

CHAPTER 223
[Engrossed House Bill No. 58]
COMMON SCHOOL AND HIGHER
EDUCATION CODE

AN ACT Relating to education; enacting a common school and higher education code to be known as Titles 28A and 28B of the Revised Code of Washington; providing penalties; repealing certain acts and parts of acts; and prescribing an effective date.

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

TITLE 28A

COMMON SCHOOL PROVISIONS

Chapter 28A.01

DEFINITIONS

NEW SECTION. Section 28A.01.010 SCHOOL DAY. A school day shall consist of six hours for all pupils above the third grade, exclusive of an intermission at noon; any board of directors however may fix as a school day for their district a less number of hours than six; PROVIDED, That for pupils in kindergarten the school day shall not be less than three hours, exclusive of an intermission at noon, for pupils in grades one through three the school day shall not be less than four hours, exclusive of an intermission at noon, and for pupils belonging to grades above the third grade the minimum school day shall not be less than five hours, exclusive of an intermission at noon: PROVIDED FURTHER, That for kindergarten purposes an attendance of two hours shall be credited as one-half day. In the absence of any bylaw or order of the board of directors defining the school day for their district, any teacher may dismiss all pupils belonging to grades one through three after an attendance of four hours, exclusive of an intermission at noon.

NEW SECTION. Sec. 28A.01.020 SCHOOL YEAR. The school year shall begin on the first day of July and end with the last day of June.

NEW SECTION. Sec. 28A.01.025 -----FOR CERTIFICATION OR QUALIFICATION PURPOSES. The school year for all matters pertaining to teacher certification or for computing experience in teaching shall consist of not fewer than one hundred eighty school days.

NEW SECTION. Sec. 28A.01.030 COUNTY SCHOOL DISTRICT. For purposes of supervision and administration each county in the state shall constitute one county school district.

NEW SECTION. Sec. 28A.01.035 INTERMEDIATE DISTRICTS. County school districts, as defined in RCW 28A.01.030, and/or parts thereof which are combined pursuant to chapter 28A.19 RCW shall constitute intermediate districts. A part of a single county school district may also become an intermediate district pursuant to chapter 28A.19 RCW.

NEW SECTION. Sec. 28A.01.055 PUBLIC SCHOOLS. Public schools shall mean the common schools as referred to in Article IX of the state Constitution and those schools and institutions of learning having a curriculum below the college or university level as now or may be established by law and maintained at public expense.

NEW SECTION. Sec. 28A.01.060 COMMON SCHOOLS. "Common schools" means schools maintained at public expense in each school district and carrying on a program from kindergarten through the twelfth grade or any part thereof including vocational educational courses otherwise permitted by law.

NEW SECTION. Sec. 28A.01.100 SUPERINTENDENT OF THE SCHOOL DISTRICT. "Superintendent of the school district", if there be no such superintendent, shall mean such other administrative or certificated employee as the school district board of directors shall so designate.

NEW SECTION. Sec. 28A.01.110 COMMONLY-USED SCHOOLHOUSE DOORS. "Commonly-used schoolhouse doors" means such schoolhouse doors utilized for building entry and exit and used by students, certificated and noncertificated personnel and the public regularly as contrasted to such schoolhouse doors whose use is generally

confined to certificated or noncertificated personnel.

Chapter 28A.02

GENERAL PROVISIONS

NEW SECTION. Sec. 28A.02.010 GENERAL PUBLIC SCHOOL SYSTEM.

A general and uniform system of public schools embracing the common schools shall be maintained throughout the state of Washington in accordance with Article IX of the state Constitution.

NEW SECTION. Sec. 28A.02.020 -----ADMINISTRATION. The

administration of the public school system shall be entrusted to such state and local officials, boards, and committees as the state Constitution and the laws of the state shall provide.

NEW SECTION. Sec. 28A.02.030 U.S. FLAG--PROCUREMENT, DISPLAY,

EXERCISES--NATIONAL ANTHEM--NONCOMPLIANCE, PENALTY. The board of directors of every school district shall cause a United States flag being in good condition to be displayed during school hours upon or near every public school plant, except during inclement weather. They shall cause appropriate flag exercises to be held in every school at least once in each week, including but not limited to the opening of all school assemblies, at which exercises those pupils so desiring shall recite the following salute to the flag: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all." Students not reciting the pledge shall stand at respectful attention. The salute to the flag or the national anthem shall be rendered immediately preceding interschool events when feasible.

Any person wilfully refusing or neglecting to comply with this section shall be guilty of a misdemeanor, the penalty for which shall be a fine not to exceed ten dollars; and if any person acts in disregard of any school board order which attempts compliance with this section and such person is an employee of a school district, such action shall be grounds for discharge from such employment.

NEW SECTION. Sec. 28A.02.050 LAW AGAINST DISCRIMINATION APPLICABLE TO DISTRICTS' EMPLOYMENT PRACTICES. The provisions of chapter 49.60 RCW as now or hereafter amended shall be applicable to the employment of any certificated or noncertificated employee by any school district organized in this state.

NEW SECTION. Sec. 28A.02.060 SCHOOL HOLIDAYS. Except as otherwise provided for driver education courses in RCW 46.81.010(2), no teacher in the common schools shall teach school on Saturday, Sunday, Labor Day, Veterans' and Admission Day, Thanksgiving, the day immediately following Thanksgiving, Christmas, New Year's, Washington's Birthday, Memorial Day or the Fourth of July. No reduction from the teacher's time or salary shall be made by reason of the fact that a school day happens to be one of the days referred to in this section as a day on which school shall not be taught.

NEW SECTION. Sec. 28A.02.070 PROGRAMS IN OBSERVANCE OF VETERANS' AND ADMISSION DAY. On the Friday preceding November 11th of each year or the preceding Friday when November 11th falls on a Friday, there shall be presented in each common school as defined in RCW 28A.01.060 a program suitable to the observance of Veterans' and Admission Day.

The responsibility for the preparation and presentation of such program approximating sixty minutes in length shall be with the principal or head teacher of each school building and such program shall embrace topics tending to instill a loyalty and devotion to the institutions and laws of this state and nation.

The superintendent of public instruction and county and intermediate school officials shall by advice and suggestion aid in the preparation of such programs if such aid be solicited.

NEW SECTION. Sec. 28A.02.080 STUDY OF CONSTITUTIONS COMPULSORY--REGULATIONS TO IMPLEMENT. The study of the Constitution of the United States and the Constitution of the state of Washington shall be a condition prerequisite to graduation from the public high schools of this state and from all private or parochial high schools

whose work is accepted in lieu of work otherwise performed in the public high schools. The state board of education acting upon the advice of the superintendent of public instruction shall provide by rule or regulation for the implementation of this section.

NEW SECTION. Sec. 28A.02.090 TEMPERANCE AND GOOD CITIZENSHIP DAY--AIDS IN PROGRAMMING. On January 16th of each year or the preceding Friday when January 16th falls on a nonschool day, there shall be observed within each public school "Temperance and Good Citizenship Day". Annually the state superintendent of public instruction shall duly prepare and publish for circulation among the teachers of the state a program for use on such day embodying topics pertinent thereto and may from year to year designate particular laws for special observance.

NEW SECTION. Sec. 28A.02.100 RECEIPT OF FEDERAL FUNDS FOR SCHOOL PURPOSES--SUPERINTENDENT OF PUBLIC INSTRUCTION TO ADMINISTER. The state of Washington and/or any school district is hereby authorized to receive federal funds made or hereafter made available by acts of congress for the assistance of school districts in providing physical facilities and/or maintenance and operation of schools, or for any other educational purpose, according to provisions of such acts, and the state superintendent of public instruction shall represent the state in the receipt and administration of such funds.

Chapter 28A.03

SUPERINTENDENT OF PUBLIC INSTRUCTION

NEW SECTION. Sec. 28A.03.010 ELECTION--TERM OF OFFICE. A superintendent of public instruction shall be elected by the qualified electors of the state, on the first Tuesday after the first Monday in November of the year in which state officers are elected, and shall hold his office for the term of four years, and until his successor is elected and qualified.

NEW SECTION. Sec. 28A.03.020 ASSISTANT SUPERINTENDENTS, DEPUTY SUPERINTENDENT, ASSISTANTS--TERMS FOR EXEMPT PERSONNEL. The superintendent of public instruction may appoint assistant superintendents of

public instruction, a deputy superintendent of public instruction, and may employ such other assistants and clerical help as are necessary to carry out the duties of the superintendent and the state board of education. The assistant superintendents, deputy superintendent, and such other officers and employees as are exempted from the provisions of chapter 41.06 RCW, shall serve at the pleasure of the superintendent.

NEW SECTION. Sec. 28A.03.030 POWERS AND DUTIES GENERALLY.

In addition to any other powers and duties as provided by law, the powers and duties of the superintendent of public instruction shall be:

(1) To have supervision over all matters pertaining to the public schools of the state.

(2) To report biennially to the governor on or before the first day of November preceding the regular session of the legislature, of which report a sufficient number of copies as the superintendent shall deem necessary shall be printed and delivered to the superintendent of public instruction, who shall furnish copies to be deposited with the state library, to each county or intermediate district superintendent of schools and to each school district library in such amount as he shall deem sufficient therefor. Said report shall contain a statement of the general condition of the public schools of the state, with full statistical tables by counties showing the number of schools and the attendance, the state and county funds apportioned, amounts received from special taxes and from other sources, amounts expended for salaries of teachers, the salaries paid by the several counties to the county or intermediate district superintendent of schools and the amount paid for incidentals and expenses; the amount paid for building and providing schoolhouses with furniture and apparatus, the amount of bonded and other school indebtedness, with the rate of interest paid thereon, such reports of state educational institutions, or such portions of them as he may think advisable, together with such other facts as

he may deem of general interest. The superintendent may include as a part of such report any information or estimates obtained for the purposes of RCW 43.88.090. He shall also include in his report a statement of plans for the management and improvement of the schools.

(3) To prepare and have printed such forms, registers, courses of study, rules and regulations for the government of the common schools, questions prepared for the examination of persons as provided for in RCW 28A.04.120(7), and such other material and books as may be necessary for the discharge of the duties of teachers and officials charged with the administration of the laws relating to the common schools, and to distribute the same to the county or intermediate district superintendents.

(4) To travel, without neglecting his other official duties as superintendent of public instruction, for the purpose of attending educational meetings or conventions, of visiting schools, of consulting county or intermediate district superintendents or other school officials.

(5) To cause to be printed with an appendix of appropriate forms and instructions for carrying into execution the laws relating to public schools, and to distribute to each county or intermediate district superintendent a sufficient number of copies to supply each school district official, and to cause the same to be printed and distributed as often as any change in the laws shall make it of sufficient importance, in his opinion, to justify the same.

(6) To act as ex officio president and the chief executive officer of the state board of education.

(7) To hold, annually, a convention of the county and intermediate district superintendents of the state at such time and place as he may deem convenient, for the discussion of questions pertaining to supervision and the administration of the school laws and such other subjects affecting the welfare and interests of the common schools as may be brought before it. Said convention shall continue in session not less than two days nor more than three days, at the

option of the superintendent of public instruction. It shall be the duty of every county or intermediate district superintendent in this state to attend said convention during its entire session, and any county or intermediate district superintendent who attends the convention shall be reimbursed for traveling and subsistence expenses as provided in RCW 28A.19.090 in attending said convention.

(8) To file all papers, reports and public documents transmitted to him by the school officials of the several counties or districts of the state, each year separately. Copies of all papers filed in his office, and his official acts, may, or upon request, shall be certified by him and attested by his official seal, and when so certified shall be evidence of the papers or acts so certified to.

(9) To require annually, on or before the 15th day of August, of the president, manager, or principal of every educational institution in this state, a report of such facts arranged in such manner as he may prescribe, and he shall furnish forms for such reports; and it is hereby made the duty of every president, manager or principal, to complete and return such forms within such time as the superintendent of public instruction shall direct.

(10) To keep in his office a record of all teachers receiving certificates to teach in the common schools of this state.

(11) To issue certificates as provided by law.

(12) To keep in his office at the capital of the state, all books and papers pertaining to the business of his office, and to keep and preserve in his office a complete record of statistics, as well as a record of the meetings of the state board of education.

(13) With the assistance of the office of the attorney general, to decide all points of law which may be submitted to him in writing by any county or intermediate district superintendent, or that may be submitted to him by any other person, upon appeal from the decision of any county or intermediate district superintendent; and he shall publish his rulings and decisions from time to time for

the information of school officials and teachers; and his decision shall be final unless set aside by a court of competent jurisdiction.

(14) To administer oaths and affirmations in the discharge of his official duties.

(15) To deliver to his successor, at the expiration of his term of office, all records, books, maps, documents and papers of whatever kind belonging to his office or which may have been received by him for the use of his office.

(16) To perform such other duties as may be required by law.

NEW SECTION. Sec. 28A.03.050 ACCUMULATED SICK LEAVE FUND ESTABLISHED IN OFFICE FOR ALL DISTRICTS--CONTRIBUTIONS TO. There shall be established in the office of the superintendent of public instruction an accumulated sick leave fund. Each school district, each office of county and intermediate district superintendent and board of education, and the office of superintendent of public instruction shall contribute to the fund according to a plan established by the superintendent of public instruction based upon the sick leave experience of the previous school year. All school districts shall be reimbursed from this fund for payments made for sick leave in accordance with RCW 28A.58.100.

Chapter 28A.04

STATE BOARD OF EDUCATION

NEW SECTION. Sec. 28A.04.010 COMPOSITION OF BOARD. The state board of education shall be comprised of two members from each congressional district of the state, not including any congressional district at large, elected by the members of the boards of directors of school districts thereof, as hereinafter in this chapter provided.

NEW SECTION. Sec. 28A.04.020 CALL AND NOTICE OF ELECTION. Not later than the twenty-fifth day of August of each year, the superintendent of public instruction shall call an election to be held in each congressional district within which resides a member of the state board of education whose term of membership will end on the second Monday of January next following, and shall give written

notice thereof to each member of the board of directors of each school district in such congressional district. Such notice shall include instructions, rules and regulations established by the superintendent of public instruction for the conduct of the election.

NEW SECTION. Sec. 28A.04.030 ELECTIONS IN NEW CONGRESSIONAL DISTRICTS--CALL AND CONDUCT OF--MEMBER TERMS. Whenever any new and additional congressional district is created, except a congressional district at large, the superintendent of public instruction shall call an election in such district at the time of making the call provided for in RCW 28A.04.020. Such election shall be conducted as other elections provided for in this chapter. At the first such election two members of the state board of education shall be elected, one for a term of three years and one for a term of six years. At the expiration of the term of each, a member shall be elected for a term of six years.

NEW SECTION. Sec. 28A.04.040 DECLARATIONS OF CANDIDACY--QUALIFICATIONS OF CANDIDATES--MEMBERS RESTRICTED FROM SERVICE ON LOCAL BOARDS. Candidates for membership on the state board of education shall file declarations of candidacy with the superintendent of public instruction on forms prepared by the superintendent. Declarations of candidacy may be filed by person or by mail not earlier than the first day of September, or later than the sixteenth day of September. The superintendent of public instruction may not accept any declaration of candidacy that is not on file in his office or is not postmarked before the seventeenth day of September. No person employed in any school, college, university, or other educational institution or any county or intermediate district school superintendent's office or in the office of superintendent of public instruction shall be eligible for membership on the state board of education and each member elected must be a resident of the congressional district from which he was elected. No member of a board of directors of a local school district shall continue to serve in that capacity after having been elected to the state board.

NEW SECTION. Sec. 28A.04.050 QUALIFICATIONS OF VOTERS--BALLOTS --CANDIDATES' BIOGRAPHICAL DATA. Each member of the board of directors of each school district in each congressional district shall be eligible to vote for the candidates who reside in his congressional district. Not later than the first day of October the superintendent of public instruction shall mail to each member of each board of directors the proper ballot for his congressional district together with biographical data concerning each candidate listed on such ballot, which data shall have been prepared by the candidate.

NEW SECTION. Sec. 28A.04.060 ELECTION PROCEDURE--CERTIFICATE. Each member of the state board of education shall be elected by a majority of the electoral points accruing from all the votes cast at the election for all candidates for the position. All votes shall be cast by mail addressed to the superintendent of public instruction and no votes shall be accepted for counting if postmarked after the sixteenth day of October following the call of the election. The superintendent of public instruction and an election board comprised of three persons appointed by the state board of education shall count and tally the votes and the electoral points accruing therefrom not later than the twenty-fifth day of October in the following manner: Each vote cast by a school director shall be accorded as many electoral points as there are enrolled students in that director's school district on the last day for filing declarations of candidacy under RCW 28A.04.040; the electoral points shall then be tallied for each candidate as the votes are counted; and it shall be the majority of electoral points which determines the winning candidate. If no candidate receives a majority of the possible electoral points, then, not later than the first day of November, the superintendent of public instruction shall call a second election to be conducted in the same manner and at which the candidates shall be the two candidates receiving the highest number of electoral points accruing from such votes cast. No vote cast at such second election shall be received for counting if postmarked after the

sixteenth day of November and the votes shall be counted as hereinabove provided on the twenty-fifth day of November. The candidate receiving a majority of electoral points accruing from the votes at any such second election shall be declared elected. Within ten days following the count of votes in an election at which a member of the state board of education is elected, the superintendent of public instruction shall certify to the secretary of state the name or names of the persons elected to be members of the state board of education.

NEW SECTION. Sec. 28A.04.070 TERMS OF OFFICE. The term of office of each member of the state board of education shall begin on the second Monday in January next following the election at which he was elected, and he shall hold office for the term for which he was elected and until his successor is elected and qualified. Except as otherwise provided in RCW 28A.04.030, each member of the state board of education shall be elected for a term of six years.

NEW SECTION. Sec. 28A.04.080 VACANCIES, FILLING. Whenever there shall be a vacancy upon the state board of education, from any cause whatever, it shall be the duty of the remaining members of the board to fill such vacancy by appointment, and the person so appointed shall continue in office until his successor has been specially elected, as hereinafter in this section provided, and has qualified. Whenever a vacancy occurs, the superintendent of public instruction shall call, in the month of August next following the date of the occurrence of such vacancy, a special election to be held in the same manner as other elections provided for in this chapter, at which election a successor shall be elected to hold office for the unexpired term of the member whose office was vacated.

NEW SECTION. Sec. 28A.04.090 SUPERINTENDENT AS EX OFFICIO PRESIDENT AND CHIEF EXECUTIVE OFFICER OF BOARD. The superintendent of public instruction shall be ex officio president and the chief executive officer of the board. As such ex officio president the superintendent shall have the right to vote only when there is a question before the board upon which no majority opinion has been

reached among the board members present and voting thereon and the superintendent's vote is essential for action thereon. The superintendent, as chief executive officer of the board, shall furnish all necessary record books and forms for its use, and shall represent the board in directing the work of school inspection.

NEW SECTION. Sec. 28A.04.100 EX OFFICIO SECRETARY OF BOARD. The superintendent of public instruction shall appoint some person to be ex officio secretary of said board who shall not be entitled to a vote in its proceedings. The secretary shall keep a correct record of board proceedings in a good and well-bound book, which shall be kept in the office of the superintendent of public instruction. He shall also, upon request, furnish to interested school officials a certified copy of such proceedings.

NEW SECTION. Sec. 28A.04.110 MEETINGS--EXPENSES REIMBURSED. The state board of education shall hold an annual meeting and such other regular meetings at such time and place within the state as the board shall determine and may hold such special meetings as may be deemed necessary for the transaction of public business, such special meetings to be called by the superintendent of public instruction, or by a majority of the board. The persons serving as members of the state board of education shall be reimbursed by the superintendent of public instruction for the actual expenses incurred in the performance of their duties which expenses shall be paid by the state treasurer on warrants of the state auditor out of funds not otherwise appropriated, upon the order of the superintendent.

NEW SECTION. Sec. 28A.04.120 POWERS AND DUTIES GENERALLY. In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Approve the program of courses leading to teacher certification offered by all institutions of higher education within the state which may be accredited and whose graduates may become entitled to receive teachers' certification.

(2) Investigate the character of the work required to be _____

performed as a condition of entrance to and graduation from any institution of higher education in this state relative to teachers' certification, and prepare an accredited list of those higher institutions of education of this and other states whose graduates may be awarded teachers' certificates.

(3) Supervise the issuance of teachers' certificates and specify the types and kinds of certificates necessary for the several departments of the common schools by rule or regulation in accordance with RCW 28A.70.005.

(4) Examine and accredit secondary schools and approve private schools carrying out a program for any or all of the grades one through eight: PROVIDED, That no public or private high school shall be placed upon the accredited list so long as secret societies are knowingly allowed to exist among its students by school officials.

(5) Make rules and regulations governing the establishment in any existing nonhigh school district of any secondary program or any new grades in grades nine through twelve. Before any such program or any new grades are established the district must obtain prior approval of the state board.

(6) Prepare such outline of study for the common schools as the board shall deem necessary, and prescribe such rules for the general government of the common schools, as shall seek to secure regularity of attendance, prevent truancy, secure efficiency, and promote the true interest of the common schools.

(7) Prepare with the assistance of the superintendent of public instruction a uniform series of questions, with the proper answers thereto for use in the correcting thereof, to be used in the examination of persons, as this code may direct, and prescribe rules and regulations for conducting any such examinations.

(8) Continuously reevaluate courses and adopt and enforce regulations within the common schools so as to meet the educational needs of students and articulate with the institutions of higher education and unify the work of the public school system.

(9) Prepare courses of instruction in physical education, and direct and enforce such instruction throughout the state, with the assistance of the school officials, county or intermediate district superintendents and the boards of directors of the common schools.

(10) Carry out board powers and duties relating to the organization and reorganization of school districts under chapter 28A.57 RCW.

