirely new section. It establishes an interim board that helps the districts transition into a consolidated district for the next school year. I have a chart that will show you the timeline for the interim board.

In the earlier example I gave, District A’s board of trustees and District B’s board of trustees will continue until the new school year under this bill, to close out the school year and manage the business of the separate districts until the end of the school year. Section 4 creates a combined board made of all trustees of District A and District B. While the 2 existing boards continue to manage the business of the existing district, this interim board addresses issues related to the newly consolidated district. An example

would be to review bus routing needs for the district's first year as a consolidated district, which is normally done in the late Spring and early Summer for the following school year.

Section 5__ clarifies the county superintendent's duties in the consolidation and annexation processes. Since some districts are joint districts, having territory in more than one county, some duties for consolidations and annexations only apply to the county where the district is located.

Sections 6 and 7__ amends the laws related to the way the board of trustees is configured in a consolidation. These changes are necessary to be in sync with other sections amended and repealed in this bill.

Sections 8 and 9__ amend the elementary and high school abandonment sections to allow the attachment of an abandoned district to a neighboring district, regardless of whether that district is in the same county as the closing district or not. While there might have been a reason to treat these districts differently when the old laws were written many, many years ago, there is no reason nowadays that districts should not combine to form a district that has territory in more than one county, so these sections allow that flexibility.

Sections 10 and 11__ replace the references to sections being repealed with references to the corresponding new sections, and these also simplify some wording in the ANB area to clarify that it applies to all types of districts. This is a clarification, not a change from the current interpretation.

The effective date is July 1, 2005.

Here are 4 areas of major improvements:

- Current law unnecessarily duplicates sections for elementary and high school consolidation and annexation processes. HB 681 corrects lots of confusion by combining the processes for elementary, high school, and K-12 districts into a single description that applies to any district.
- Current law doesn't really cover processes for consolidating and annexing K-12 districts at all. HB 681 specifically includes K-12 districts in the processes.
- Current law is cluttered with additional requirements for joint districts, which are districts having territory in more than one county. The requirements for joint district processes are obsolete, since the county boundary has no significant effect on combining of districts. This bill removes the unnecessary restrictions on joint districts.
- For consolidations, the law is currently silent about how taxpayers of the 2 combining districts should handle a general fund election for the single combined

district they voted to create in the next school year. This bill clarifies the taxpayers' right to have an election to decide the general fund budget for the first year of the consolidated district. The creation of an interim board to address transitional issues will make the process much smoother for districts.

It's also important to understand what HB 681 does not do. It does not require schools to consolidate or annex. Those decisions are left up to boards and the voters. It does not add restrictions on districts who do want to consolidate or annex. It removes some common stumbling blocks and complications from the current processes, yet it basically preserves the current processes. (handouts)

Having worked with districts for 15 years in answering their questions about consolidations and annexations and trying to help them follow the complicated process in law, I appreciate the simplification and clarity of HB 681. This was a very positive component of the Renewal Commission's work that will help both schools and the taxpayers.

On behalf of the State Superintendent, I ask that you please do pass HB 681.