(11) By rule or regulation promulgated upon the advice of the state fire marshal, provide for instruction of pupils in the public and private schools carrying out a K through 12 program, or any part thereof, so that in case of sudden emergency they shall be able to leave their particular school building in the shortest possible time or take such other steps as the particular emergency demands, and without confusion or panic; such rules and regulations shall be published and distributed to certificated personnel throughout the state whose duties shall include a familiarization therewith as well as the means of implementation thereof at their particular school.

(12) Hear and decide appeals as otherwise provided by law.

NEW SECTION. Sec. 28A.04.130 ADDITIONAL POWERS AND DUTIES. CLASSIFICATION OF SCHOOL DISTRICTS--RULES AND REGULATIONS FOR. The state board of education is hereby empowered, and it shall be the duty of said board, to prescribe rules and regulations governing the classification of school districts, except as otherwise provided by law.

NEW SECTION. Sec. 28A.04.140 SEAL. The state board of education shall adopt a seal which shall be kept in the office of the superintendent of public instruction.

Chapter 28A.05

COMPULSORY COURSES

NEW SECTION. Sec. 28A.05.010 COMMON SCHOOL CURRICULUM--FUNDAMENTALS IN CONDUCT. All common schools shall be taught in the English language and instruction shall be given in reading, penmanship, orthography, written and mental arithmetic, geography, English grammar,

physiology and hygiene with special reference to the effects of alcoholic stimulants and narcotics on the human system, the history of the United States, and such other studies as may be prescribed by rule or regulation of the state board of education. All teachers shall stress the importance of the cultivation of manners, the fundamental principles of honesty, honor, industry and economy, the minimum requisites for good health including the beneficial effect of physical exercise, and the worth of kindness to all living creatures.

NEW SECTION. Sec. 28A.05.030 PHYSICAL EDUCATION IN GRADES ONE THROUGH EIGHT. For periods averaging at least twenty minutes in each school day, every pupil attending grades one through eight of the public schools shall receive instruction in such courses of physical education as prescribed by rule or regulation of the state board of education: PROVIDED, That individual pupils or students may be excused on account of physical disability, religious belief or participation in directed athletics.

NEW SECTION. Sec. 28A.05.040 PHYSICAL EDUCATION IN HIGH SCHOOLS. All high schools of the state shall emphasize the work of physical education, and carry into effect all such courses as required by rule or regulation of the state board of education, which shall provide for a minimum of ninety minutes in each school week: PROVIDED, That individual students may be excused on account of physical disability, employment or religious belief, or because of participation in directed athletics or military science and tactics: PROVIDED FURTHER, That individual high school students shall be excused therefrom upon the written request of parents or guardians.

NEW SECTION. Sec. 28A.05.050 HISTORY AND GOVERNMENT IN COMMON SCHOOLS. To promote good citizenship and a greater interest in and better understanding of our national and state institutions and system of government, the state board of education shall prescribe a one-year course of study in the history and government of the United States, and the equivalent of a one-semester course of study in state of Washington history and government or Pacific Northwest history and

government. No person shall be graduated from any eighth grade or high school without completing such courses of study: PROVIDED, That students in the twelfth grade who have not completed such course of study because of previous residence outside the state shall be graduated upon having received special instruction in Washington or northwest history and government as may be determined by the local school authorities as equivalent to the one-semester course required by this section.

Chapter 28A.06

HIGH SCHOOL EXTENSION COURSES

NEW SECTION. Sec. 28A.06.010 STATE BOARD TO PRESCRIBE EXTENSION COURSES--EXAMINATIONS. The state board of education shall outline a course of reading and study similar to that required in a full four year high school course, and shall provide for the examination and certification of those taking and successfully completing such course, or any part thereof. Examinations for this purpose shall be held at such time and place and in such form as rules or regulations of the state board of education shall provide. Any such examination shall be intended only for those not having received a high school diploma, and no person shall take such examination having failed to comply with board rules and regulations prerequisite thereto.

NEW SECTION. Sec. 28A.06.050 PREPARATION AND DISTRIBUTION OF QUESTIONS--GRADING. The superintendent of public instruction shall see to the administration of any such examinations as provided for in RCW 28A.06.010, including the grading thereof and, in accordance with board rules and regulations, shall issue certificates to those who have successfully completed such high school course or any part thereof.

NEW SECTION. Sec. 28A.06.070 FOUR YEAR CERTIFICATE OF COMPLETION. After computing prior high school credits, upon board satisfaction that an applicant has completed the equivalent of a four year high school course, a state high school certificate shall be issued to the applicant. Such certificate shall be honored for admission purposes to any of the state's universities or colleges as are other

graduation certificates of the high schools of the state.

Chapter 28A.09

VOCATIONAL EDUCATION GENERALLY

NEW SECTION. Sec. 28A.09.070 ACCEPTANCE OF FEDERAL ACTS. The state of Washington hereby accepts all the provisions and benefits of an act passed by the senate and house of representatives of the United States of America in congress assembled, entitled "An act to provide for the promotion of vocational education, to provide for co-operation with the states in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February 23, 1917; and of an act of congress entitled "An act to provide for the further development of vocational education in the several states and territories," approved June 8, 1936, and the Vocational Education Act of 1946 and supplemental vocational education acts including but not limited to Public Law 88-210.

NEW SECTION. Sec. 28A.09.080 CUSTODIAN OF SPECIAL APPROPRIATIONS. The state treasurer is hereby designated and appointed custodian of all moneys received by the state from the appropriations made by the said acts of congress as provided for in RCW 28A.09.070 and is authorized to receive and to provide for the proper custody of the same and to make disbursements therefrom in the manner provided in said acts and for the purposes therein specified. He shall also, upon the order of the appropriate agency in accordance with the provisions of those state acts relating to the promotion of vocational education, pay out any moneys appropriated by the state of Washington for the purpose of carrying out the provisions thereof relating to vocational education.

NEW SECTION. Sec. 28A.09.090 TYPES OF SCHOOLS OR CLASSES. For the purposes of this chapter, vocational schools or classes may be established (1) as all day schools or classes giving instruction in vocational subjects; (2) as part time schools or classes giving

instruction in vocational subjects; and (3) as evening school classes giving instruction supplemental to the daily employment.

Chapter 28A.10

VOCATIONAL REHABILITATION AND SERVICES FOR
HANDICAPPED PERSONS

NEW SECTION. Sec. 28A.10.005 PURPOSE. The purposes of this chapter are (1) to rehabilitate vocationally handicapped persons so that they may prepare for and engage in a gainful occupation; (2) to provide persons with physical or mental disabilities with a program of services which will result in greater opportunities for them to enter more fully into the life of the community; (3) to promote activities which will assist the vocationally handicapped to reach their fullest potential; and (4) to encourage and develop facilities and other resources needed by the handicapped.

NEW SECTION. Sec. 28A.10.010 DEFINITIONS--"STATE AGENCY".

(1) "Handicapped person" means any individual:

(a) Who has a physical or mental disability, which constitutes a substantial handicap to employment, of such a nature that vocational rehabilitation services may reasonably be expected to render him fit to engage in a gainful occupation consistent with his capacities and abilities; or

(b) Who, because of lack of social competence or mobility, experience, skills, training, or other factors, is in need of vocational rehabilitation services in order to become fit to engage in a gainful occupation or to attain or maintain a maximum degree of self-support or self-care; or

(c) For whom vocational rehabilitation services are necessary to determine rehabilitation potential.

(2) "Physical or mental disability" means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will probably result in limiting an individual's activities or functioning. The term includes behavioral disorders characterized by deviant social behavior or impaired ability to carry out

normal relationships with family and community which may result from vocational, educational, cultural, social, environmental or other factors.

(3) "Vocational rehabilitation services" means goods or services provided handicapped persons to enable such persons to be fit for gainful occupation or to attain or maintain a maximum degree of self-support or self-care and includes every type of goods and services for which federal funds are available for vocational rehabilitation purposes, including, but not limited to, the establishment, construction, development, operation and maintenance of workshops and rehabilitation facilities.

(4) "Self-care" means a reasonable degree of restoration from dependency upon others for personal needs and care and includes but is not limited to ability to live in own home, rather than requiring nursing home care and care for self rather than requiring attendant care.

(5) "State agency" means the coordinating council for occupational education.

NEW SECTION. Sec. 28A.10.020 POWERS AND DUTIES OF STATE AGENCY. The state agency shall:

(1) Provide vocational rehabilitation services to handicapped persons, including the placing of such persons in gainful occupations;

(2) Disburse all funds provided by law and may receive, accept and disburse such gifts, grants, conveyances, devises and bequests of real and personal property from public or private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out vocational rehabilitation services as specified by law and the regulations of the state agency; and may sell, lease or exchange real or personal property according to the terms and conditions thereof. Any money so received shall be deposited in the state treasury for investment, reinvestment or expenditure in accordance with the conditions of its receipt and RCW 43.88.180;

(3) Appoint and fix the compensation and prescribe the duties, of the personnel necessary for the administration of this chapter, unless otherwise provided by law;

(4) Make exploratory studies, make reviews, and do research relative to vocational rehabilitation.

NEW SECTION. Sec. 28A.10.025 ADDITIONAL DUTIES OF STATE AGENCY--STATE-WIDE PROGRAM--RULES AND REGULATIONS--ANNUAL REPORT. The state agency shall:

(1) Develop a state-wide vocational rehabilitation program;

(2) Adopt rules, in accord with chapter 34.04 RCW, necessary to carry out the purposes of this chapter; and

(3) Report annually to the governor, and to the legislature at least ten days prior to each regular session, on the administration of this chapter.

NEW SECTION. Sec. 28A.10.037 VOCATIONAL REHABILITATION SERVICES TO BE MADE AVAILABLE TO STATE AND PUBLIC AGENCIES. The state agency shall make available vocational rehabilitation services to the departments of institutions, labor and industries, public assistance, and employment security, and other state or other public agencies, in accordance with cooperative agreements between the state agency and the respective agencies.

NEW SECTION. Sec. 28A.10.050 ACCEPTANCE OF FEDERAL AID. The state of Washington does hereby:

(1) Accept the provisions and maximum possible benefits resulting from any acts of congress which provide benefits for the purposes of this chapter;

(2) Designate the state treasurer as custodian of all moneys received by the state from appropriations made by the congress of the United States for purposes of this chapter, and authorize the state treasurer to make disbursements therefrom upon the order of the state agency; and

(3) Empower and direct the state agency to cooperate with the federal government in carrying out the provisions of this chapter or

of any federal law or regulation pertaining to vocational rehabilitation, and to comply with such conditions as may be necessary to assure the maximum possible benefits resulting from any such federal law or regulation.

NEW SECTION. Sec. 28A.10.055 -----CONSTRUCTION OF CHAPTER WHEN PART THEREOF IN CONFLICT WITH FEDERAL REQUIREMENTS WHICH ARE CONDITION PRECEDENT TO ALLOCATION OF FEDERAL FUNDS. If any part of this chapter shall be found to be in conflict with federal requirements which are a condition precedent to the allocation of federal funds to the state, such conflicting part of this chapter is hereby declared to be inoperative solely to the extent of such conflict, and such findings or determination shall not affect the operation of the remainder of this chapter.

NEW SECTION. Sec. 28A.10.080 PURCHASE OF VOCATIONAL REHABILITATION SERVICES FOR HANDICAPPED PERSONS--PROCEDURE--POST AUDIT REVIEW. The state agency may purchase, from any source, by contract, vocational rehabilitation services for handicapped persons, payments for such services to be made subject to procedures and fiscal controls approved by the budget director. The performance of and payment for such services shall be subject to post audit review by the state auditor.

Chapter 28A.13

SPECIAL EDUCATION--DIVISION FOR HANDICAPPED CHILDREN

NEW SECTION. Sec. 28A.13.010 DIVISION FOR HANDICAPPED CHILDREN CREATED--HANDICAPPED CHILDREN DEFINED--APPROVAL WHEN CHILD UNDER JURISDICTION OF JUVENILE COURT. There is established in the office of the superintendent of public instruction a division of special educational aid for handicapped children, to be known as the division for handicapped children. Handicapped children are those children in school or out of school who are temporarily or permanently retarded in normal educational processes by reason of physical or mental handicap, or by reason of social or emotional maladjustment, or by reason

of other handicap: PROVIDED, That no child shall be removed from the jurisdiction of juvenile court for training or education under this chapter without the approval of the superior court of the county.

NEW SECTION. Sec. 28A.13.020 DIVISION ADMINISTRATIVE OFFICER. APPOINTMENT--DUTIES. The superintendent of public instruction shall appoint an administrative officer of such division. The administrative officer shall coordinate and supervise the program of special aid for handicapped children in the school districts of the state. He shall cooperate with county and intermediate district superintendents of schools and with all other interested school officials in the conduct of the program and shall cooperate with the state director of health and with county and regional health officers on cases where medical examination or attention is needed.

NEW SECTION. Sec. 28A.13.030 AUTHORITY OF DISTRICTS. School district officials and teachers shall cooperate with the superintendent of public instruction and with the administrative officer, and shall give such aid and special attention to handicapped children as their facilities will permit.

In carrying out their responsibilities under this chapter, school districts may severally or jointly:

(1) Purchase and own special aid equipment and materials, with the approval of the administrative officer, and may pay for the same out of their general fund budgets.

(2) Employ special teachers for special aid, with the approval of the administrative officer, and may pay their salaries and compensation out of their general fund budgets.

(3) Establish and operate residential schools for aid and special attention to handicapped children, with the approval of the administrative officer, and may pay for the operation of such residential schools out of their general fund budgets.

(4) Contribute funds for purchasing sites and constructing, equipping and furnishing buildings in another school district for the purpose of giving special educational aid to handicapped children,

with the approval of the administrative officer, and may pay for the same out of their building fund budgets.

School districts may make agreements with other school districts for aid and special attention to handicapped children of their districts in the schools and special services of such other districts, with the approval of the administrative officer, and may pay for the same out of their general fund budgets, and such payments may include the cost of board and room for such handicapped children while housed in such other districts. Such expenditures may be partially or wholly reimbursed from funds appropriated for that purpose under rules and regulations established by the superintendent of public instruction.

NEW SECTION. Sec. 28A.13.040 AID FOR CHILDREN UNABLE TO ATTEND SCHOOL--APPORTIONMENT. Any child who is not able to attend school and who is eligible for special aid under programs authorized under this chapter may be given such aid at his home or at such other place as determined by the administrative officer. Any school district within which such a child resides shall thereupon be granted regular apportionments of state and county school funds for such days as such aid is given.

NEW SECTION. Sec. 28A.13.050 SERVICES TO HANDICAPPED CHILDREN OF PRESCHOOL AGE--APPORTIONMENT. Special educational and training programs provided by the state and the school districts thereof for children temporarily or permanently retarded in normal educational processes by reason of physical or mental handicap, or by reason of social or emotional maladjustment, or by reason of other handicap may be extended to include children of preschool age. School districts which extend such special programs, as provided in this section, shall be entitled to apportionments from state and county school funds, as provided by law, and to allocations from state funds made available for such special services, for handicapped children three or more years of age who are given such special services.

SPECIAL EDUCATION--DIVISION OF RECREATION

NEW SECTION. Sec. 28A.14.010 DIVISION OF RECREATION. ESTABLISHED. There is hereby established in the office of the superintendent of public instruction a division of special educational service to be known as the division of recreation.

NEW SECTION. Sec. 28A.14.020 -----ADMINISTRATIVE OFFICER--APPOINTMENT--QUALIFICATIONS--SALARY--DUTIES. The superintendent of public instruction shall appoint an administrative officer who shall be qualified for such position by training and experience. The administrative officer, among other duties, shall coordinate and supervise the programs of recreation operated by the school districts of the state. He shall cooperate with county and intermediate district superintendents and with school district officials and teachers and encourage the establishment of local recreation programs. He shall also meet with and consult with recreation committees as provided in RCW 28A.14.050.

NEW SECTION. Sec. 28A.14.030 RECREATION PROGRAM. COOPERATION OF, AUTHORITY OF, SCHOOL DISTRICTS. School district officials and teachers shall cooperate with the superintendent of public instruction and with the administrative officer, and school districts may give such recreation services as their facilities will permit. School districts may purchase and own recreation equipment and facilities, with the approval of the administrative officer, and may pay for the same out of their general fund budgets. They may employ special recreation instructors, with the approval of the administrative officer, and may pay their salaries and compensation out of their general fund budgets. Such expenditures may be partially or wholly reimbursed from funds appropriated, if any, under federal or state law, or from funds available from other public or private agencies, under rules and regulations established by the superintendent of public instruction.

NEW SECTION. Sec. 28A.14.040 -----MAY INCLUDE ADULTS--RESTRICTIONS. Any school district, with the approval of the

administrative officer, may extend its recreation program to include adults residing within the district or community when the welfare of the district or community will be subserved thereby: PROVIDED, That the cost of such extended recreation program to include adults in any school district shall not be paid from any school district funds other than receipts from allocations made by the superintendent of public instruction to such school district from state, federal or other public or private funds made available for that purpose.

NEW SECTION. Sec. 28A.14.050 LOCAL AND COUNTY ADVISORY COMMITTEES--DUTIES. School district officials and the county or intermediate district superintendents may appoint local and/or county advisory recreation committees or designate existing community committees, with the advice of the administrative officer. Such advisory recreation committees shall be appointed from representatives of public and private youth serving agencies and citizens interested in the educational and social welfare of children and adults. The duties of advisory recreation committees shall be to meet with school district officials and the administrative officer for the purpose of discussing and planning the establishment and operation of recreation programs.

NEW SECTION. Sec. 28A.14.060 STATE AID. Allocations from any state appropriations to carry out the purposes of this chapter may be made by the superintendent of public instruction to school districts for their relief and assistance in establishing and maintaining recreation programs as in this chapter provided. In addition to allocations for direct relief and assistance, special allocations from any such appropriation may be made by the superintendent of public instruction to school districts for the purpose of underwriting allocations made by or requested from federal, or other public or private funds pending receipt of such federal, or other public or private funds.

Chapter 28A.16

SPECIAL EDUCATION--DIVISION FOR SUPERIOR STUDENTS

NEW SECTION. Sec. 28A.16.010 DIVISION CREATED--SUPERIOR STUDENTS DEFINED. There is established in the office of the state superintendent of public instruction a division of special education for students of superior capacity. Such students are those who consistently show remarkable performance in academic pursuits or demonstrate exceptional ability.

NEW SECTION. Sec. 28A.16.020 PROGRAM--SCOPE--COSTS. The state superintendent of public instruction, within the scope of policies and regulations adopted by the state board of education, shall administer a program to improve the education of students of superior capacity; such program shall include conducting, coordinating and aiding in research (including pilot programs), disseminating information to local school districts, and allocating supplementary funds for excess costs when appropriated for this purpose by the legislature.

NEW SECTION. Sec. 28A.16.030 AUTHORITY OF SCHOOL DISTRICTS--JOINT PROGRAMS WITH INSTITUTIONS OF HIGHER LEARNING. Local school districts, either separately or jointly may:

- (1) Establish and operate special, seminar or augmented programs of education for superior students; and
- (2) Employ and pay special instructors; and
- (3) Establish and operate in conjunction with any institution of higher learning joint programs of education for superior students.

Chapter 28A.19

COUNTY SUPERINTENDENT--INTERMEDIATE DISTRICT

SUPERINTENDENT--INTERMEDIATE DISTRICTS AND BOARDS

NEW SECTION. Sec. 28A.19.010 ELECTION AND TERM. Except as otherwise provided by law, a county superintendent shall be elected in each county of the state.

The election shall be called, conducted and canvassed in the manner provided by law for the holding of regular county elections.

His term of office shall begin on the second Monday in January next succeeding his election and continue for four years and until his successor is elected and qualified. He shall take the oath of

office and furnish an official bond in a sum to be fixed by the county board of education.

NEW SECTION. Sec. 28A.19.020 ASSISTANT SUPERINTENDENTS--PERSONNEL--SALARIES--QUALIFICATIONS. The county superintendent, with the consent of the county board of education, may appoint assistant superintendents and such other professional personnel and clerical help as may be necessary to perform the work of his office at such salaries as may be determined by the county board of education, and shall pay their salaries out of his budget. All assistant county superintendents shall qualify in the same manner as the county superintendent under the provisions of RCW 28A.19.040 and in the absence of the county superintendent shall perform the duties of the office. The county superintendent shall have the authority to deputize an assistant to perform any of the duties of the office.

NEW SECTION. Sec. 28A.19.030 VACANCY, FILLING. The county board of education shall recommend two or more candidates to the board of county commissioners for appointment to fill any vacancy that may occur in the office of county superintendent until the next general election. The county commissioners shall appoint a qualified person to fill such vacancy.

NEW SECTION. Sec. 28A.19.040 QUALIFICATIONS. To be eligible for election or appointment to the office of county superintendent, in addition to other provisions of the law, a candidate must have completed five years of regular, accredited work in one or more recognized higher institutions of learning, have a teacher's, principal's or superintendent's certificate of the state of Washington, and have five or more years' experience in teaching or educational administration in the common schools or in the office of a county superintendent: PROVIDED, That anyone serving as a legally qualified county superintendent or chief deputy county superintendent at midnight, June 8th, 1955, may be deemed qualified to hold the office of county superintendent.

NEW SECTION. Sec. 28A.19.050 PROOF OF QUALIFICATIONS AND

DECLARATION OF CANDIDACY. The county auditor shall not place the name of any person upon the official ballot as a candidate for the office of county superintendent unless such person files in the office of the county auditor at the time of filing his declaration of candidacy proof of his qualifications for the office of county superintendent as defined by this chapter.

NEW SECTION. Sec. 28A.19.060 POWERS AND DUTIES GENERALLY. In addition to any other powers and duties provided by law, each county superintendent:

(1) Shall exercise a careful supervision over the common schools of his county, and see that all the provisions of the common school laws are observed and followed by the teachers, supervisors and school officials.

(2) Shall visit the schools of his county, counsel with directors, supervisors and teachers, and assist in every possible way to advance the educational interests in his county.

(3) Shall distribute promptly all reports, laws, forms, circulars, and instructions which he may receive for the use of the schools and the teachers, and execute the instructions and decisions of the superintendent of public instruction, as provided by law.

(4) Shall enforce any outline course of study adopted by the state board of education, or any course of study adopted by any other lawful authority, and enforce the rules and regulations required for whatsoever purpose.

(5) Shall prepare an outline course of study for books adopted in districts of the third class when the needs of the county demand: PROVIDED, That said outline course of study shall be in harmony with those courses adopted by the state board of education.

(6) Shall keep on file and preserve in his office the biennial reports of the superintendent of public instruction and any annual reports of his predecessor.

(7) Shall keep in good and well-bound books, to be furnished by the county commissioners, records of his official acts.

(8) Shall preserve carefully all reports of school officials and teachers, and at the close of his term of office deliver to his successor all records, books, documents and papers belonging to the office, either personally or through his personal representative, taking a receipt for the same, which shall be filed in the office of the county auditor in the county where his office is located.

(9) May administer oaths and affirmations to school directors, teachers and other persons on all official matters connected with or relating to schools but shall not make or collect any charge or fee for so doing.

(10) Shall keep in a suitable book an official record of all persons under contract to teach in the schools of his county showing the number of the school district, the date of the contract, the names of the contracting parties, and the date of the expiration of the teacher's certificate and the kind thereof, the salary paid, and the date of commencing school, with the length of term in days, which data shall be immediately reported to the county auditor of the county in which his office is located.

(11) Shall make an annual report to the superintendent of public instruction on the first day of August of each year, for the school year ending June 30th, next preceding. The report shall contain an abstract of reports made to him by all school district superintendents, and such other matters as the superintendent of public instruction shall direct. It shall be the duty of the county commissioners and county auditor in every county wherein the county superintendent is about to retire from office to withhold the warrant of his salary for his last month of employment until they have received a certificate from the superintendent of public instruction that the required reports of such county superintendent have been made in a satisfactory manner; and the superintendent of public instruction shall transmit such certificate to the auditor immediately upon receiving such reports.

(12) Shall keep in his office a full and correct transcript

of the boundaries of each school district in the county, including joint districts. In case the boundaries of the districts are conflicting or incorrectly described, he shall change, harmonize and describe them, and at their next regular meeting he shall certify his action to the county commissioners of his county, and shall file with them a complete transcript of the boundaries of all school districts affected by his action, which shall be entered upon the journal of said board and become a part of their records. The county superintendent, on request, shall furnish the school district superintendents with descriptions of the boundaries of their respective districts.

(13) Shall appoint school district directors in districts of the first, second and third class to fill vacancies in the manner provided in RCW 28A.57.326.

(14) Shall apportion school funds.

(15) Shall conduct such examinations and make such records thereof as may be prescribed by law or by rule or regulation of the state board of education: PROVIDED, That he shall give ten days notice of each examination by publication in some newspaper of general circulation published in his county, or if there be no newspaper, then by television, radio or otherwise.

(16) Shall hold teachers' institutes according to law, and conduct such other meetings of the teachers of his county as may be for the best interests of the schools; and attend other meetings and conferences which may be of benefit to the schools of his county.

(17) May hold each year, one or more directors' meetings, the expense of which shall be audited and paid by the county commissioners: PROVIDED, That such expense shall not exceed the sum of one hundred dollars in any one year.

(18) May suspend any teacher who may be teaching in his county, against whom he files charges. In case of such suspension he shall immediately notify the superintendent of public instruction of his action, and shall clearly and fully state his reasons for his action.

(19) Shall furnish free of charge to all school districts of

his county teachers' registers, superintendents' record books and other materials received free of charge from the superintendent of public instruction.

(20) Shall counsel with school boards on selection of school sites and whenever any board of directors of school districts of the third class shall be authorized, by the electors of their district, to erect a school building, it shall be the duty of such board, before entering into any contract for the erection of any building, to obtain the approval of the county superintendent of the county in which the building is to be erected, of the plans and specifications for the building to be erected, said superintendent to give special attention to the provisions made therein for heating, lighting and ventilation.

(21) Shall require all reports of school district officials, teachers and others to be made promptly as required by law.

(22) Shall see that the teachers' register is kept in accordance with law and the instructions of the superintendent of public instruction, and that the records of the school district superintendents are properly kept.

(23) Shall require the oath of office of all school district directors or superintendents be filed in his office, and shall furnish a directory of all such officials to the county auditor and to the county treasurer, upon forms furnished by the superintendent of public instruction, as soon as the election or appointment of such officials is determined and their oaths placed on file.

(24) Shall serve as ex officio secretary of the county board of education and as ex officio secretary of the county committee for school district organization.

(25) Except as otherwise provided by law, shall with the advice and consent of the county board of education adopt textbooks for all school districts not maintaining an accredited high school.

(26) Shall prepare an annual budget for his office for approval by the county board of education.

(27) Shall serve as a member of the county transportation

commission as provided in RCW 28A.24.080.

(28) Shall assist the school districts in preparation of their budgets as provided in chapter 28A.65 RCW.

(29) Shall hear and act upon appeals as provided in RCW 28A.88.020.

(30) Shall cooperate with the state supervisor of special aid for handicapped children and with school districts in administering the educational program for handicapped children as provided in RCW 28A.13.020.

(31) Shall cooperate with the state supervisor of recreation and with school districts in administering the recreation program as provided in RCW 28A.14.020.

(32) Shall enforce the provisions of the compulsory attendance law as provided in chapters 28A.27 and 28A.28 RCW.

(33) Shall certify certain statistical data as basis for apportionment purposes to county and state officials as provided in chapter 28A.44 RCW.

(34) Shall perform duties relating to capital fund aid by non-high districts as provided in chapter 28A.56 RCW.

(35) Shall carry out duties and issue orders creating new school districts and transfers of territory as provided in chapter 28A.57 RCW.

(36) Shall perform all other duties otherwise prescribed by law.

NEW SECTION. Sec. 28A.19.070 OFFICE HOURS. The county or intermediate district superintendent shall keep his office open for the transaction of official business during such days and hours each week as the board of county commissioners shall provide under the provisions of RCW 36.16.100 and shall keep posted on the door of his office a notice of said office days and hours: PROVIDED, That for any intermediate district which is in more than one county the office hours shall be determined by the intermediate district board.

NEW SECTION. Sec. 28A.19.080 OFFICE. The county commissioners shall provide the county superintendent with a suitable office at the county seat. Whenever an intermediate board of education as herein provided is organized, it shall be the duty of such board to designate

the headquarters office of the intermediate superintendent, and the board of county commissioners in the county of such designation shall provide the intermediate superintendent with a suitable office at the county seat of such county, and official records of the county superintendents of each county included in the intermediate district shall be transferred to and thereafter kept by the intermediate superintendent of the intermediate district.

NEW SECTION. Sec. 28A.19.090 TRAVELING EXPENSES. For all actual and necessary travel in the performance of his official duties and while in attendance upon meetings and conferences, each county superintendent and his necessary assistants shall be allowed subsistence and traveling expenses in accordance with expenses allowable under RCW 43.03.050 and 43.03.060, as now or hereafter amended.

NEW SECTION. Sec. 28A.19.110 BUDGETS. The board of county commissioners of each county annually at the time the budgets are prepared for the several county offices shall allocate from county funds to the county superintendent for his budget an amount sufficient to allow the county superintendent to fulfill the duties and powers of his office.

NEW SECTION. Sec. 28A.19.120 BUDGETS OF COUNTY AND INTERMEDIATE DISTRICTS--DUTIES OF STATE BOARD--ALLOCATION BY SUPERINTENDENT OF PUBLIC INSTRUCTION--SPECIAL SERVICE FUND. The state board of education shall examine the budget of each county or intermediate district superintendent and fix the amount to be allocated thereto from state funds and certify to the state superintendent of public instruction the amount of state funds needed for the county or intermediate district superintendents' budgets as approved by the state board of education and shall require the state superintendent of public instruction to allocate this amount from the current state school fund or from funds otherwise appropriated for that purpose to the county treasurers for deposit to the credit of the county or intermediate district superintendents' budget for the use of the common schools. In each county or intermediate district, there is hereby created a county

or intermediate district superintendent's special service fund into which such funds as are allocated by the superintendent of public instruction under provisions of this chapter and all such funds as are not specifically allocated by the county current expense fund, shall be deposited, and such funds shall be expended by warrants drawn by the county auditor upon vouchers approved by the county superintendent and the county board of education, or intermediate district superintendent and intermediate district board, as the case may be.

NEW SECTION. Sec. 28A.19.190 ABOLISHMENT OF OFFICE, WHEN--PROCEDURE. The office of the county superintendent of schools in any county having only one school district, or only one high school district and not more than three third class school districts, within its boundaries may be abolished. If in the opinion of the county committee on school district organization in any county having but one school district, or only one high school district and not more than three third class school districts, there is no need for a county superintendent in that county, the committee may by resolution request the county auditor to call and conduct a special election in conjunction with the county or the state general election, at which special election the electors of the county may vote for or against the abolishment of the office of the county superintendent. Upon receipt of such resolution the county auditor shall call and conduct such election, and, if a majority of the votes cast on the proposition favor the abolishment of the office of the county superintendent, the office shall be abolished at the end of the term of office for which the incumbent county superintendent was elected or appointed.

Upon the abolishment of the office of the county superintendent as provided in this section the county superintendent shall deliver all of the files and records of his office to the superintendent of schools for the school district in the county, and thereafter the superintendent for the school district shall assume the duties of the county superintendent insofar as they apply to the schools of his district: PROVIDED, That if there is a high school district in such county, the superintendent of the high school district shall

assume the duties of the county superintendent.

NEW SECTION. Sec. 28A.19.300 INTERMEDIATE DISTRICTS--PURPOSE. It shall be the intent and purpose of RCW 28A.19.120, 28A.19.300 through 28A.19.430 and 28A.20.053, 28A.20.055 and 28A.20.095 to establish the methods, procedures and means necessary to reorganize existing offices of county superintendent of schools into intermediate district offices in order that the territorial organization of the intermediate districts may be more readily adapted to the changing economic pattern and educational program in the state, so that the children in the state will be provided with equal educational opportunities.

NEW SECTION. Sec. 28A.19.310 -----DEFINITIONS. The following terms whenever used in RCW 28A.19.120, 28A.19.300 through 28A.19.430 and 28A.20.053, 28A.20.055 and 28A.20.095 shall have the meaning as in this section ascribed to them unless where used the context thereof clearly indicates to the contrary:

- (1) "State board" shall mean the state board of education.
- (2) "Intermediate district" shall mean the territory, the boundaries and names of which are established and designated by the state board, under the jurisdiction of a board referred to as the intermediate district board of education and a superintendent referred to as the intermediate district superintendent.
- (3) "Intermediate district board" shall mean the intermediate district board of education created in RCW 28A.20.053.
- (4) "County committee" shall mean the county committee on school district organization created by chapter 28A.57 RCW.
- (5) "School director" shall mean a regularly constituted member of a local district school board of directors.
- (6) "Service area" shall mean such a county or contiguous counties or portions of contiguous counties as the county boards of such counties or portions thereof, or the state board, shall deem a potential intermediate district.
- (7) "County board" shall mean the regularly constituted

supervisory body as provided for in RCW 28A.20.010 and existing in any county not a part of an intermediate district.

NEW SECTION. Sec. 28A.19.320 -----STATEWIDE PLAN OF SERVICE AREAS--CHANGES IN. A statewide plan of designated service areas, each of which shall be deemed a potential intermediate district, shall be established by the state board of education.

The state board of education may at any time it deems advisable, or upon petition by any intermediate board, make such changes in the boundaries of the service areas or intermediate school districts contained in its statewide plan or the intermediate school districts as created, as it deems consistent with the purposes stated in RCW 28A.19.300, as now or hereafter amended. Prior to the creation of such districts or any changes thereafter made to the boundaries thereof, the state board shall hold at least one public hearing on such proposed action and shall consider any recommended changes to such proposed action.

The state superintendent of public instruction shall furnish the employed personnel and material, supplies and information necessary to enable county boards of education and county superintendents to draft and consider the recommended plan or plans.

NEW SECTION. Sec. 28A.19.330 -----STATE AID TO COUNTY SUPERINTENDENTS WITHHELD UNTIL PROGRAM OF SERVICES ADOPTED. No state funds shall be allocated to the office of any county superintendent located within any service area approved by the state board until a program of service has been adopted by the county board or county boards in such service area for the school districts of such service area and approved by the state board of education. Such program shall include, but not be limited to, the supplying or coordination of one or more services by the offices of county superintendent in that service area.

NEW SECTION. Sec. 28A.19.340 -----FORMATION BY CONVENTION METHOD. When in the judgment of the state board the education program within a service area may be improved by the formation of an

intermediate district, or when petitioned to do so by a county board of education within a service area, the state superintendent shall call the school directors of the school districts within the service area into a convention for the purpose of voting on whether that service area shall become an intermediate district. If a majority of the school directors in each separate county voting at that convention favors such a proposition, an intermediate district shall be formed, such intermediate district to become effective at the end of the terms of office of the county superintendents of the counties or portions thereof comprising the intermediate district.

NEW SECTION. Sec. 28A.19.350 ----- -----SUCCESSION OF SUPERINTENDENTS--INTERMEDIATE DISTRICT SUPERINTENDENT, QUALIFICATIONS, POWERS, DUTIES. All county superintendents of the counties comprising the intermediate district or part thereof shall continue in office until the expiration of the respective terms of office for which they were elected. At the next election for county superintendents, there shall be elected by all of the voters of the intermediate district one superintendent for the intermediate district who shall have the qualifications and duties and powers for the intermediate district as are provided by law for the county superintendent of each county school district. If only a portion of a county is included in an intermediate district, then there shall be elected for the remainder of that county (which then shall be deemed to constitute a separate county school district) a county superintendent to perform the duties of county superintendent for that county school district.

NEW SECTION. Sec. 28A.19.360 ----- -----FILING FOR OFFICE OF INTERMEDIATE DISTRICT SUPERINTENDENT. The filing for the office of intermediate district superintendent for the first election in any intermediate district to be established on the order of the state board, shall be made with the auditor of the most populous county within such intermediate district and shall be certified by such auditor to the auditors of the other county or counties

comprising such intermediate district. Thereafter, the filing for the office of intermediate district superintendent shall be made with the county auditor of the county in which the office of the intermediate superintendent is located and shall be certified by such auditor to the auditors of the other counties within the intermediate district.

NEW SECTION. Sec. 28A.19.370 -----FORMATION BY VACANCY OR ABOLITION IN APPROVED SERVICE AREA CONTAINING ONLY TWO COUNTIES OR PORTIONS THEREOF--SUCCESSION--SALARIES. (1) If an approved service area contains only two counties, or portions thereof, and a vacancy occurs in the office of county superintendent in either of those counties for any cause and a person is not appointed to fill the vacancy within ninety days, the state board shall declare the two counties or portions thereof, in such service area to thereafter constitute an intermediate district. In that event, the remaining county superintendent shall become the superintendent of the intermediate district until the end of his term of office with all the powers and duties as if he had been elected to that office by the people of the entire intermediate district. The salary of such intermediate district superintendent shall be determined by the school enrollment of the intermediate district as provided in RCW 28A.19.400.

(2) If an approved service area contains only two counties, or portions thereof, and no candidate is elected to the office of county superintendent in one of those counties, the state board shall declare the two counties or portions thereof in such service area to thereafter constitute an intermediate district which shall become effective at the end of the term of office of the county superintendent of the other county in such intermediate district. The county superintendent elected in such other county shall become the intermediate district superintendent at the beginning of the term of office for which he was elected county superintendent, with all the powers and duties as if he had been elected to that office by the people of the entire intermediate district. The salary of such

intermediate district superintendent shall be determined by the school enrollment of the intermediate district as provided in RCW 28A.19.400.

(3) If an approved service area contains only two counties, or portions thereof, and the county superintendency of one of the two counties is, or has been, abolished pursuant to RCW 28A.19.190, the state board shall declare the two counties, or portions thereof, in such service area to thereafter constitute an intermediate district. In that event, the county superintendent of the other county of the intermediate district shall become the superintendent of the intermediate district until the end of his term of office with all the powers and duties as if he had been elected to that office by the people of the entire intermediate district. The salary of such intermediate district superintendent shall be determined by the school enrollment of the intermediate district as provided in RCW 28A.19.400. Thereafter the intermediate district superintendent shall be elected by all the voters of the intermediate district as provided in RCW 28A.19.350.

NEW SECTION. Sec. 28A.19.380 -----FORMATION BY VACANCY OR ABOLITION IN APPROVED SERVICE AREA CONTAINING MULTIPLE COUNTIES OR PORTIONS THEREOF--SUCCESSION--SALARIES. If a service area contains more than two counties, or two or more counties and a portion or portions of other counties, and a vacancy occurs in the office of county superintendent in one of the counties for any cause and a person is not appointed to fill the vacancy within ninety days, or if no candidate is elected to the office of county superintendent, or if the county superintendency is, or has been, abolished in one of those counties pursuant to RCW 28A.19.190, the state board shall designate the county superintendent of a contiguous county in that service area to be the county superintendent of both counties within the service area with all the powers and duties as if he had been elected by the people of both counties: PROVIDED, That in the case of failure to elect a county superintendent, the designated county

superintendent shall commence his duties in the other county on the date of the commencement of his next term of office.

The salary of the county superintendent serving both counties, or parts thereof, shall be the same as the salary of the county superintendent in a single county having a population equal to that of the population of the two counties, or parts thereof, served by that county superintendent, as such population is certified by the county boards of education of those counties.

The allocation of funds from the respective counties shall be made in the same manner as that provided for intermediate districts in RCW 28A.19.430.

NEW SECTION. Sec. 28A.19.390 -----DUTIES OF INTERMEDIATE DISTRICT BOARD. Every intermediate district board shall perform the duties outlined for county boards in RCW 28A.20.040 and in addition shall:

(1) Designate the location of the office of the intermediate district; and

(2) Fix a higher rate of salary of the intermediate district superintendent than the minimum established in RCW 28A.19.400 when it is deemed by the intermediate district board of education to be in the best interest of the intermediate district to do so.

NEW SECTION. Sec. 28A.19.400 -----SUPERINTENDENTS, MINIMUM SALARY SCHEDULE. The minimum salary of the superintendent of schools of an intermediate school district shall be based on the number of children attending public schools in grades kindergarten through twelve of the intermediate district, as determined on October 1st of the previous year, and shall be as follows:

School Enrollment	Salary
Less than 5,000	\$ 8,000
5,000 to 9,999, inclusive	9,000
10,000 to 14,999, inclusive	10,000
15,000 to 19,999, inclusive	11,000
20,000 to 24,999, inclusive	12,000

25,000 to 29,999, inclusive	13,000
30,000 to 34,999, inclusive	14,000
35,000 or more	15,000

NEW SECTION. Sec. 28A.19.410 -----WITHDRAWAL PROCEDURE.

Any time after a county, or the entire portion thereof within an intermediate district, has been a part of an intermediate district for five years, the county, or the entire portion of the county within the district, may withdraw from that district by the following procedure. The state board, on its own motion, whenever it deems such action on withdrawal advisable, or on the receipt by it of a withdrawal proposal by the intermediate district board, or on receipt by it of a withdrawal petition signed by twenty-five percent of the school directors of the entire county, shall hold one or more public hearings thereon within the intermediate district affected, and may thereafter so revise such proposal as it deems advisable to provide for satisfactory improvement of the intermediate district system. After considering the proposal, and any revision thereof, the state board shall call a convention of the school directors of the entire county, all or part of which is proposed to be withdrawn from such intermediate district. At that convention the school directors shall vote on the withdrawal proposal, or revisions thereof, submitted by the state board. If a majority of the school directors voting on the proposition favor withdrawal, then the county, or the entire portion of the county within the district, shall be withdrawn from such intermediate district at the end of the term of office of the superintendent of the intermediate district. Thereafter the withdrawn county shall elect its own county superintendent, or in the case of the withdrawal of the entire portion of a county within the district, it shall join with the remainder of that county in electing its own county superintendent. The withdrawn county, or portion thereof, shall receive its share of the assets and property of the office of the intermediate district superintendent based on the same formula as that determining the share of funds from the

counties of the intermediate district.

No portion of a county less than the entire portion of a county within an intermediate district may withdraw from an intermediate district. If it is proposed that only a portion of a county withdraw from an intermediate district and the remainder of the county lies within one or more other intermediate districts, then there shall be no such withdrawal unless the entire county withdraws from all such districts under the provisions of this section.

NEW SECTION. Sec. 28A.19.420 -----FUNDS. Whenever an intermediate district is formed, all funds under the control of the office of each county superintendent or county board of education of each county to be combined into an intermediate district shall be combined into intermediate district funds as provided in RCW 28A.19-.430, except that where only a portion of a county becomes a part of an intermediate district, then only a portion of the funds of the office of county superintendent and county board of education shall be combined into the funds of the intermediate district. The portion of such funds to be combined shall be determined as follows:

(1) Of the general funds of the county superintendent, that amount representing the same proportion as the assessed valuation of the property for tax purposes of the portion of the county being combined into the intermediate district is to the assessed valuation of all county property.

(2) Of the county superintendent's special service fund, the amount determined by the state board of education.

(3) Of the county institute fund, the amount representing the same proportion as the number of teachers employed by school districts in the portion of the county being combined into the intermediate district is to the number of teachers employed by all school districts in the entire county not maintaining a separate institute fund.

Distribution of funds upon withdrawal of any county from an intermediate district shall be determined in the same manner as

provided in this section.

NEW SECTION. Sec. 28A.19.430 -----INTERMEDIATE DISTRICT BUDGETS. The budget of the intermediate district superintendent shall be approved by the intermediate district board of education. The boards of county commissioners of the counties within an intermediate district shall allocate from county funds for the intermediate district superintendent's budget a total amount sufficient to allow the intermediate district superintendent to fulfill the duties and powers of his office. Each county shall allocate a percentage of the total amount as determined above equal to the percentage that the assessed value of all taxable property in the intermediate district within that county bears to the assessed value of all taxable property in the intermediate district. The county commissioners of each county within the intermediate district shall order the transfer of such funds to the county treasurer in the county wherein the intermediate district superintendent's office is located to be credited to intermediate district fund, and the county treasurer of said county shall be the custodian of the fund, and the auditor of said county shall keep a record of receipts and disbursements, and shall draw and the county treasurer shall honor and pay the warrants.

NEW SECTION. Sec. 28A.19.440 -----LEGAL ADVISER FOR--CONTRACT FOR LEGAL SERVICES, WHEN. Where the prosecuting attorney for the county in which the office of the intermediate district is located is required by law to devote full time to the duties of his office, he shall, as part of his official duties, be legal adviser to the intermediate district superintendent and the intermediate district board in all matters relating to their official business. Accordingly, he shall when requested to draw up all instruments of an official nature for the use of such officers and appear for and represent such officers in all proceedings in which the intermediate district or the officers thereof may be a party.

Where the prosecuting attorney for the county in which the office of the intermediate district is located is not required by law

to devote full time to his duties of office, the intermediate district superintendent and the intermediate district board shall have authority to contract for legal services.

Chapter 28A.20

COUNTY AND INTERMEDIATE DISTRICT

BOARDS OF EDUCATION

NEW SECTION. Sec. 28A.20.010 COUNTY BOARDS. MEMBERS--TERMS, ELECTIONS, VACANCIES--BOARD-MEMBER DISTRICTS--MEMBERS RESTRICTED FROM SERVICE ON LOCAL BOARDS. In each county, not within an intermediate district, there shall be a county board of education, which shall consist of five members whose terms shall be staggered elected by the voters of the county, one from each of five county board-member districts, such districts to be determined by the county committee on school district organization. Such county board-member districts shall be arranged on a basis of equal population and so that not more than one member of the county board shall come from any one school district: PROVIDED, That in counties having less than five school districts, then the county board-member districts shall be arranged so as to give, as far as practicable, representation according to equal population: PROVIDED, FURTHER, That the county committee, at any time that such committee deems it advisable, shall change the boundaries of county board-member districts so as to provide as far as practicable equal representation according to population of such board-member districts.

In any county having a joint school district with another county, all of the territory within such joint district and lying within both counties shall be included within a board-member district of the county within which the administrative office of such joint district is located, and the electors residing therein shall be eligible to vote for and hold membership on the county board of education of such county.

Filing of candidacy for the county board shall be with the appropriate county auditor not more than sixty days nor less than

forty-six days prior to the election, and as otherwise provided by law.

Election of board members shall be held at the time of the regular election of school district directors. Such election shall be called and notice thereof given by the county auditor in the manner provided by law for giving notice of the election of school district directors and such election shall be conducted in conjunction with the election of such school district directors. The term of office for each board member shall be four years and until his successor is duly elected and qualified. No member of a board of directors of a local school district shall continue to serve in that capacity after having been elected to a county board: PROVIDED, That this restriction shall not apply to any county board member whose present term of office was in effect April 19th, 1967, as to such term only.

The term of every county board member shall begin after the election returns have been certified, a certificate of election issued and the oath of office taken. Each county board shall be organized at the first meeting held after a newly elected member takes office. In the event of a vacancy in the board from any cause, such vacancy shall be filled by appointment of a person from the same board-member district by the board of county commissioners. The appointed board member shall serve until the next regular election, at which time there shall be elected a member to fill the unexpired term of the member of the board whose position has been vacated.

NEW SECTION. Sec. 28A.20.020 -----MEMBERS--QUALIFICATIONS --OATH--BOND UNNECESSARY. Every member of the county board of education shall be a qualified voter and a legal resident of the district for which he files, and shall not be an employee of any school district. Every member elected shall take the oath of office required of county officials, which oath shall be filed with the official with whom declarations of candidacy for such office are filed. The members of the county board shall not be required to give bond.

NEW SECTION. Sec. 28A.20.030 -----MEMBERS--PER DIEM AND EXPENSES. All members of the county board of education shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties, including the cost of travel, incident to the performance of their duties. All such claims shall be approved by the county board of education and paid from the budget of the county superintendent.

NEW SECTION. Sec. 28A.20.040 -----DUTIES OF BOARD. Every county board of education shall:

- (1) Advise with and pass upon the recommendation of the county superintendent in the preparation of manuals, courses of study, rules and regulations for the circulating libraries, and to perform such other duties as may be required by him;
- (2) Advise with and pass upon the recommendation of the county superintendent as to a choice of textbooks of all school districts not maintaining an accredited high school;
- (3) Adopt rules and regulations for the schools of the county, not inconsistent with the code of public instruction or with the rules and regulations of the state board of education or the superintendent of public instruction;
- (4) Approve the budget of the county superintendent, and certify to the board of county commissioners and to the state board of education the estimates of the amounts needed for such budget;
- (5) Meet regularly according to the schedule adopted at the organization meeting, and in special session upon the call of the chairman, or the secretary, or a majority of the board;
- (6) Assist the county superintendent in the selection of personnel and clerical staff as provided in RCW 28A.19.020;
- (7) Fix the amount of and approve the county superintendent's

bond as provided in RCW 36.16.050 and RCW 28A.19.010; and

(8) Approve its own reimbursement claims as provided in RCW 28A.20.030.

NEW SECTION. Sec. 28A.20.053 INTERMEDIATE DISTRICT BOARDS. MEMBERS RESTRICTED FROM SERVICE ON LOCAL BOARDS. Upon the formation of an intermediate district the county committees on school district organization of the counties within the intermediate district shall redistrict the counties embraced by such intermediate district into five board-member districts within the intermediate district in the manner set forth in RCW 28A.20.010 as though the counties within the intermediate district were one county, and thereafter, at the next annual school election, there shall be elected in the manner provided in RCW 28A.20.010, the intermediate district board of education: PROVIDED, That until the intermediate district board shall have been elected and qualified, the county board members of all counties or parts of counties who reside within the limits of a newly organized intermediate district that is divided into director districts in conformity with the provisions of this chapter shall meet at the call of the intermediate or county superintendent and elect from among their number five directors for the new district: PROVIDED FURTHER, That the election and terms of the members of the first intermediate district board shall be determined in the manner provided in RCW 28A.20.010, except that filings for candidacy shall be with the county auditor of the most populous county whose office is within the intermediate district.

No member of a board of directors of a local school district shall continue to serve in that capacity after having been elected to an intermediate district board: PROVIDED, That this restriction shall not apply to any intermediate district board member whose present term of office was in effect April 19th, 1967, as to such term only.

In the event of a vacancy in the intermediate district board from any cause, such vacancy shall be filled by appointment of a

person from the same intermediate board-member district by a majority of the members of the boards of county commissioners of the counties comprising the intermediate district. Such appointed board member shall serve until the next general election, at which time there shall be elected a board member to fill the unexpired term of the board member whose position has been vacated.

NEW SECTION. Sec. 28A.20.055 -----MEMBERS--QUALIFICATIONS --POWERS AND DUTIES. The intermediate district board of education must have the same qualifications and shall have the same duties and powers for the intermediate district as the qualifications required and the powers and duties of such boards of the individual counties.

NEW SECTION. Sec. 28A.20.095 PROCEDURE WHEN CHANGE IN SCHOOL DISTRICT BOUNDARY AFFECTS BOARD-MEMBER DISTRICT BOUNDARY. If the boundaries of any school district within a county or within an intermediate district as provided for in this chapter and chapter 28A-.19 RCW are changed in any manner so as to affect county or intermediate district board-member districts, the boundaries of the districts so affected shall be changed by the county committee on school district organization of the county in which such districts lie so as to include all of the school district as constituted by such change of boundaries within the county board-member district in which such school district was located before its change of boundaries was affected.

Chapter 28A.24

SCHOOL TRANSPORTATION

NEW SECTION. Sec. 28A.24.055 TRANSPORTING OF CHILDREN TO SCHOOL OR SCHOOL ACTIVITIES--INSURANCE. Every board of directors shall provide and pay for transportation of children to and from school whether such children live within or without the district when in its judgment the best interests of the district will be subserved thereby, but the board is not compelled to transport any pupil living within two miles of the schoolhouse.

When children are transported from one school district to

another the board of directors of the respective districts may enter into a written contract providing for a division of the cost of such transportation between the districts.

When commercial charter bus service is not reasonably available to a school district, the state board of education may authorize the use of school buses and drivers hired by the district for the transportation of school children and the school employees necessary for their supervision to and from any school activities within or without the school district during or after school hours and whether or not a required school activity, so long as the school board has officially designated it as a school activity. For any extra-curricular uses, the school board shall charge an amount sufficient to reimburse the district for its cost.

Whenever any school children are transported by the school district in its own motor vehicles and by its own employees, the board may provide insurance to protect the district against loss, whether by reason of theft, fire or property damage to the motor vehicle or by reason of liability of the district to persons from the operation of such motor vehicle.

The board may provide insurance by contract purchase for payment of hospital and medical expenses in an amount not exceeding one thousand dollars per child, per injury for the benefit of school children injured while they are on, getting on, or getting off any vehicles enumerated herein without respect to any fault or liability on the part of the school district or operator. This insurance may be provided without cost to the school children notwithstanding the provisions of RCW 28A.58.420.

If the transportation of children is arranged for by contract of the district with some person, the board may require such contractor to procure such insurance as the board deems advisable.

NEW SECTION. Sec. 28A.24.060 CHILDREN OF COMPULSORY SCHOOL AGE ENTITLED TO USE FACILITIES. Except as otherwise provided in RCW 28A.24.100, all children attending public schools in accordance with

the laws relating to compulsory attendance in the state of Washington shall be entitled to use the transportation facilities provided by the school district in which they reside.

NEW SECTION. Sec. 28A.24.080 TRANSPORTATION ROUTES--PROCEDURE TO ESTABLISH--COUNTY TRANSPORTATION COMMISSION, COMPOSITION. School district transportation routes, for purposes of state reimbursement of transportation costs, shall be recommended by the county transportation commission and approved by the state superintendent pursuant to rules and regulations promulgated by the superintendent for that purpose. The commission shall consist of (1) a representative of the local board of directors, (2) a representative of the state superintendent of public instruction, and (3) the county or intermediate district superintendent of schools.

NEW SECTION. Sec. 28A.24.090 LOCAL BOARDS TO COOPERATE IN ESTABLISHING ROUTES AND DETERMINING COSTS. Local boards of school directors shall cooperate with the transportation commission and the state superintendent in establishing routes and in determining the costs of such routes.

NEW SECTION. Sec. 28A.24.100 AUTHORIZING INDIVIDUAL TRANSPORTATION OR OTHER ARRANGEMENTS--PUPILS MUST PROVIDE OWN TRANSPORTATION, WHEN. Individual transportation or other arrangements may be authorized when these seem best in the judgment of the commission. No district shall be required to transport any pupil living within two miles of the school which such pupil attends. The commission may require pupils residing within two miles of an established route to travel to the route at their own expense.

NEW SECTION. Sec. 28A.24.150 SAFE WALK-WAYS IN LIEU OF BUS ROUTE OR BUS RUN--REIMBURSEMENT OF COSTS, WHEN. Whenever a safe walk-way would result in eliminating a bus route or bus run through the shortening of the walking distance of pupils, or would provide a safe route for pupils walking to school and thus eliminate the need for bus transportation, the local board of directors of any school district, upon approval of the county transportation commission, is

authorized to acquire through purchase, lease, condemnation or otherwise any interest in real property necessary for such purpose and to provide for construction upon and improvement of such property or other property to provide a safe walk-way for pupils walking to and from school.

If the state superintendent of public instruction finds that the acquisition and/or construction of such a safe walk-way would result over a five year period in a financial saving to the state and school district involved, then he shall reimburse any school district for costs incurred in providing such approved safe walk-ways for pupils on the same basis that school districts are reimbursed for transportation costs pursuant to RCW 28A.41.160.

Chapter 28A.27

COMPULSORY SCHOOL ATTENDANCE

NEW SECTION. Sec. 28A.27.010 ATTENDANCE MANDATORY--AGE--WHEN EXCUSED. All parents, guardians and other persons in this state having custody of any child eight years of age and under fifteen years of age, or of any child fifteen years of age and under eighteen years of age not regularly and lawfully engaged in some useful and remunerative occupation or attending part time school in accordance with the provisions of chapter 28A.28 RCW or excused from school attendance thereunder, shall cause such child to attend the public school of the district in which the child resides for the full time when such school may be in session or to attend a private school for the same time, unless the school district superintendent of the district in which the child resides shall have excused such child from such attendance because the child is physically or mentally unable to attend school or has already attained a reasonable proficiency in the branches required by law to be taught in the first eight grades of the public schools of this state. Proof of absence from any public or private school shall be prima facie evidence of a violation of this section. Private school for the purposes of this section shall be one approved or accredited under regulations established by the state board of

education.

NEW SECTION. Sec. 28A.27.030 SCHOOL DISTRICT SUPERINTENDENT TO PROVIDE TEACHER WITH CENSUS--REPORT OF TRUANTS, INCORRIGIBLES. It shall be the duty of the school district superintendent, at the beginning of each school year, to provide each teacher with a copy of that portion of the last census of school children taken in his school district which would be pertinent to the grade or grades such teacher is instructing and it shall be the duty of every teacher to report to the proper attendance officer, all cases of truancy or incorrigibility in his school, immediately after the offense or offenses shall have been committed: PROVIDED, That if there be a principal the report by the teacher shall be made to him and by him transmitted to the attendance officer: PROVIDED FURTHER, That if there be a city superintendent, the principal shall transmit such report to said city superintendent, who shall transmit such report to the proper attendance officer of his district.

NEW SECTION. Sec. 28A.27.040 ATTENDANCE ENFORCEMENT OFFICERS --AUTHORITY--RECORD AND REPORT. To aid in the enforcement of RCW 28A.27.010 through 28A.27.130, attendance officers shall be appointed and employed as follows: In incorporated city districts the board of directors shall annually appoint one or more attendance officers. In all other districts the county or intermediate district superintendent shall appoint one or more attendance officers or may act as such himself.

The compensation of attendance officer in city districts shall be fixed and paid by the board appointing him. The compensation of attendance officers when appointed by the county or intermediate district superintendent shall be paid pro rata, according to the number of students in each school district served, by the respective districts. A county or intermediate district superintendent shall receive no extra compensation if acting as attendance officer.

Any sheriff, constable, city marshal or regularly appointed policeman may be appointed attendance officer.

The attendance officer shall be vested with police powers, the authority to make arrests and serve all legal processes contemplated by RCW 28A.27.010 through 28A.27.130, and shall have authority to enter all places in which children may be employed, for the purpose of making such investigations as may be necessary for the enforcement of RCW 28A.27.010 through 28A.27.130. The attendance officer is authorized to take into custody the person of any child eight years of age and not over fourteen years of age, who may be a truant from school, and to conduct such child to his parents, for investigation and explanation, or to the school which he should properly attend. The attendance officer shall institute proceedings against any officer, parent, guardian, person, company or corporation violating any provisions of RCW 28A.27.010 through 28A.27.130, and shall otherwise discharge the duties prescribed in RCW 28A.27.010 through 28A.27.130, and shall perform such other services as the county or intermediate district superintendent or the superintendent of any school or its board of directors may deem necessary.

The attendance officer shall keep a record of his transactions for the inspection and information of any school district board of directors, the county or intermediate district superintendent or the city superintendent, and shall make a detailed report to the city superintendent or the county or intermediate district superintendent as often as the same may be required.

NEW SECTION. Sec. 28A.27.070 ACQUIRING CUSTODY AND DISPOSITION OF TRUANTS. Any attendance officer, sheriff, deputy sheriff, marshal, policeman, or any other officer authorized to make arrests, shall take into custody without a warrant a child who is required under the provisions of RCW 28A.27.010 through 28A.27.130 to attend school, such child then being a truant from instruction at the school which he is lawfully required to attend, and shall forthwith deliver a child so detained either to the custody of a person in parental relation to the child or to the teacher from whom the child is then a truant, or, if after consulting the teacher or other school

officials it appears such child be an habitual or incorrigible truant, shall deliver such child into the hands of a juvenile probation officer as provided for in chapter 13.04 RCW for such further action thereon as such officer shall determine under chapter 13.04 RCW. An habitual or incorrigible truant for the purposes of this section is one who absents himself with frequency from the school he is required to attend, or is guilty of wilful and continued disobedience to the school rules and regulations or laws, or whose conduct is pernicious and injurious to the school.

NEW SECTION. Sec. 28A.27.080 ANNUAL NOTICE OF CHAPTER PROVISIONS BY COUNTY OR INTERMEDIATE DISTRICT SUPERINTENDENT--SUPERINTENDENT'S REPORT--PENALTY FOR FALSE OR FAILURE TO REPORT. The county or intermediate district superintendent, on or before the fifteenth day of August of each year, by printed circular or otherwise, shall call the attention of all school district officials to the provisions of RCW 28A.27.010 through 28A.27.130, and to the penalties prescribed for the violation of its provisions, and he shall require the superintendent of every school district to make a report annually hereafter, verified by affidavit, stating whether or not the provisions of RCW 28A.27.010 through 28A.27.130 have been faithfully complied with in his district. Such reports shall be made upon forms to be furnished by the superintendent of public instruction and shall be transmitted to the county or intermediate district superintendent prior to the time the school district superintendent is required to make his annual report to the county or intermediate district superintendent or at such other time as the county or intermediate district superintendent shall determine after notice thereof. Any school district superintendent who shall knowingly or wilfully make a false report relating to the enforcement of the provisions of RCW 28A.27.010 through 28A.27.130 or fail to report as herein provided shall be deemed guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction shall be fined not less than twenty-five dollars nor more than one hundred dollars; and any school district

superintendent who shall refuse or neglect to make the report required in this section, shall be personally liable to his district for any loss which it may sustain because of such neglect or refusal to report.

NEW SECTION. Sec. 28A.27.090 EMPLOYMENT PERMITS. Except as otherwise provided in this code, no child under the age of fifteen years shall be employed for any purpose by any person, company or corporation, in this state during the hours which the public schools of the district in which such child resides are in session, unless the said child shall present a certificate from a school superintendent as provided for in RCW 28A.27.010, excusing the said child from attendance in the public schools and setting forth the reason for such excuse, the residence and age of the child, and the time for which such excuse is given. Every owner, superintendent, or overseer of any establishment, company or corporation shall keep such certificate on file so long as such child is employed by him. The form of said certificate shall be furnished by the superintendent of public instruction. Proof that any child under fifteen years of age is employed during any part of the period in which public schools of the district are in session, shall be deemed prima facie evidence of a violation of this section.

NEW SECTION. Sec. 28A.27.100 PENALTIES IN GENERAL--COMPLAINTS TO COURT. Any person violating any of the provisions of either RCW 28A.27.010 or 28A.27.090 shall be fined not more than twenty-five dollars. Attendance officers shall make complaint for violation of the provisions of RCW 28A.27.010 through 28A.27.130 by any person eighteen years of age or over to a justice of the peace, justice court judge or to a judge of the superior court.

NEW SECTION. Sec. 28A.27.102 PENALTY FOR NONPERFORMANCE OF DUTY--DISPOSITION OF FINES. Any school district superintendent, teacher or attendance officer who shall fail or refuse to perform the duties prescribed by RCW 28A.27.010 through 28A.27.130 shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined

not less than twenty nor more than one hundred dollars: PROVIDED, That in case of a school district employee, such fine shall be paid to the appropriate county treasurer and by him placed to the credit of the school district in which said employee is employed, and in case of all other officers such fine shall be paid to the appropriate county treasurer and by him placed to the credit of the general school fund of the county or intermediate district, as the case may be.

NEW SECTION. Sec. 28A.27.104 FINES APPLIED TO SUPPORT OF SCHOOLS. Notwithstanding the provisions of RCW 10.82.070, all fines except as otherwise provided in RCW 28A.27.010 through 28A.27.130 shall inure and be applied to the support of the public schools in the school district where such offense was committed.

NEW SECTION. Sec. 28A.27.110 PROSECUTING ATTORNEY TO ACT FOR COMPLAINANT. The county prosecuting attorney shall act as attorney for the complainant in all court proceedings relating to the compulsory attendance of children as required by RCW 28A.27.010 through 28A.27.130.

NEW SECTION. Sec. 28A.27.120 COURTS HAVE CONCURRENT JURISDICTION. In cases arising under RCW 28A.27.010 through 28A.27.130 all justices' courts, justice courts, municipal courts or departments and superior courts in the state of Washington shall have concurrent jurisdiction.

NEW SECTION. Sec. 28A.27.130 ENFORCING OFFICERS NOT PERSONALLY LIABLE FOR COSTS. No officer performing any duty under any of the provisions of RCW 28A.27.010 through 28A.27.130, or under the provisions of any rules that may be passed in pursuance hereof, shall in any wise become liable for any costs that may accrue in the performance of any duty prescribed by RCW 28A.27.010 through 28A.27.130.

Chapter 28A.28

CHILD EMPLOYMENT AND PART TIME SCHOOLS

NEW SECTION. Sec. 28A.28.010 PERMIT OFFICERS DESIGNATED--

COORDINATING COUNCIL DEFINED. For the purposes of this chapter, permit officers shall be those persons designated by the boards of school directors in first and second class districts to carry out said duties relating thereto and those persons the county or intermediate district superintendent having jurisdiction over any third class district shall designate to carry out such duties relating thereto. Coordinating council for the purposes of this chapter shall mean the coordinating council for occupational education as provided for in RCW 28A.50.160.

NEW SECTION. Sec. 28A.28.020 ATTENDANCE UNTIL EIGHTEEN REQUIRED--EXCEPTIONS. All minors of the state residing or employed in school districts of the state in which part time schools are maintained, as hereinafter in this chapter provided, shall attend school until the age of eighteen years unless (1) they are graduates from a four year high school course or its equivalent, or (2) they are in a part time school and are employed in accordance with the terms of any state or federal act regulating the employment of such minors under the age of eighteen years, or (3) they shall have been excused from school attendance in accordance with the provisions of this chapter.

NEW SECTION. Sec. 28A.28.030 EMPLOYMENT PERMITS--WHO MAY APPLY--BASIS AND FORM--"EMPLOYMENT" DEFINED. Any minor fifteen years of age and under eighteen years of age or any minor fourteen years of age and under eighteen years of age who has completed the eighth grade or who, in the judgment of the superintendent of any first or second class school district wherein said minor resides or of the county or intermediate district superintendent having jurisdiction over any third class school district wherein said minor resides, that such minor cannot profitably pursue further regular school work, may apply to the permit officer for the district wherein such minor resides for permission to leave school and to enter upon employment, and if upon investigation said permit officer finds that the needs of the family or the welfare of such minor require it, and if in the

judgment of such permit officer such minor may legally engage in such employment, the said permit officer shall issue an employment permit which shall state the age of the minor as shown by the school register, the grade attained in school, and the person, firm or corporation which is to employ the minor. The permit officer shall have power, and in all cases of reasonable doubt it shall be his duty, to require additional proofs of the age of minors seeking permission to leave school and enter upon employment. The term "employment" as used in this chapter shall be interpreted to include such home occupation, home study or home private instruction under the supervision and direction of a responsible parent or guardian as may be approved by the permit officer after consultation with and approval of the county or intermediate district superintendent of school concerned.

NEW SECTION. Sec. 28A.28.050 DUTIES OF EMPLOYERS. Any person, firm or corporation employing any minor under the age of eighteen years, except during school vacations, shall require the permit as set forth in RCW 28A.28.030 from the minor it proposes to take into its employment and shall keep such permit on file during the employment of such minor, and shall within ten days after the beginning of such employment, make a written report to the permit officer, one copy of which he shall retain in his possession until the termination of the employment of such minor, of the fact of such employment, and upon the termination of the employment of such minor shall return such permit to the permit officer within ten days after the termination of such employment.

NEW SECTION. Sec. 28A.28.060 RECORDS AND REPORT OF PERMITS. Permit officers for every school district shall keep a record of all permits issued and the data contained in such permits and shall submit to the superintendent of public instruction duplicate copies of such records on the first day of October, January, April, and July of each year and the superintendent of public instruction shall in turn furnish a copy of such records to the director of labor and industries.

NEW SECTION. Sec. 28A.28.070 ESTABLISHMENT, CONDUCT OF PART TIME SCHOOLS. Boards of school directors in all school districts, upon the written request of twenty-five or more adult residents of such districts, may establish within one year from the date of any such request part time schools or classes when there are fifteen or more minors over fourteen years of age and under eighteen years of age resident or employed in such districts who are not in attendance upon a regular full time school and who would, by the provisions of this chapter, be required to attend such part time schools or classes. All part time schools or classes established under this chapter shall be held at least four hours per week during the weeks when the public schools of the district are in session. It shall be the duty of the board of school directors in organizing part time schools or classes which are to participate in federal funds available for the encouragement of vocational education to provide equipment, instruction and courses of study in accordance with regulations of the coordinating council and the superintendent of public instruction.

NEW SECTION. Sec. 28A.28.090 COORDINATING COUNCIL TO ESTABLISH RULES AND REGULATIONS, FORMS. The coordinating council, subject to the supervision of the superintendent of public instruction, shall establish rules and regulations governing the organization, courses and maintenance of part time schools or classes and shall prescribe the contents of the necessary applications or forms to enable the districts to carry out the provisions of this chapter.

NEW SECTION. Sec. 28A.28.100 ATTENDANCE AT PART TIME SCHOOLS REQUIRED--EXCEPTIONS--PENALTY AGAINST PARENT OR GUARDIAN. Whenever a part time school or class is established and maintained in accordance with this chapter by the district in which any minor under eighteen years of age resides or in which he is employed, the parent, guardian or other person having control or charge of such minor shall cause him to attend such part time school or class at least four hours per week during the time such part time school or class is in session, unless (1) such minor is in attendance upon a regular

full time day school supported by either public or private funds, or (2) shall have completed a four year high school course, or its equivalent, or (3) is in attendance upon a part time school maintained in accordance with the provisions of this chapter, or (4) shall have been excused by the board of school directors or permit officer for the district in which such minor resides upon a certificate of a reputable physician or the recognized medical authority of the district stating that such attendance upon the part time school or class would be injurious to the health of such minor, or (5) shall have been excused under the provisions of RCW 28A.28.030. Any parent, guardian or other person having control or charge of any such minor and failing to comply with the provisions of this section shall be liable upon conviction to be punished by a fine of not less than five dollars or more than twenty-five dollars for each such offense, or by imprisonment in the county or city jail not less than one day nor more than ten days, or by both such fine and imprisonment.

NEW SECTION. Sec. 28A.28.110 EMPLOYERS MUST ALLOW SCHOOL ATTENDANCE--PENALTY. Any person, firm or corporation employing a minor less than eighteen years of age, except during school vacations, shall permit the attendance of such minor upon a part time school or class for at least four hours per week whenever such part time school or class shall have been established in the district where such minor resides or may be employed, and any person, firm or corporation employing any minor less than eighteen years of age contrary to the provisions of this chapter shall be subject to a fine of not less than ten dollars and not more than five hundred dollars for each offense or by imprisonment in the county or city jail not less than one day and not more than ten days, or by both such fine and imprisonment.

NEW SECTION. Sec. 28A.28.120 ENFORCEMENT OF ATTENDANCE. The officer charged by law with the responsibility for enforcement of attendance upon regular public schools of children over eight years of age shall also be charged with the responsibility for the

enforcement of attendance upon part time schools or classes of minors over fourteen and under eighteen years of age in accordance with the provisions of this chapter.

NEW SECTION. Sec. 28A.28.130 ATTENDANCE AT PART TIME SCHOOL COUNTED AS HOURS OF LABOR FOR STATE, FEDERAL LAW. Whenever the number of hours for which minors less than eighteen years of age may be employed shall be fixed by federal or state law the hours of attendance upon a part time school or class organized in accordance with the terms of this chapter shall be counted as a part of the number of hours fixed for legal employment by federal or state law.

NEW SECTION. Sec. 28A.28.140 REIMBURSEMENT OF EXPENSE. Whenever any part time schools or classes shall have been established in accordance with the provisions of this chapter and the rules and regulations established by the coordinating council and shall have been approved by the coordinating council, the district shall be entitled to reimbursement from federal and state funds available for the provisions of vocational education for the expenditures made for the salaries of teachers of such part time schools or classes and such reimbursements shall be apportioned by the coordinating council or the superintendent of public instruction, as the case may be: PROVIDED, That said reimbursement shall not deprive school districts establishing and maintaining part time schools or classes of their right to share in the apportionment of the current state school fund and the proceeds of any county school levy on account of attendance of pupils and employment of teachers therein.

Chapter 28A.30

SURPLUS OR DONATED FOOD COMMODITIES

FOR SCHOOL HOT LUNCH PROGRAM

NEW SECTION. Sec. 28A.30.010 ACQUISITION AUTHORIZED. Notwithstanding any other provision of law or chapter 39.32 RCW, the state superintendent of public instruction is hereby authorized to purchase, or otherwise acquire from the government of the United States or any property or commodity disposal agency thereof, surplus

or donated food commodities for the use by any school district for their hot lunch program.

NEW SECTION. Sec. 28A.30.020 CONTRACTS FOR--OTHER LAW APPLICABLE TO. The state superintendent of public instruction is hereby authorized to enter into any contract with the United States of America, or any agency thereof, for the purchase of any surplus or donated food commodities, without regard to the provisions of any other law requiring the advertising, giving notice, inviting or receiving bids, or which may require the delivery of purchases before payment.

NEW SECTION. Sec. 28A.30.030 ADVANCEMENT OF COSTS FROM REVOLVING FUND MONEYS--REIMBURSEMENT BY SCHOOL DISTRICT TO INCLUDE TRANSACTION EXPENSE. In purchasing or otherwise acquiring surplus or donated commodities on the requisition of a school district the superintendent may advance the purchase price and other cost of acquisition thereof from the surplus and donated food commodities revolving fund and he shall in due course bill the proper school district for the amount paid by him for the commodities plus a reasonable amount to cover the expenses incurred by his office in connection with the transaction. All payments received for surplus or donated commodities from school districts shall be deposited by the superintendent in the surplus and donated food commodities revolving fund.

NEW SECTION. Sec. 28A.30.040 REVOLVING FUND--CREATED--APPROPRIATION FOR, TRANSFER OF FUNDS TO, WHEN. There is created in the office of the state superintendent of public instruction a revolving fund to be designated the surplus and donated food commodities revolving fund, and there is hereby appropriated to said revolving fund from the general fund for the fiscal biennium ending June 30, 1969, the sum of twenty-five thousand dollars or so much thereof as shall be necessary to carry out the purposes of this chapter. The state treasurer shall, with the approval of the governor, transfer so much of this appropriation to the revolving fund from time to time as the superintendent deems necessary to maintain said fund in a condition

adequate to carry out the purposes of this chapter.

NEW SECTION. Sec. 28A.30.050 -----ADMINISTRATION OF FUND--
USE--SCHOOL DISTRICT REQUISITION AS PREREQUISITE. The surplus and
donated food commodities revolving fund shall be administered by the
state superintendent of public instruction and be used solely for
the purchase or other acquisition, including transportation, storage
and other cost, of surplus or donable food commodities from the fed-
eral government. The superintendent may purchase or otherwise acquire
such commodities only after requisition by a school district re-
questing such commodities.

NEW SECTION. Sec. 28A.30.060 -----DEPOSITORIES FOR FUND,
BOND OR SECURITY FOR--MANNER OF PAYMENTS FROM FUND. The surplus and
donated food commodities revolving fund shall be deposited by the
superintendent in such banks as he may select, but any such deposi-
tory shall furnish a surety bond executed by a surety company or
companies authorized to do business in the state of Washington, or
collateral eligible as security for deposit of state funds, in at
least the full amount of the deposit in each depository bank. Moneys
shall be paid from the surplus and donated food commodities revolv-
ing fund by voucher and check in such form and in such manner as shall
be prescribed by the superintendent.

NEW SECTION. Sec. 28A.30.070 RULES AND REGULATIONS. The
superintendent of public instruction shall have power to promulgate
rules and regulations as may be necessary to effectuate the purposes
of this chapter.

NEW SECTION. Sec. 28A.30.080 SUSPENSION OF LAWS, RULES, IN-
CONSISTENT HERewith. Any provision of law, or any resolution, rule
or regulation which is inconsistent with the provisions of this chap-
ter is suspended to the extent such provision is inconsistent here-
with.

Chapter 28A.31

HEALTH MEASURES

NEW SECTION. Sec. 28A.31.010 CONTAGIOUS DISEASES, LIMITING

CONTACT. No person shall be permitted in or about any school premises at any time from any house in which contagious or infectious diseases are prevalent, such contagious or infectious diseases to be designated by rule or regulation of the state board of health. Nor shall any such person be permitted to return to said school premises except upon the certificate of a registered physician in good standing that there is no danger of contagion therefrom. No person who is afflicted with pulmonary tuberculosis shall be in or about school premises at any time. The superintendent of public instruction shall publish and distribute the rules or regulations of the state board of health above provided to interested school personnel.

NEW SECTION. Sec. 28A.31.020 MILK FOR CHILDREN AT SCHOOL EXPENSE. The board of directors of any school district may cause to be furnished free of charge, in a suitable receptacle on each and every school day to such children in attendance desiring or in need of the same, not less than one-half pint of milk. The cost of supplying such milk shall be paid for in the same manner as other items of expense incurred in the conduct and operation of said school, except that available federal or state funds may be used therefor.

NEW SECTION. Sec. 28A.31.030 HEARING TESTS FOR PUPILS. Every board of school directors shall have the power, and it shall be its duty to provide for and require testing of the hearing of all children attending schools in their districts to ascertain which if any of such children have defects in their hearing sufficient to retard them in their studies. Such tests shall be made annually commencing each September by competent persons which may include superintendents, principals, or teachers in the schools, but at least every two years tests given all children shall be by a registered physician or registered nurse.

NEW SECTION. Sec. 28A.31.040 -----RECORD OF TEST--SPECIAL ASSISTANCE FOR CHILDREN WITH DEFECTIVE HEARING. The person completing such tests shall promptly prepare a record of the test of each child found to be hard of hearing, and send copies of such record to

the parents or guardians of such children, and to the superintendent of public instruction, and to the state director of health, and deliver the original record to the teachers in charge of such children, and such teachers shall preserve such records, and give special attention to said children with defective hearing and assist them toward making their grades in studies with their classes.

NEW SECTION. Sec. 28A.31.050 -----FORMS FOR TESTS. It shall be the duty of the superintendent of public instruction, after consultation with the state director of health, to prepare and distribute to the school boards or to the respective county or intermediate district superintendents for them, suitable rules and directions, together with records, and forms to be used in making and reporting such tests.

NEW SECTION. Sec. 28A.31.060 SIGHT-SAVING EQUIPMENT. In order to enable children in public schools who have defective vision to enjoy comparable educational opportunities with children of normal sight, the superintendent of public instruction shall provide for the benefit of such children sight-saving equipment as may be deemed necessary to accomplish such purpose. Any equipment so purchased shall be the property of the superintendent of public instruction and shall be loaned to public schools for the use of children with defective vision where the number of such children does not warrant the establishment of a sight-saving class or as otherwise required. Such sight-saving equipment shall be made available upon the recommendation of an eye physician that such equipment is necessary to enable a child to enjoy educational opportunities equal to those of children of normal sight.

Chapter 28A.34

NURSERY SCHOOLS

NEW SECTION. Sec. 28A.34.010 AUTHORITY OF SCHOOL BOARDS. The board of directors of any school district shall have the power to establish and maintain nursery schools and to provide before-and-after-school and vacation care in connection with the common schools

of said district located at such points as the board shall deem most suitable for the convenience of the public, for the care and instruction of infants and children residing in said district. The board shall establish such courses, activities, rules, and regulations governing nursery schools and before-and-after-school care as it may deem best: PROVIDED, That these courses and activities shall meet the minimum standard for such nursery schools as established by the United States Department of Health, Education and Welfare, or its successor agency, and the state board of education. Except as otherwise provided by state or federal law, the board of directors may fix a reasonable charge for the care and instruction of children attending such schools. The board may, if necessary, supplement such funds as are received for the superintendent of public instruction or any agency of the federal government, by an appropriation from the general school fund of the district.

NEW SECTION. Sec. 28A.34.020 ALLOCATIONS OF STATE OR FEDERAL FUNDS--REGULATIONS BY STATE BOARD. Expenditures under federal funds and/or state appropriations made to carry out the purposes of this chapter shall be made by warrants issued by the state treasurer upon order of the superintendent of public instruction. The state board of education shall make necessary rules and regulations to carry out the purpose of RCW 28A.34.010.

NEW SECTION. Sec. 28A.34.040 ALLOCATIONS PENDING RECEIPT OF FEDERAL FUNDS. In the event the legislature appropriates any moneys to carry out the purposes of this chapter, allocations therefrom may be made to school districts for the purpose of underwriting allocations made or requested from federal funds until such federal funds are available. Any school district may allocate a portion of its funds for the purpose of carrying out the provisions of this chapter pending the receipt of reimbursement from funds made available by acts of congress.

NEW SECTION. Sec. 28A.34.050 ESTABLISHMENT AND MAINTENANCE DISCRETIONARY. Every board of directors shall have power to

establish, equip and maintain nursery schools and/or provide before-and-after-school care for children of working mothers, in cooperation with the federal government or any of its agencies, when in their judgment the best interests of their district will be subserved thereby.

Chapter 28A.35

KINDERGARTENS

NEW SECTION. Sec. 28A.35.010 FREE KINDERGARTENS AUTHORIZED--
LIMITATION AS TO THIRD CLASS DISTRICTS--DUTIES OF DIRECTORS. The board of directors of any school district shall have power to establish and maintain free kindergartens in connection with the common schools of said district for the instruction of children between the ages of four and six years, residing in said district, and shall establish such courses of training, study and discipline and such rules and regulations governing such kindergartens as said board may deem best: PROVIDED, That no third class school district may maintain such kindergarten when the number of pupils in such kindergarten is less than twenty.

NEW SECTION. Sec. 28A.35.020 PART OF COMMON SCHOOL SYSTEM. Kindergartens established under authority of this code shall be a part of the common school system and shall be open to all children of proper age resident in the district maintaining the same: PROVIDED, That nothing in this section shall be construed to change any state law relating to the taking of the census of the school population or the apportionment of state and county funds.

NEW SECTION. Sec. 28A.35.030 MAINTAINED FROM GENERAL FUND--
ATTENDANCE, REPORTS, ENUMERATION. The cost of establishing and maintaining such kindergartens shall be paid from the general school fund of the district. It shall be the duty of teachers, school district superintendents and county or intermediate district superintendents to respectively report as other school attendance is reported, the attendance of all children five years of age or over at such kindergartens, and it shall thereupon be the duty of the superintendent of

public instruction to make apportionment to the proper counties of the current state school fund and of the respective county or intermediate district superintendents to apportion to the districts entitled thereto such funds as are apportioned by the legislature in accordance with the provisions of chapter 28A.41 RCW. It shall be the duty of all school district superintendents to include children four years of age and over in the enumeration of the annual school census.

NEW SECTION. Sec. 28A.35.070 QUALIFICATIONS FOR TEACHERS. Kindergarten teachers and supervisors shall have such teacher certificates or permits for their position as rules and regulations of the state board of education shall require.

Chapter 28A.40

PERMANENT COMMON SCHOOL FUND--COMMON

SCHOOL CONSTRUCTION FUND

NEW SECTION. Sec. 28A.40.010 PERMANENT COMMON SCHOOL FUND. SOURCES--USE. The principal of the common school fund as the same existed on June 30, 1965, shall remain permanent and irreducible. The said fund shall consist of the principal amount thereof existing on June 30, 1965, and such additions thereto as may be derived after June 30, 1965, from the following named sources, to-wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools; the proceeds of lands and other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state, when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has not been made by law; the proceeds of the sale of stone, minerals or property other than timber and other crops from school and state lands, other than those granted for specific purposes; all moneys received from persons appropriating stone, minerals or property other than timber and other crops from school and state lands other than those granted for specific purposes, and

all moneys other than rental, recovered from persons trespassing on said lands; five percent of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the Union as approved by section 13 of the act of congress enabling the admission of the state into the Union; the principal of all funds arising from the sale of lands and other property which have been, and hereafter may be, granted to the state for the support of common schools and such other funds as may be provided by legislative enactment.

NEW SECTION. Sec. 28A.40.020 CERTAIN LOSSES TO PERMANENT COMMON SCHOOL FUND OR OTHER STATE EDUCATIONAL FUNDS AS FUNDED DEBT AGAINST STATE. All losses to the permanent common school or any other state educational fund, which shall be occasioned by defalcation, mismanagement or fraud of the agents or officers controlling or managing the same, shall be audited by the proper authorities of the state. The amount so audited shall be a permanent funded debt against the state in favor of the particular fund sustaining such loss, upon which not less than six percent annual interest shall be paid.

NEW SECTION. Sec. 28A.40.100 COMMON SCHOOL CONSTRUCTION FUND. SOURCES--USE. The common school construction fund is to be used exclusively for the purpose of financing the construction of facilities for the common schools. The sources of said fund shall be: (1) Those proceeds derived from sale or appropriation of timber and other crops from school and state land subsequent to June 30, 1965, other than those granted for specific purposes; (2) the interest accruing on the permanent common school fund from and after July 2, 1967, together with all rentals and other revenue derived therefrom and from land and other property devoted to the permanent common school fund from and after July 1, 1967; and (3) such other sources as the legislature may direct. That portion of the common school construction fund derived from interest on the permanent common school fund may be used to retire such bonds as may be authorized by law for the

purpose of financing the construction of facilities for the common schools.

The interest accruing on the permanent common school fund together with all rentals and other revenues accruing thereto pursuant to subsection (2) of this section prior to July 1, 1967, shall be exclusively applied to the current use of the common schools.

Chapter 28A.41

CURRENT STATE SCHOOL FUND--SCHOOL

DISTRICT REIMBURSEMENT PROGRAMS

NEW SECTION. Sec. 28A.41.020 CURRENT STATE SCHOOL FUND.

SOURCES--REQUIRED APPROPRIATIONS FOR SCHOOL SUPPORT. The interest accruing on the permanent common school fund together with all rentals and other revenues from lands and other property devoted to the current use of the common schools, other than those proceeds derived from the sale or appropriation of timber and other crops from school and state lands subsequent to June 30, 1965, other than those granted for specific purposes, and revenues from other sources allotted thereto, shall be deposited up to and including June 30, 1967, in a fund to be known as the current state school fund. On and after July 1, 1967, only revenue from sources other than (1) those proceeds derived from the sale or appropriation of timber and other crops from school and state lands, other than those granted for specific purposes; and (2) the interest accruing on said permanent common school fund together with all rentals and other revenues derived therefrom and from land and other property devoted to the permanent common school fund from and after July 1, 1967, shall be deposited in the current state school fund. Any revenue deposited in the current state school fund, whether prior to or after June 30, 1967, shall be exclusively applied to the current use of the common schools. In addition thereto, it shall be the duty of the state legislature, at each regular session thereof, to appropriate from the state general fund for the current use of the common schools an amount of money, which, with the interest and other revenues aforesaid, shall equal

the amounts needed for state support to public schools.

NEW SECTION. Sec. 28A.41.030 -----CERTAIN FEDERAL PROCEEDS APPLIED TO. All moneys received by the state from the United States, under the provisions of section 191, title 30, United States Code, Annotated, and under section 810, chapter 12, title 16, Conservation, United States Code, Annotated, shall be applied by the state treasurer to the current school fund.

NEW SECTION. Sec. 28A.41.040 -----ESTIMATES FOR FUNDS FOR. At such time as the governor shall determine under the provisions of chapter 43.88 RCW the superintendent of public instruction shall submit such detailed estimates and other information to the governor and in such form as the governor shall determine of the total estimated amount required for appropriation from the state general fund to the current school fund for state support to public schools during the ensuing biennium.

NEW SECTION. Sec. 28A.41.050 APPROPRIATIONS BY LEGISLATURE. The state legislature shall, at each regular session thereof, appropriate from the current state school fund for the current use of the common schools such amounts as needed for state support to the common schools during the ensuing biennium as in this chapter provided.

NEW SECTION. Sec. 28A.41.055 APPORTIONMENT FACTORS TO BE BASED ON CURRENT FIGURES. State and county funds which may become due and apportionable to school districts shall be apportioned in such a manner that any apportionment factors used shall utilize data and statistics derived in the school year that such funds are paid: PROVIDED, That the superintendent of public instruction may make necessary administrative provision for the use of estimates, and corresponding adjustments, to the extent necessary.

NEW SECTION. Sec. 28A.41.130 ANNUAL DISTRIBUTION OF FUNDS ACCORDING TO WEIGHTED ENROLLMENT. From those funds made available by the legislature for the current use of the common schools, other than the proceeds of the state property tax, the state superintendent of public instruction shall distribute annually as provided in RCW

28A.48.010 to each school district of the state operating a program approved by the state board of education, an amount which, when combined with the following revenues, will constitute an equal guarantee in dollars for each weighted student enrolled, based upon one full school year of one hundred eighty days:

(1) Eighty-five percent of the amount of revenues which would be produced by a levy of fourteen mills on the assessed valuation of taxable property within the school district adjusted to twenty-five percent of true and fair value thereof as determined by the state department of revenue's indicated county ratio: PROVIDED, That in each of the calendar years 1968 and 1969 the funds otherwise distributable under this section to any school district which is collecting property taxes based upon a levy of less than five-sixths of the maximum levy permissible for the district for such year under RCW 84.52.050 shall be reduced by an amount equal to the difference between the proceeds of the actual school district tax levy in the district and the proceeds which five-sixths of such maximum permissible levy for the district would produce irrespective of any delinquencies: PROVIDED, FURTHER, That the funds otherwise distributable under this section to any school district for any year other than the calendar years 1968 and 1969 shall be reduced by the difference between the proceeds from the actual school district tax levy in the district and the amount the maximum levy permissible for the district under RCW 84.52.050 would produce irrespective of any delinquencies; and

(2) The receipts from the one percent tax on real estate transactions which may be imposed pursuant to chapter 28A.45 RCW: PROVIDED, That the funds otherwise distributable under this section to any school district in any county which does not impose a tax in the full amount authorized by chapter 28A.45 RCW shall be reduced by five percent; and

(3) Eighty-five percent of the net receipts from those funds received pursuant to Title 20, sections 236 through 244, United States Code; net receipts are gross receipts of the district less

the cost to the district of processing the records and claims required for the administration of Title 20, sections 236 through 244, United States Code; and

(4) Eighty-five percent of the maximum receipts collectible from the high school district fund pursuant to chapter 28A.44 RCW; and

(5) Eighty-five percent of the receipts from public utility district funds distributed to school districts pursuant to RCW 54.28.090;

(6) Eighty-five percent of the receipts from federal forest revenues distributed to school districts pursuant to RCW 36.33.110;

(7) Eighty-five percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support.

NEW SECTION. Sec. 28A.41.140 WEIGHTING SCHEDULE--PROCEDURE TO DETERMINE--RENEWAL--SUBMITTAL TO LEGISLATURE--ENROLLMENT BEFORE WEIGHTING. To determine a "weighted student enrolled," as that term is used in this chapter a schedule shall be established by the superintendent of public instruction which shall provide appropriate recognition of the following costs among the various types of students and districts of the state, with the equalization of educational opportunity being the primary objective:

(1) Costs attributable to staff experience and professional preparation; and

(2) Costs to state and local funds attributable to the operation of approved educational programs arising as a result of a concentration of culturally disadvantaged students, or as a result of a high degree of transient enrollment; and

(3) Costs resulting from the operation of small districts judged by the state board of education as remote and necessary; and

(4) Costs differentials attributable to the operation of approved elementary and secondary programs; and

(5) Costs which must be incurred to operate an approved vocational program; and

(6) Costs which must be incurred and are appropriated to

operate an approved program for handicapped children.

The weighting schedule when established shall be renewed biennially by the state superintendent and shall be subject to approval, rejection or amendment by the legislature. The schedule shall be submitted for approval as a part of the state superintendent's biennial state budget. In the event the legislature rejects the weighting schedule presented, without adopting a new schedule, the schedule established for the previous biennium shall remain in effect. The enrollment of any district, before weighting, shall be the average number of full time students enrolled on the first school day of each month.

NEW SECTION. Sec. 28A.41.150 ADJUSTMENTS TO MEET EMERGENCIES. In the event of an unforeseen emergency, in the nature of either an unavoidable cost to a district or unexpected variation in anticipated revenues to a district, the state superintendent is authorized, for not to exceed two years, to make such an adjustment in the allocation of funds as is consistent with the intent of this chapter in providing an equal educational opportunity for the children of such district or districts.

NEW SECTION. Sec. 28A.41.160 REIMBURSEMENT FOR TRANSPORTATION COSTS. Reimbursement for transportation costs shall be in addition to state assistance based upon weighted enrollment. Transportation costs shall be reimbursed as follows:

(1) Operational reimbursement shall be limited to ninety percent of the service costs on routes recommended by the county transportation commission, and as approved by the state superintendent, or shall be limited to ninety percent of the average state cost per vehicle mile for the class of vehicle approved for operation as determined by the state superintendent, whichever is the smaller; and

(2) Costs of acquisition of approved transportation equipment shall be limited to ninety percent to be reimbursed over the anticipated life of the vehicle, as determined by the state superintendent.

NEW SECTION. Sec. 28A.41.170 STATE SUPERINTENDENT MAY MAKE RULES AND REGULATIONS. The superintendent of public instruction shall have the power and duty to make such rules and regulations as are necessary for the proper administration of this chapter not inconsistent with the provisions thereof, and in addition to require such reports as may be necessary to carry out his duties under this chapter.

Chapter 28A.44

BASIS OF APPORTIONMENT AT COUNTY LEVEL--COUNTY

HIGH SCHOOL LEVY AGAINST NONHIGH SCHOOL DISTRICTS

NEW SECTION. Sec. 28A.44.040 ATTENDANCE BASIS FOR APPORTIONMENTS AT COUNTY LEVEL. The weighted student enrollment as computed under RCW 28A.41.140 accredited to each school district or part thereof within a county shall be the basis upon which the real estate sales tax proceeds as provided for in chapter 28A.45 RCW and apportionments from the county current school fund shall be made.

NEW SECTION. Sec. 28A.44.045 SCHOOL DISTRICT DIVISIONS--HIGH AND NONHIGH. For the purposes of RCW 28A.44.045 through 28A.44.100 all school districts in the state of Washington shall be and the same are hereby divided into two divisions to be known and designated respectively as high school districts and nonhigh school districts.

NEW SECTION. Sec. 28A.44.050 COUNTY HIGH SCHOOL LEVY AGAINST NONHIGH SCHOOL DISTRICTS. The county or intermediate district superintendent of schools, after verifying such reports as provided for in RCW 28A.44.080, shall certify, on or before the fifteenth day of August each year, to the county commissioners of his county if a county superintendent or to the appropriate county commissioners if an intermediate district superintendent, and to the county commissioners of such other counties as any high school district of his county may have claims against under the provisions of RCW 28A.44.045 through 28A.44.100, the amount of each such high school district claim for the cost of educating nonresident high school pupils, and such county commissioners are hereby authorized to levy and shall

levy a tax up to the amount permissible under RCW 84.52.050, against all nonhigh school districts in their respective counties in the aggregate amount as certified to them by the county or intermediate district superintendent of schools, such levy to be made at the same time and in the same manner as other county levies for school purposes are made. In fixing the amount of any such claim by a high school district for educating nonresident high school pupils the county or intermediate district superintendent shall take the net difference between the cost per pupil per day of educating high school pupils in the given high school district and the apportionment per pupil per day to such high school district from the state current school fund and receipts from the real estate transfer tax as provided in chapter 28A.45 RCW, such difference to be multiplied by the days of attendance of nonresident high school pupils in each case. Such amount, when ascertained and certified as provided in this section, shall constitute a valid claim against the high school district fund hereafter provided for in this section. The above tax shall be collected at the same time and in the same manner as other taxes are collected, and shall be segregated by the appropriate county treasurer into a fund which shall be designated as the high school district fund and which shall be used only for reimbursing high school districts for the cost of educating nonresident high school pupils whose legal residence shall be in a nonhigh school district.

NEW SECTION. Sec. 28A.44.060 LIST OF HIGH SCHOOL DISTRICTS CERTIFIED BY STATE BOARD. The state board of education shall provide each county or intermediate district superintendent of schools in the state with a copy of the rules and requirements for the classification of districts and said board, on or before the first day of July of each year, shall certify to every county or intermediate district superintendent of schools in the state a complete list of all high school districts in his county or district.

NEW SECTION. Sec. 28A.44.070 LIST OF HIGH SCHOOL DISTRICTS CERTIFIED TO COUNTY OFFICERS. The county superintendent of schools

of each county, on or before the first day of September, shall certify to the county assessor, the county treasurer, the county auditor, and the board of county commissioners of his county, a complete list of all high school districts and all nonhigh school districts in his county. The intermediate district superintendent shall likewise certify to the appropriate county officers such list.

NEW SECTION. Sec. 28A.44.080 SCHOOL SUPERINTENDENT'S REPORT OF NONRESIDENT PUPILS AND EDUCATING COSTS. The superintendent of every high school district, shall certify under oath, as a part of his annual report to the county superintendent of schools to be made on or before the fifteenth day of July, as required by law, the following facts as nearly as the same can be ascertained: First, the name, post office address, county and number of school district if obtainable, of each nonresident high school pupil, not a resident of another high school district, enrolled in the high school, or high schools, of his district during the school year, with the days of attendance of each such nonresident high school pupil. Second, the cost per pupil per day of educating high school pupils for the school year in his district. For ascertaining such cost the following items of high school expenditure shall be used: Salaries of all high school teachers, supervisors, principals, special instructors, superintendent and assistants, janitors, clerks and secretaries, stenographers, and all other employees; fuel, light, water, power, telephones, textbooks, office expenses, janitors' supplies, freight, express, drayage, rents for high school purposes, upkeep of grounds, upkeep of shops and laboratories, all materials used in instruction, insurance, current ordinary repairs of every nature, inspection, promotion of health, and such other current expenditures as may be necessary to efficient operation of the high school, or high schools. Expenditures for real estate, construction of buildings, and for other permanent improvements and fixtures shall not be included in estimating high school expenditures for the purposes of this section. When any item shall, as a necessary result of organization, cover

both grade and high school work, it shall be prorated, as nearly as practicable, by the superintendent.

NEW SECTION. Sec. 28A.44.090 CERTIFICATE TO COUNTY TREASURER BY COUNTY OR INTERMEDIATE DISTRICT SUPERINTENDENT OF AMOUNT DUE. The county or intermediate district superintendent of schools, on or before the first day of September, shall certify to the appropriate county treasurer the amounts due to each high school district in his county or district from the high school district fund, and also the amounts due to the high school district fund of other counties where- in high school districts may have educated pupils from nonhigh school districts of his county or district as certified by the county or intermediate district superintendent of schools of such county or district to the appropriate county commissioners.

NEW SECTION. Sec. 28A.44.095 REIMBURSEMENT NOT A TUITION CHARGE. The reimbursement of a high school district for cost of educating high school pupils for a nonhigh school district, as provided for in RCW 28A.44.045 through 28A.44.100, shall not be deemed a tuition charge as affecting the apportionment of current state school funds.

NEW SECTION. Sec. 28A.44.100 TRANSFER OF FUNDS BY COUNTY TREASURER. At the time of apportioning funds to school districts the county treasurer shall transfer to the credit of each high school district the amount due such district from the high school district fund, or such prorated portion thereof as may be in such fund at the time. He shall at the same time transfer to the credit of the high school district fund of other counties such amounts, or prorated portions thereof as may be in the high school district fund of his county, as may be due the high school district fund of such other county as certified by the county or intermediate district superintendent of schools he is acting for.

Chapter 28A.45

EXCISE TAX ON REAL ESTATE SALES

NEW SECTION. Sec. 28A.45.010 "SALE" DEFINED. As used in

this chapter, the term "sale" shall have its ordinary meaning and shall include any conveyance, grant, assignment, quitclaim, or transfer of the ownership of or title to real property, including standing timber, or any estate or interest therein for a valuable consideration, and any contract for such conveyance, grant, assignment, quitclaim, or transfer, and any lease with an option to purchase real property, including standing timber, or any estate or interest therein or other contract under which possession of the property is given to the purchaser, or any other person by his direction, which title is retained by the vendor as security for the payment of the purchase price.

The term shall not include a transfer by gift, devise, or inheritance, a transfer of any leasehold interest other than of the type mentioned above, a cancellation or forfeiture of a vendee's interest in a contract for the sale of real property, whether or not such contract contains a forfeiture clause, or deed in lieu of foreclosure of a mortgage or the assumption by a grantee of the balance owing on an obligation which is secured by a mortgage or deed in lieu of forfeiture of the vendee's interest in a contract of sale where no consideration passes otherwise or the partition of property by tenants in common by agreement or as the result of a court decree, any transfer, conveyance, or assignment of property or interest in property from one spouse to the other in accordance with the terms of a decree of divorce or in fulfillment of a property settlement agreement incident thereto, the assignment or other transfer of a vendor's interest in a contract for the sale of real property, even though accompanied by a conveyance of the vendor's interest in the real property involved, transfers by appropriation or decree in condemnation proceedings brought by the United States, the state or any political subdivision thereof, or a municipal corporation, a mortgage or other transfer of an interest in real property merely to secure a debt, or the assignment thereof, any transfer or conveyance made pursuant to an order of sale by the court in any mortgage or lien

foreclosure proceeding or upon execution of a judgment, or deed in lieu of foreclosure to satisfy a mortgage, a conveyance to the federal housing administration or veterans administration by an authorized mortgagee made pursuant to a contract of insurance or guaranty with the federal housing administration or veterans administration, nor a transfer in compliance with the terms of any lease or contract upon which the tax as imposed by this chapter has been paid or where the lease or contract was entered into prior to the date this tax was first imposed, nor the sale of any grave or lot in an established cemetery, nor a sale by or to the United States, this state or any political subdivision thereof, or a municipal corporation of this state.

NEW SECTION. Sec. 28A.45.020 "SELLER" DEFINED. As used in this chapter and in any ordinance enacted pursuant thereto, the term "seller," unless otherwise indicated by the context, shall mean any individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, municipal corporation, quasi municipal corporation, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit or otherwise; but it shall not include the United States or the state of Washington.

NEW SECTION. Sec. 28A.45.030 "SELLING PRICE" DEFINED. As used in this chapter, the term "selling price" means the consideration, including money or anything of value, paid or delivered or contracted to be paid or delivered in return for the transfer of the real property or estate or interest in real property, and shall include the amount of any lien, mortgage, contract indebtedness, or other incumbrance, either given to secure the purchase price, or any part thereof, or remaining unpaid on such property at the time of sale.

The term shall not include the amount of any outstanding lien or incumbrance in favor of the United States, the state, or a municipal corporation for the taxes, special benefits, or improvements.

NEW SECTION. Sec. 28A.45.035 DETERMINING SELLING PRICE OF LEASES WITH OPTION TO PURCHASE--MINING PROPERTY--PAYMENT, SECURITY WHEN SELLING PRICE NOT SEPARATELY STATED. The state department of revenue shall provide by rule for the determination of the selling price in the case of leases with option to purchase, and shall further provide that the tax shall not be payable, where inequity will otherwise result, until and unless the option is exercised and accepted. A conditional sale of mining property in which the buyer has the right to terminate the contract at any time, and a lease and option to buy mining property in which the lessee-buyer has the right to terminate the lease and option at any time, shall be taxable at the time of execution only on the consideration received by the seller or lessor for execution of such contract, but the rule shall further provide that the tax due on any additional consideration paid by the buyer and received by the seller shall be paid to the county treasurer (1) at the time of termination, or (2) at the time that all of the consideration due to the seller has been paid and the transaction is completed except for the delivery of the deed to the buyer, or (3) at the time when the buyer unequivocally exercises an option to purchase the property, whichever of the three events occurs first.

The term "mining property" means property containing or believed to contain metallic minerals and sold or leased under terms which require the purchaser or lessor to conduct exploration or mining work thereon and for no other use. The term "metallic minerals" does not include clays, coal, sand and gravel, peat, gypsite, or stone, including limestone.

The state department of revenue shall further provide by rule for cases where the selling price is not separately stated or is not ascertainable at the time of sale, for the payment of the tax at a time when the selling price is ascertained, in which case suitable security may be required for payment of the tax, and may further provide for the determination of the selling price by an appraisal by

the county assessor, based on the full and true market value, which appraisal shall be prima facie evidence of the selling price of the real property.

NEW SECTION. Sec. 28A.45.040 DUTY OF COUNTIES TO MAKE PAYMENTS TO SCHOOL DISTRICTS--TAX ON REAL ESTATE SALES IN LIEU. It shall be the duty of the board of county commissioners of each county to pay to each school district a sum equal to seventeen cents per day for each weighted student enrolled, based upon a full school year of one hundred eighty days. The year during which the payments herein required are to be made shall be from the first day of May to the last day of April, inclusive: PROVIDED, That in the event a county levies a tax of not less than one percent on the sales of real estate in the county as permitted and provided for in this chapter and assigns the entire proceeds of one percent or so much as necessary to make the above payment to the county school fund for distribution to the various school districts, there shall be no further liability upon the county for this purpose.

NEW SECTION. Sec. 28A.45.050 LEVY OF TAX--RATE--DISPOSITION OF PROCEEDS. The county commissioners of any county are authorized by ordinance to levy an excise tax upon sales of real estate not exceeding one percent of the selling price. The rate of the levy shall be determined annually by the commissioners. The proceeds of the tax provided for in this chapter shall be placed in the county school fund and shall be used exclusively for the support of the common schools: PROVIDED, That one percent of the proceeds of the tax provided for herein may be placed in the current expense fund of the county.

NEW SECTION. Sec. 28A.45.060 TAX ON SALE OF PROPERTY LOCATED IN COUNTY. The real estate sales tax provided for herein shall be levied upon each sale of real property located within the county.

NEW SECTION. Sec. 28A.45.070 TAX IS LIEN ON PROPERTY--ENFORCEMENT. The tax herein provided for and any interest or penalties thereon shall be a specific lien upon each piece of real property

sold from the time of sale until the tax shall have been paid, which lien may be enforced in the manner prescribed for the foreclosure of mortgages.

NEW SECTION. Sec. 28A.45.080 TAX IS SELLER'S OBLIGATION--CHOICE OF REMEDIES. The tax levied under this chapter shall be the obligation of the seller and the county treasurer may, at his option, enforce the obligation through an action of debt against the seller or he may proceed in the manner prescribed for the foreclosure of mortgages and resort to one course of enforcement shall not be an election not to pursue the other.

NEW SECTION. Sec. 28A.45.090 PAYMENT OF TAX--EVIDENCE OF PAYMENT--RECORDING. The tax hereby imposed shall be paid to and collected by the county treasurer who shall cause a stamp evidencing satisfaction of the lien to be affixed to the instrument of sale or conveyance prior to its recording. A receipt issued by the county treasurer for the payment of the tax imposed under this chapter shall be evidence of the satisfaction of the lien imposed hereunder and may be recorded in the manner prescribed for recording satisfactions of mortgages. No instrument of sale or conveyance evidencing a sale subject to the tax shall be accepted by the county auditor for filing or recording until the tax shall have been paid and the stamp affixed thereto; in case the tax is not due on the transfer, the instrument shall not be so accepted until suitable notation of such fact has been made on the instrument by the treasurer.

NEW SECTION. Sec. 28A.45.100 INTEREST ON DELINQUENT TAXES--REPORTING SALES--PROCEDURES. The board of county commissioners may provide the rate of interest to be levied against delinquent taxes provided for under this chapter and, subject to RCW 28A.45.120, may prescribe the manner in which sales of real property shall be reported to the county treasurer and the tax paid thereon. The county commissioners, subject to RCW 28A.45.120, may prescribe procedures supplementary to this chapter.

NEW SECTION. Sec. 28A.45.105 SINGLE FAMILY RESIDENTIAL

PROPERTY, TAX CREDIT WHEN SUBSEQUENT TRANSFER OF WITHIN NINE MONTHS FOR LIKE PROPERTY. Where single family residential property is being transferred as the entire or part consideration for the purchase of other single family residential property and a licensed real estate broker or one of the parties to the transaction accepts transfer of said property, a credit for the amount of the tax paid at the time of the transfer to the broker or party shall be allowed toward the amount of the tax due upon a subsequent transfer of the property by the broker or party if said transfer is made within nine months of the transfer to the broker or party: PROVIDED, That if the tax which would be due on the subsequent transfer from the broker or party is greater than the tax paid for the prior transfer to said broker or party the difference shall be paid, but if the tax initially paid is greater than the amount of the tax which would be due on the subsequent transfer no refund shall be allowed.

NEW SECTION. Sec. 28A.45.120 STANDARDS FOR REPORTING, APPLICATION AND COLLECTION OF TAX. The department of revenue is authorized and directed to prescribe minimum standards for uniformity in reporting, application, and collection of the real estate excise tax imposed by this chapter.

Chapter 28A.46

STATE SCHOOL EQUALIZATION FUND

NEW SECTION. Sec. 28A.46.010 STATE SCHOOL EQUALIZATION FUND --TRANSFER OF EXCESS--APPROPRIATIONS--WARRANTS. There is created a special state school fund to be known as the state school equalization fund, into which shall be deposited such funds as are directed by law to be placed therein. Any amounts in this fund in excess of current appropriations shall be transferred by the state treasurer to the general fund quarterly, on or before the twenty-fifth day of January, April, July and October of each year. All appropriations made by the legislature from the state school equalization fund shall be paid out of moneys in the general fund of the state. All warrants drawn on the state school equalization fund and presented

for payment shall be paid from the general fund of the state.

Chapter 28A.47

SCHOOL PLANT FACILITIES AID--BOND ISSUES

NEW SECTION. Sec. 28A.47.050 STATEMENT OF INTENT. It is hereby declared to be the intent of the legislature that the following provisions be enacted for the purpose of establishing and providing for the operation of a program of state assistance to school districts in providing school plant facilities.

NEW SECTION. Sec. 28A.47.055 DEFINITIONS. Unless the context indicates otherwise the following words and phrases when used in this chapter shall have the meaning given in this section:

(1) An "educational unit" means one full time certificated employee for one school year; in case of part time employees, each hour's service per day for an entire school year, or one hundred eighty hours, shall equal one-sixth of a unit; and

(2) A "certificated employee" means an employee holding a position requiring a teaching certificate.

NEW SECTION. Sec. 28A.47.060 DUTIES OF STATE BOARD OF EDUCATION. The state board of education shall have the power and it shall be its duty (1) to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of allotments to school districts to assist them in providing school plant facilities; (2) to approve allotments to districts that apply for state assistance whenever the board deems such action advisable and in so doing to give due consideration to the findings, reports, and recommendations of the superintendent of public instruction pertaining thereto; (3) to authorize the payment of approved allotments by warrant of the state treasurer; and (4) in the event that the amount of state assistance applied for exceeds the funds available for such assistance during any biennium, to make allotments on the basis of the urgency of need for school facilities in the districts that apply for assistance and/or to prorate allotments among such districts in conformity with procedures and regulations applicable thereto which

shall be established by the state board.

NEW SECTION. Sec. 28A.47.070 BASIS OF STATE AID FOR SCHOOL PLANTS. The amount of state assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The board of directors of the district shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architect's fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the state board of education.

(2) The superintendent of public instruction shall (a) ascertain the assessed valuation of the district adjusted to fifty percent of the true and fair value in money of the taxable property in the district in accordance with the ratio of assessed valuation to actual valuation fixed by the state board of equalization for the county to which the district belongs; and (b) compute the ratio of the aforesaid assessed valuation of the district to the number of educational units approved prior thereto by the state board of education for allotment to the district of funds receivable under the provisions of RCW 28A.47.050 through 28A.47.120: PROVIDED, That this number of units may be increased by the aforesaid officer for the use thereof specified in this chapter, upon the finding by said officer that completion of the proposed project will provide facilities for additional units and that such additional units will be needed to serve the school population of the district.

(3) The ratio of the assessed valuation of the district to the number of educational units thereof, computed in the manner hereinabove provided for, shall then be used in determining the percentage of state assistance for the district in accordance with the

following table:

Ratio of assessed valuation to number of educational units	Percentage of state assistance
\$ 28,570 or less to 1	75.0%
30,000 to 1	73.9
35,000 to 1	70.2
40,000 to 1	66.7
45,000 to 1	63.3
50,000 to 1	60.0
55,000 to 1	56.9
60,000 to 1	53.8
65,000 to 1	50.9
70,000 to 1	48.1
75,000 to 1	45.5
80,000 to 1	42.9
85,000 to 1	40.4
90,000 to 1	37.9
95,000 to 1	35.6
100,000 to 1	33.3
105,000 to 1	31.1
110,000 to 1	29.0
115,000 to 1	27.0
120,000 to 1	25.0
130,000 to 1	21.2
140,000 to 1	17.6
150,000 to 1	14.3
160,000 to 1	11.1
170,000 to 1	8.1
180,000 to 1	5.3
190,000 to 1	2.6
200,000 to 1

(4) The approved cost of the project determined in the manner

herein prescribed times the percentage of state assistance derived as provided for herein shall be the amount of state assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the superintendent of public instruction: PROVIDED FURTHER, That additional state assistance may be allowed if it is found by the superintendent of public instruction that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden and excessive past or clearly foreseeable future increase in school population, and other conditions similarly emergent in nature; or (b) a special school housing burden imposed by virtue of the admission of nonresident students into parental schools or into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1955, and without benefit of the state assistance provided for in RCW 28A.47.050 to 28A.47.120, inclusive, the construction of a needed school building project or projects approved in conformity with the requirements of chapter 28A.47 RCW, after having first applied for and been denied state assistance because of the inadequacy of state funds available for the purpose; or (d) conditions similar to those defined under (a), (b), and (c) hereinabove, creating a like emergency.

NEW SECTION. Sec. 28A.47.073 MODERNIZATION OF EXISTING SCHOOL FACILITIES. Whenever funds are specifically appropriated for modernization of existing school facilities, the state board of education is authorized to approve the use of such funds for modernization of existing facilities, modernization being limited to major structural changes in such facilities and may include as incidental thereto the replacement of fixtures, fittings, furnishings and service systems of a building in order to bring it up to a contemporary state consistent with the needs of changing educational programs. The allocation

of such funds shall be made upon the same basis as funds used for the financing of a new school plant project utilized for a similar purpose.

NEW SECTION. Sec. 28A.47.075 PORTABLE BUILDINGS OR CLASSROOMS. State matching funds shall not be denied to any school district undertaking any construction, repairs or improvements for school district purposes solely on the ground that said construction, repairs and improvements are in connection with portable buildings or classrooms.

NEW SECTION. Sec. 28A.47.080 APPLICATIONS FOR AID--RULES AND REGULATIONS--RECOMMENDATIONS. All applications by school districts for state assistance in providing school plant facilities shall be made to the superintendent of public instruction in conformity with rules and regulations which shall be prescribed by the state board of education. Studies and surveys shall be conducted by the aforesaid officer for the purpose of securing information relating to (1) the kind and extent of the school plant facilities required and the urgency of need for such facilities in districts that seek state assistance, (2) the ability of such districts to provide capital outlay funds by local effort, (3) the need for improvement of school administrative units and school attendance areas among or within such districts, and (4) any other pertinent matters. Recommendations respecting action on the aforesaid applications shall be submitted to the state board of education by the superintendent of public instruction together with such reports of the findings, studies, and surveys made by said officer as may be required by the state board.

NEW SECTION. Sec. 28A.47.090 MANUAL--CONTENTS--PREPARATION AND REVISION. It shall be the duty of the superintendent of public instruction, in consultation with the Washington state department of health, to prepare, and so often as he deems necessary revise, a manual for the information and guidance of local school district authorities and others responsible for and concerned with the designing, planning, maintenance, and operation of school plant facilities

for the common schools. In the preparation and revision of the aforesaid manual due consideration shall be given to the presentation of information regarding (1) the need for cooperative state-local district action in planning school plant facilities arising out of the cooperative plan for financing said facilities provided for in RCW 28A.47.050 through 28A.47.120; (2) procedures in inaugurating and conducting a school plant planning program for a school district; (3) standards for use in determining the selection and development of school sites and in designing, planning, and constructing school buildings to the end that the health, safety, and educational well-being and development of school children will be served; (4) the planning of readily expansible and flexible school buildings to meet the requirements of an increasing school population and a constantly changing educational program; (5) an acceptable school building maintenance program and the necessity therefor; (6) the relationship of an efficient school building operations service to the health and educational progress of pupils; and (7) any other matters regarded by the aforesaid officer as pertinent or related to the purposes and requirements of RCW 28A.47.050 through 28A.47.120.

NEW SECTION. Sec. 28A.47.100 STATE SUPERINTENDENT TO ASSIST DISTRICTS AND STATE BOARD. The superintendent of public instruction shall furnish (1) to school districts seeking state assistance under the provisions of RCW 28A.47.050 through 28A.47.120 consultatory and advisory service in connection with the development of school building programs and the planning of school plant facilities for such district, and (2) to the state board of education such service as may be required by the board in the exercise of the powers and the performance of the duties vested in and required to be performed by the board under the provisions of RCW 28A.47.050 through 28A.47.120.

NEW SECTION. Sec. 28A.47.120 FEDERAL GRANTS--RULES AND REGULATIONS. Insofar as is permissible under acts of congress, funds made available by the federal government for the purpose of assisting school districts in providing school plant facilities shall be made

available to such districts in conformity with rules and regulations which the state board of education shall establish.

NEW SECTION. Sec. 28A.47.130 1949 BOND ISSUE FOR SCHOOL PLANT FACILITIES. FORM, TERM, SALE, ETC. For the purpose of furnishing funds for state assistance in providing public school plant facilities under the provisions of RCW 28A.47.050 through 28A.47.120, the state finance committee is hereby authorized to issue, at any time prior to January 1, 1960, general obligation bonds of the state of Washington in the sum of forty million dollars, or so much thereof as shall be required to finance the program herein set out, to be paid and discharged within twenty years of the date of issuance.

The state finance committee is authorized to prescribe the form of such bonds, and the time of sale of all or any portion or portions of such bonds, and the conditions of sale and issuance thereof: PROVIDED, That none of the bonds herein authorized shall be sold for less than the par value thereof, nor shall they bear interest at a rate in excess of three percent per annum.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due. The committee may provide that the bonds, or any of them, may be called prior to the due date thereof under such terms and conditions as it may determine. The state finance committee may authorize the use of facsimile signatures in the issuance of the bonds.

NEW SECTION. Sec. 28A.47.140 -----PROCEEDS OF BOND SALE--DEPOSIT. The proceeds from the sale of the bonds authorized herein, together with all grants, donations, transferred funds and all other moneys which the state finance committee may direct the state treasurer to deposit therein shall be deposited in the public school building construction account of the general fund.

NEW SECTION. Sec. 28A.47.150 -----APPROPRIATION FROM BUILDING CONSTRUCTION ACCOUNT--PURPOSES. The sum of forty million dollars, or so much thereof as may be necessary, is appropriated from the

public school building construction account of the general fund to the state finance committee to be expended by the committee for the payment of expense incident to the sale and issuance of the bonds authorized herein and through allotments made, in its discretion, to the state board of education for the purpose of carrying out the purposes of RCW 28A.47.050 through 28A.47.120.

NEW SECTION. Sec. 28A.47.160 -----BOND REDEMPTION ACCOUNT CREATED--PRIOR RIGHTS AS TO SALES TAX REVENUES--DEPOSITS--ENFORCEMENT. The public school building bond redemption fund is hereby created in the state treasury, which fund shall be exclusively devoted to the payment of interest on and retirement of the bonds authorized by RCW 28A.47.130 through 28A.47.180. The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet bond retirement and interest requirements and the state treasurer shall thereupon deposit such amount in said public school building bond redemption fund from moneys transmitted to the state treasurer by the department of revenue and certified by the department of revenue to be sales tax collections and such amount certified by the state finance committee to the state treasurer shall be a first and prior charge against all retail sales tax revenues of the state of Washington.

The owner and holder of each of said bonds or the trustee for any of the bonds may by mandamus or other appropriate proceeding require and compel the transfer and payment of funds as directed herein.

NEW SECTION. Sec. 28A.47.170 -----SALES TAX NOT EXCLUSIVE. The legislature may provide additional means for raising moneys for the payment of the interest and principal of the bonds authorized in RCW 28A.47.130 through 28A.47.180 and RCW 28A.47.130 through 28A.47.180 shall not be deemed to provide an exclusive method for such payment.

NEW SECTION. Sec. 28A.47.180 -----BONDS ARE LEGAL INVESTMENT FOR PUBLIC FUNDS. The bonds authorized in RCW 28A.47.130 through 28A.47.180 shall be a legal investment for all state funds or for

funds under state control and all funds of municipal corporations.

NEW SECTION. Sec. 28A.47.210 INVESTMENT OF CURRENT SURPLUSES
IN PUBLIC SCHOOL BUILDING CONSTRUCTION ACCOUNT AND INSTITUTIONAL
BUILDING CONSTRUCTION ACCOUNT. Whenever there shall be in the public
school building construction account or the institutional building
construction account of the general fund in the state treasury more
cash than is required to cover current allotments as provided in RCW
28A.47.130 to 28A.47.180, inclusive, or RCW 72.99.010 to 72.99.060,
inclusive, the state finance committee may invest such portion of
such funds as the committee may deem expedient in United States dis-
count bills, certificates of indebtedness, notes, or bonds. Such
securities may be purchased directly from the United States govern-
ment through the federal reserve banking system or in the open market
at such prices and upon such terms as the state finance committee
may determine, and may be sold at such times as the state finance
committee may deem expedient or necessary.

NEW SECTION. Sec. 28A.47.220 -----DEPOSIT OF SECURITIES--
DUTIES OF TREASURER. Upon such investment being made the state trea-
surer shall draw his warrant on the proper account in the general
fund for the amount so invested and the securities so purchased shall
be deposited directly with the state treasurer or in trust for the
state treasurer, either with the fiscal agent of the state in New
York City or with any bank in the state that maintains a trust de-
partment and is an approved depository of state funds. In the event
securities are purchased and deposited with the fiscal agent of the
state or in a state bank as provided herein a trust certificate enu-
merating and describing the securities so held shall be provided to
the state treasurer whose duty it shall be to collect all interest
payments falling due thereon and the principal at maturity.

NEW SECTION. Sec. 28A.47.230 -----INVESTMENT INCOME CRED-
ITED TO ACCOUNT. All income earned from investment of the public
school building construction account in the general fund shall be
credited to the public school building bond redemption fund. All

income earned from investment of the institutional building construction account in the general fund shall be credited to the institutional building bond redemption fund.

NEW SECTION. Sec. 28A.47.420 1955 EMERGENCY CONSTRUCTION OF SCHOOL PLANT FACILITIES. BONDS AUTHORIZED--FORM, TERM, ETC.--CONTINUATION OF LEVY. For the purpose of furnishing funds for state assistance in providing public school plant facilities under the provisions of RCW 28A.47.050 through 28A.47.120 there shall be issued and sold, at any time prior to April 1, 1959, limited obligation bonds of the state of Washington in the sum of thirty million dollars to be paid and discharged not more than thirty years after the date of issuance. The issuance, sale, and retirement of said bonds shall be under the general supervision and control of the state finance committee.

The state finance committee is authorized to prescribe the form of such bonds; the provisions of sale of all or any portion or portions of such bonds; the terms, provisions, and covenants of said bonds; and the sale, issuance, and redemption thereof. None of the bonds herein authorized shall be sold for less than the par value thereof, nor shall they bear interest at a rate in excess of four percent per annum. Such bonds shall state distinctly that they shall not be a general obligation of the state of Washington, but shall be payable in the manner prescribed in RCW 28A.47.420 through 28A.47.450 and from the proceeds of taxes provided for in RCW 28A.47.440. As a part of the contract of sale of the aforesaid bonds, the state undertakes to continue to levy the taxes referred to herein and to fix and maintain said taxes in such amounts as will provide sufficient funds to pay said bonds and interest thereon until all such obligations have been paid in full.

The committee may provide that the bonds, or any of them, may be called prior to the maturity date thereof under such terms, conditions, and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and upon any coupons attached to such bonds. Such bonds shall be payable at

such places as the state finance committee may provide.

NEW SECTION. Sec. 28A.47.425 -----PROCEEDS FROM BOND SALE
--DEPOSIT. The proceeds from the sale of the bonds authorized herein shall be deposited in the public school building construction account in the general fund.

NEW SECTION. Sec. 28A.47.430 -----APPROPRIATION FROM PUBLIC SCHOOL CONSTRUCTION ACCOUNT--PURPOSES--LOCAL RESPONSIBILITY. The sum of thirty million dollars, or so much thereof as may be necessary, is appropriated from the public school building construction account in the general fund to the state finance committee to be expended by the committee for the payment of expenses incident to the sale and issuance of the bonds authorized herein and through allotments made to the state board of education at the direction of the school emergency construction commission for the purpose of carrying out the provisions of RCW 28A.47.070 and 28A.47.420 through 28A.47-.450: PROVIDED, That no part of the aforesaid thirty million dollars shall be allotted to a school district for the purpose aforesaid until such district has provided funds for school building construction purposes through the issuance of bonds or through the authorization of excess tax levies or both in an amount equivalent to ten percent of its taxable valuation plus such further amount as may be required by the school emergency construction commission: PROVIDED, FURTHER, That the school emergency construction commission shall prescribe and make effective such rules and regulations as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

NEW SECTION. Sec. 28A.47.435 -----ADDITIONAL ALLOTMENT
AUTHORIZED--EFFECT OF ALLOCATION ON FUTURE DISBURSEMENTS TO DISTRICT. If a school district which has qualified for an allotment of state funds for school building construction in conformity with the requirements of RCW 28A.47.430 is found by the school emergency construction commission to have a school housing emergency requiring an allotment of state funds in excess of the amount allocable under RCW 28A.47.070,

an additional allotment may be made to such district: PROVIDED, That the total amount allotted shall not exceed ninety percent of the total cost of the project including the cost of the site and equipment. At any time thereafter when the school emergency construction commission finds that the financial position of such school district has improved through an increase in its taxable valuation or through retirement of bonded indebtedness or through a reduction in school housing requirements or for any of these reasons, the amount of such additional allotment, or any part of such amount as the school emergency construction commission determines, shall be deducted, under terms and conditions prescribed by the commission, from any state school building construction funds which might otherwise be provided to such district.

NEW SECTION. Sec. 28A.47.440 -----ADDITIONAL TAX ON CIGARETTES IMPOSED. In addition to the taxes levied by RCW 73.32.130 and 82.24.020, there is levied and shall be collected by the department of revenue from the persons mentioned in and in the manner provided by chapter 82.24 RCW, as now or hereafter amended, an excise tax upon the sale, use, consumption, handling or distribution of cigarettes in an amount equal to the rate of one-half mill per cigarette, but the provisions of RCW 82.24.070 allowing dealers' compensation for affixing stamps shall not apply to this additional tax. Instead, wholesalers and retailers subject to the provisions of chapter 82.24 RCW shall be allowed as compensation for their services in affixing the stamps for the additional tax required by this section a sum equal to one-half of one percent of the value of the stamps for such additional tax purchased or affixed by them. Wholesalers and retailers subject to the payment of this tax may, if they wish, absorb such additional tax and not pass it on to purchasers without being in violation of this section or any other act relating to the sale or taxation of cigarettes.

Revenues derived from the tax imposed by this section shall be transmitted by the department of revenue to the state treasurer in

accordance with the provisions of RCW 82.32.320, to the credit of the public schools building bond redemption fund. The amount so deposited in the aforesaid fund shall be devoted exclusively to payment of interest on and to retirement of the bonds authorized by RCW 28A.47.420.

As additional security for the payment of the bonds herein authorized, all revenues derived from the tax imposed by RCW 82.24.020 over and above the amount required by RCW 73.32.130 to be paid into and retained in the war veterans' compensation bond retirement fund shall be paid into the public schools building bond redemption fund and shall be devoted exclusively to the payment of interest on and to retirement of the bonds authorized by RCW 28A.47.420: PROVIDED, That whenever the receipts into the public schools building bond redemption fund from all sources during any one year exceed two million two hundred and fifty thousand dollars, all sums received above that amount shall be transferred by the state treasurer to the state general fund.

NEW SECTION. Sec. 28A.47.445 -----LEGISLATURE MAY PROVIDE ADDITIONAL MEANS OF REVENUE. The legislature may provide additional means for raising funds for the payment of the interest and principal of the bonds authorized by RCW 28A.47.420 through 28A.47.450 and RCW 28A.47.420 through 28A.47.450 shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section is permissive and shall not be construed to constitute a pledge of the general credit of the state of Washington.

NEW SECTION. Sec. 28A.47.450 -----BONDS ARE NEGOTIABLE, LEGAL INVESTMENTS AND SECURITY. The bonds authorized in RCW 28A.47.420 through 28A.47.450 shall be fully negotiable instruments and shall be a legal investment for all state funds or for funds under state control and all funds of municipal corporations, and shall be legal security for all state, county, and municipal deposits.

NEW SECTION. Sec. 28A.47.460 1957 BOND ISSUE FOR CONSTRUCTION OF SCHOOL PLANT FACILITIES. AUTHORIZED--FORM, TERM, ETC.--

CONTINUATION OF LEVY. For the purpose of furnishing funds for state assistance in providing public school plant facilities, there shall be issued and sold, at any time prior to April 1, 1961, limited obligation bonds of the state of Washington in the sum of fifty-two million dollars to be paid and discharged not more than thirty years after the date of issuance. The issuance, sale, and retirement of said bonds shall be under the general supervision and control of the state finance committee.

The state finance committee is authorized to prescribe the forms of such bonds; the provisions of sale of all or any portion or portions of such bonds; the terms, provisions, and covenants of said bonds; and the sale, issuance, and redemption thereof. None of the bonds herein authorized shall be sold for less than the par value thereof, nor shall they bear interest at a rate in excess of four percent per annum. Such bonds shall state distinctly that they shall not be a general obligation of the state of Washington, but shall be payable in the manner and from the proceeds of motor vehicle excise taxes and excise taxes upon the sale, use, consumption, handling or distribution of cigarettes as in RCW 28A.47.460 through 28A.47.560 provided. As a part of the contract of sale of the aforesaid bonds, the state undertakes to continue to levy the taxes referred to herein and to fix and maintain said taxes in such amounts as will provide sufficient funds to pay said bonds and interest thereon until all such obligations have been paid in full.

The committee may provide that the bonds, or any of them, may be called prior to the maturity date thereof under such terms, conditions, and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and upon any coupons attached thereto. Such bonds shall be payable at such places as the state finance committee may provide.

NEW SECTION. Sec. 28A.47.470 -----PROCEEDS FROM BOND SALE--
DEPOSIT. The proceeds from the sale of the bonds authorized herein shall be deposited in the public school building construction account of

the general fund.

NEW SECTION. Sec. 28A.47.480 -----PUBLIC SCHOOL BUILDING BOND REDEMPTION FUND--1957--PAYMENT FROM MOTOR VEHICLE EXCISE TAX AND CIGARETTE TAX. The state finance committee shall, on or before June thirtieth of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet interest payments on and retirement of bonds authorized by RCW 28A.47.460 through 28A.47.560. The state treasurer shall thereupon deposit in the public school building bond redemption fund--1957, a fund hereby created in the state treasury as the depository for revenues provided by RCW 28A.47.460 through 28A.47.560 to meet interest payments on and retirement of bonds authorized by RCW 28A.47.460 through 28A.47.560, the sum of two million two hundred fifty thousand dollars from that portion of receipts from the motor vehicle excise tax allocable to the state school equalization fund under RCW 82.44.150 which is not required to meet interest payments on and retirement of bonds heretofore issued. The amount certified to the state treasurer by the state finance committee as aforesaid shall be a first and prior charge, subject only to amounts previously pledged for the payment of interest on and retirement of bonds heretofore issued, against all motor vehicle excise tax revenues of the state allocable to the state equalization fund, which amounts so allocable shall never be less than seventy percent of said excise tax revenues. In addition, the state treasurer shall transfer to the bond redemption fund created by RCW 28A.47.460 through 28A.47.560 all revenues accruing to the public schools building bond redemption fund in conformity with the requirements of RCW 28A.47.440 enacted by the 1955 legislature whenever such revenues from all sources during any one year exceed two million two hundred fifty thousand dollars, said sum being the amount required to be retained in the aforesaid public schools building bond redemption fund under the provisions of RCW 28A.47.440. The amounts so deposited in and transferred to the bond redemption fund created by RCW 28A.47.460 through 28A.47.560 shall be devoted

exclusively to the payment of interest on and to the retirement of bonds authorized by RCW 28A.47.460 through 28A.47.560: PROVIDED, That whenever the receipts into said bond redemption fund from all sources during any one year exceed the amount needed during that year to meet interest payments on and retirement of bonds authorized by RCW 28A.47.460 through 28A.47.560, all receipts above said amount shall be transferred by the state treasurer to the state general fund.

NEW SECTION. Sec. 28A.47.490 -----LEGISLATURE MAY PROVIDE ADDITIONAL MEANS OF REVENUE. The legislature may provide additional means for raising funds for the payment of the interest and principal of the bonds authorized by RCW 28A.47.460 through 28A.47.560 and RCW 28A.47.460 through 28A.47.560 shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section is permissive and shall not be construed to constitute a pledge of the general credit of the state of Washington.

NEW SECTION. Sec. 28A.47.500 -----BONDS ARE NEGOTIABLE, LEGAL INVESTMENTS AND SECURITY. The bonds authorized in RCW 28A.47.460 through 28A.47.560 shall be fully negotiable instruments and shall be legal investment for all state funds or for funds under state control and all funds of municipal corporations, and shall be legal security for all state, county, and municipal deposits.

NEW SECTION. Sec. 28A.47.510 -----APPROPRIATION FROM PUBLIC SCHOOL BUILDING CONSTRUCTION ACCOUNT--PURPOSES--LOCAL RESPONSIBILITY. The sum of fifty-two million dollars, or so much thereof as may be necessary, is appropriated from the public school building construction account of the general fund to the state finance committee to be expended by the committee for the payment of expenses incident to the sale and issuance of the bonds authorized in RCW 28A.47.460 through 28A.47.560 and through allotments made to the state board of education at the direction of the state board of education for the purpose of carrying out the provisions of RCW 28A.47.460 through 28A.47.560: PROVIDED, That no part of the aforesaid fifty-two million dollars shall be allotted to a school district for the

purpose aforesaid until such district has provided funds for school building construction purposes through the issuance of bonds or through the authorization of excess tax levies or both in an amount equivalent to ten percent of its taxable valuation plus such further amount as may be required by the state board of education: PROVIDED, FURTHER, That the state board of education shall prescribe and make effective such rules and regulations as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

NEW SECTION. Sec. 28A.47.520 -----DUTIES OF STATE BOARD OF EDUCATION. In allotting the state funds provided by RCW 28A.47.460 through 28A.47.560, the state board of education shall:

(1) Prescribe rules and regulations governing the administration, control, terms, conditions, and disbursement of allotments to school districts to assist them in providing school plant facilities;

(2) Approve, whenever the board deems such action advisable, allotments to districts that apply for state assistance;

(3) Authorize the payment of approved allotments by warrant of the state treasurer; and

(4) In the event that the amount of state assistance applied for pursuant to the provisions hereof exceeds the funds available for such assistance during any biennium, make allotments on the basis of the urgency of need for school facilities in the districts that apply for assistance or prorate allotments among such districts in conformity with procedures and regulations applicable thereto which shall be established by the board.

NEW SECTION. Sec. 28A.47.530 -----BASIS OF STATE AID FOR SCHOOL PLANTS. Allocations to school districts of state funds provided by RCW 28A.47.460 through 28A.47.560 shall be made by the state board of education and the amount of state assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The board of directors of the district shall determine

the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architect's fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the state board of education.

(2) The state board of education shall compute the ratio of the assessed valuation of the district, adjusted in accordance with the ratio of assessed valuation to actual valuation fixed by the state board of equalization for the county to which the district belongs, to the number of educational units approved prior thereto by the state board of education for allotment to the district of funds receivable under the provisions of RCW 28A.47.460 through 28A.47.560: PROVIDED, That this number of units may be increased by the state board of education for the use thereof specified in RCW 28A.47.460 through 28A.47.560, upon the finding of said board that completion of the proposed project will provide facilities for additional units and that such additional units will be needed to serve the school population of the district.

(3) The ratio of the adjusted valuation of the district to the number of educational units thereof, computed in the manner hereinabove in this section provided for, shall then be used in determining the percentage of state assistance for the district in accordance with the following table:

Ratio of adjusted valuation of number of educational units	Percentage of state assistance
\$ 10,520 or less to 1.....	90.0%
15,000 to 1	86.0,
20,000 to 1	81.8
25,000 to 1	77.7

28,570 to 1	75.0
30,000 to 1	73.9
35,000 to 1	70.2
40,000 to 1	66.7
45,000 to 1	63.3
50,000 to 1	60.0
55,000 to 1	56.9
60,000 to 1	53.8
65,000 to 1	50.9
70,000 to 1	48.1
75,000 to 1	45.5
80,000 to 1	42.9
85,000 to 1	40.4
90,000 to 1	37.9
95,000 to 1	35.6
100,000 to 1	33.3
105,000 to 1	31.1
110,000 to 1	29.0
115,000 to 1	27.0
120,000 to 1	25.0
130,000 to 1	21.2
140,000 to 1	17.6
150,000 to 1	14.3
160,000 to 1	11.1
170,000 to 1	8.1
180,000 to 1	5.3
190,000 to 1	2.6
200,000 to 1

(4) The approved cost of the project determined in the manner herein prescribed times the percentage of state assistance derived as provided for herein shall be the amount of state assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the state board of

education: PROVIDED, FURTHER, That additional state assistance may be allowed if it is found by the state board of education that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden and excessive past or clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1957, and without benefit of the state assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state assistance because of the inadequacy of state funds available for the purpose; or (d) conditions similar to those defined under (a), (b), and (c) hereinabove, creating a like emergency: PROVIDED, FURTHER, That, in the event that federal assistance in an amount in excess of six million dollars is made available to the state of Washington to be allocated to school districts by the state board of education for public school construction purposes during the 1957-59 biennium, the minimum percentage of state assistance to any district eligible under provisions of RCW 28A.47.460 through 28A.47.560 shall not be less than fifteen percent.

NEW SECTION. Sec. 28A.47.540 -----ADDITIONAL ALLOTMENT AUTHORIZED--EFFECT OF ALLOTMENT ON FUTURE DISBURSEMENTS TO DISTRICT. If a school district which has qualified for an allotment of state funds under the provisions of RCW 28A.47.460 through 28A.47.560 for school building construction is found by the state board of education to have a school housing emergency requiring an allotment of state funds in excess of the amount allocable under RCW 28A.47.530, an

additional allotment may be made to such district: PROVIDED, That the total amount allotted shall not exceed ninety percent of the total cost of the project which may include the cost of the site and equipment. At any time thereafter when the state board of education finds that the financial position of such school district has improved through an increase in its taxable valuation or through retirement of bonded indebtedness or through a reduction in school housing requirements or for any of these reasons, the amount of such additional allotment, or any part of such amount as the state board of education determines, shall be deducted, under terms and conditions prescribed by the board, from any state school building construction funds which might otherwise be provided to such district.

NEW SECTION. Sec. 28A.47.560 -----MODIFIABLE BASIC OR STANDARD PLANS FOR SCHOOL BUILDINGS--RULES AND REGULATIONS. Whenever in the judgment of the state board of education economies may be effected without impairing the usefulness and adequacy of school buildings, said board may prescribe rules and regulations and establish procedures governing the preparation and use of modifiable basic or standard plans for school building construction projects for which state assistance funds provided by RCW 28A.47.460 through 28A.47.560 are allocated.

NEW SECTION. Sec. 28A.47.570 1959 BOND ISSUE FOR CONSTRUCTION OF SCHOOL PLANT FACILITIES. AUTHORIZED--FORM, TERM, ETC.--CONTINUATION OF LEVY. For the purpose of furnishing funds for state assistance in providing public school plant facilities, there shall be issued and sold, at any time prior to April 1, 1963, limited obligation bonds of the state of Washington in the sum of thirty-four million dollars to be paid and discharged not more than twenty years after the date of issuance. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee.

The state finance committee is authorized to prescribe the forms of such bonds; the provisions of sale of all or any portion or

portions of such bonds; the terms, provisions, and covenants of said bonds; and the sale, issuance, and redemption thereof. None of the bonds herein authorized shall be sold for less than the par value thereof. Such bonds shall state distinctly that they shall not be a general obligation of the state of Washington, but shall be payable in the manner and from the proceeds of cigarette taxes as in RCW 28A-.47.570 through 28A.47.710 provided. As a part of the contract of sale of the aforesaid bonds, the state undertakes to continue to levy the taxes referred to herein and to fix and maintain said taxes in such amounts as will provide sufficient funds to pay said bonds and interest thereon until all such obligations have been paid in full.

The committee may provide that the bonds, or any of them, may be called prior to maturity date thereof under such terms, conditions, and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and upon any coupons attached thereto. Such bonds shall be payable at such places as the state finance committee may provide.

NEW SECTION. Sec. 28A.47.580 -----PROCEEDS FROM BOND SALE--DEPOSIT--USE. The proceeds from the sale of the bonds authorized herein shall be deposited in the public school building account of the general fund and shall be used exclusively for the purposes of carrying out the provisions of RCW 28A.47.570 through 28A.47.710, and for payment of the expense incurred in the printing, issuance and sale of such bonds.

NEW SECTION. Sec. 28A.47.590 -----PUBLIC SCHOOL BUILDING BOND REDEMPTION FUND OF 1959--PAYMENT FROM CIGARETTE TAX. The public school building bond redemption fund of 1959 is hereby created in the state treasury which fund shall be exclusively devoted to the retirement of the bonds and interest authorized by RCW 28A.47.570 through 28A.47.710. The state finance committee shall, on or before June 30th of each year certify to the state treasurer the amount needed in the ensuing twelve months to meet interest payments on and retirement of bonds authorized by RCW 28A.47.570 through 28A.47.710.

The state treasurer shall thereupon deposit such amount in the public school building bond redemption fund of 1959 from the receipts from the taxes on cigarettes imposed by RCW 82.24.020, 73.32.130, and 28A-.47.440. The amount certified to the state treasurer by the state finance committee as aforesaid shall be a first and prior charge, subject only to amounts previously pledged for the payment of interest on and retirement of bonds heretofore issued, against all cigarette tax revenues.

NEW SECTION. Sec. 28A.47.600 -----LEGISLATURE MAY PROVIDE ADDITIONAL MEANS OF REVENUE. The legislature may provide additional means for raising funds for the payment of the interest and principal of the bonds authorized by RCW 28A.47.570 through 28A.47.710 and RCW 28A.47.570 through 28A.47.710 shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section is permissive and shall not be construed to constitute a pledge of the general credit of the state of Washington.

NEW SECTION. Sec. 28A.47.610 -----BONDS ARE NEGOTIABLE, LEGAL INVESTMENT AND SECURITY. The bonds authorized in RCW 28A.47-.570 through 28A.47.710 shall be fully negotiable instruments and shall be legal investment for all state funds or for funds under state control and all funds of municipal corporations, and shall be legal security for all state, county, and municipal deposits.

NEW SECTION. Sec. 28A.47.620 -----APPROPRIATION FROM PUBLIC SCHOOL BUILDING CONSTRUCTION ACCOUNT--PURPOSES--LOCAL RESPONSIBILITY--RULES AND REGULATIONS. For the purpose of carrying out the provisions of RCW 28A.47.570 through 28A.47.710 there is hereby appropriated to the state board of education from the public school building construction account of the general fund the sum of thirty-four million dollars or so much thereof as may be necessary: PROVIDED, That no part of the aforesaid thirty-four million dollars shall be allotted to a school district for the purpose aforesaid until such district has provided funds for school building construction purposes through the issuance of bonds or through the

authorization of excess tax levies or both in an amount equivalent to ten percent of its taxable valuation plus such further amount as may be required by the state board of education. The state board of education shall prescribe and make effective such rules and regulations as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

NEW SECTION. Sec. 28A.47.630 -----DUTIES OF STATE BOARD OF EDUCATION. In allotting the state funds provided by RCW 28A.47.570 through 28A.47.710, the state board of education shall:

(1) Prescribe rules and regulations governing the administration, control, terms, conditions, and disbursement of allotments to school districts to assist them in providing school plant facilities;

(2) Approve, whenever the board deems such action advisable, allotments to districts that apply for state assistance;

(3) Authorize the payment of approved allotments by warrant of the state treasurer; and

(4) In the event that the amount of state assistance applied for pursuant to the provisions hereof exceeds the funds available for such assistance during any biennium, make allotments on the basis of the urgency of need for school facilities in the districts that apply for assistance or prorate allotments among such districts in conformity with procedures and regulations applicable thereto which shall be established by the board.

NEW SECTION. Sec. 28A.47.640 -----BASIS OF STATE AID FOR SCHOOL PLANTS. Allocations to school districts of state funds provided by RCW 28A.47.570 through 28A.47.710 shall be made by the state board of education and the amount of state assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The board of directors of the district shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing

the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architect's fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the state board of education.

(2) The state board of education shall compute the ratio of the assessed valuation of the district, adjusted in accordance with the ratio of assessed valuation to actual valuation fixed by the state board of equalization for the county to which the district belongs, to the maximum number of educational units theretofore allowable to the district under state board of education regulations governing apportionment of funds receivable under the provisions of RCW 28A.47.570 through 28A.47.710: PROVIDED, That this number of units may be increased by the state board of education for the use thereof specified in RCW 28A.47.570 through 28A.47.710, upon the finding of said board that completion of the proposed project will provide facilities for additional units and that such additional units will be needed to serve the school population of the district.

(3) The ratio of the adjusted valuation of the district to the number of educational units thereof, computed in the manner hereinabove in this section provided for, shall then be used in determining the percentage of state assistance for the district in accordance with the following table:

Ratio of adjusted valuation to number of educational units	Percentage of state assistance
\$ 10,520 or less to 1	90.0%
15,000 to 1	86.0
20,000 to 1	81.8
25,000 to 1	77.7
28,570 to 1	75.0
30,000 to 1	73.9

35,000 to 1	70.2
40,000 to 1	66.7
45,000 to 1	63.3
50,000 to 1	60.0
55,000 to 1	56.9
60,000 to 1	53.8
65,000 to 1	50.9
70,000 to 1	48.1
75,000 to 1	45.5
80,000 to 1	42.9
85,000 to 1	40.4
90,000 to 1	37.9
95,000 to 1	35.6
100,000 to 1	33.3
105,000 to 1	31.1
110,000 to 1	29.0
115,000 to 1	27.0
120,000 to 1	25.0
130,000 to 1	21.2
140,000 to 1	17.6
150,000 to 1	14.3
160,000 to 1	11.1
170,000 to 1	8.1
180,000 to 1	5.3
190,000 to 1	2.6
200,000 to 1

:PROVIDED, That in the event the percentage of state assistance to any school district based on the above table is less than twenty percent and such school district is otherwise eligible for state assistance under RCW 28A.47.570 through 28A.47.710, the state board of education may establish for such district a percentage of state assistance not in excess of twenty percent of the approved cost of the project, if the state board finds that such additional assistance is

necessary to provide minimum facilities for housing the pupils of the district.

(4) The approved cost of the project determined in the manner herein prescribed times the percentage of state assistance derived as provided for herein shall be the amount of state assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the state board of education: PROVIDED, FURTHER, That additional state assistance may be allowed if it is found by the state board of education that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden and excessive past or clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1959, and without benefit of the state assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state assistance because of the inadequacy of state funds available for the purpose; or (d) conditions similar to those defined under (a), (b), and (c) hereinabove, creating a like emergency.

NEW SECTION. Sec. 28A.47.650 -----TAXABLE VALUATION AND PERCENTAGE OF STATE ASSISTANCE TO BE USED IN DETERMINING ELIGIBILITY FOR ALLOTMENT. Whenever the voters of a school district authorize the issuance of bonds and/or the levying of excess taxes in an amount sufficient to meet the requirements of RCW 28A.47.620 respecting eligibility for state assistance in providing school facilities, the taxable valuation of the district and the percentage of state

assistance in providing school facilities prevailing at the time of such authorization shall be the valuation and the percentage used for the purpose of determining the eligibility of the district for an allotment of state funds and the amount or amounts of such allotments, respectively, for all projects for which the voters authorize capital funds as aforesaid, unless a higher percentage of state assistance prevails on the date that state funds for assistance in financing a project are allotted by the state board of education in which case the percentage prevailing on the date of allotment by the state board of funds for each project shall govern: PROVIDED, That if the state board of education determines at any time that there has been undue or unwarranted delay on the part of school district authorities in advancing a project to the point of readiness for an allotment of state funds, the taxable valuation of the school district and the percentage of state assistance prevailing on the date that the allotment is made shall be used for the purposes aforesaid: PROVIDED FURTHER, That the date herein specified as applicable in determining the eligibility of an individual school district for state assistance and in determining the amount of such assistance shall be applicable also to cases where it is necessary in administering chapter 28A.56 RCW to determine eligibility for and the amount of state assistance for a group of school districts considered as a single school administrative unit.

NEW SECTION. Sec. 28A.47.660 -----ADDITIONAL ALLOTMENT AUTHORIZED--EFFECT OF ALLOTMENT ON FUTURE DISBURSEMENTS TO DISTRICT. If a school district which has qualified for an allotment of state funds under the provisions of RCW 28A.47.570 through 28A.47.710 for school building construction is found by the state board of education to have a school housing emergency requiring an allotment of state funds in excess of the amount allocable under RCW 28A.47.640, an additional allotment may be made to such district: PROVIDED, That the total amount allotted shall not exceed ninety percent of the total cost of the approved project which may include the cost of the site and

equipment. At any time thereafter when the state board of education finds that the financial position of such school district has improved through an increase in its taxable valuation or through retirement of bonded indebtedness or through a reduction in school housing requirements, or for any combination of these reasons, the amount of such additional allotment, or any part of such amount as the state board of education determines, shall be deducted, under terms and conditions prescribed by the board, from any state school building construction funds which might otherwise be provided to such district.

NEW SECTION. Sec. 28A.47.680 -----APPLICATION BY DISTRICT FOR STATE ASSISTANCE--RULES AND REGULATIONS--STUDIES AND SURVEYS BY STATE BOARD. All applications by school districts for state assistance in providing school plant facilities shall be made to the superintendent of public instruction in conformity with rules and regulations which shall be prescribed by the state board of education. Studies and surveys shall be conducted by the state board for the purpose of securing information relating to (a) the kind and extent of the school plant facilities required and the urgency of need for such facilities in districts that seek state assistance, (b) the ability of such districts to provide capital funds by local effort, (c) the need for improvement of school administrative units and school attendance areas among or within such district, and (d) any other pertinent matters.

NEW SECTION. Sec. 28A.47.690 -----MANUAL, OTHER MATERIALS TO GUIDE AND PROVIDE INFORMATION TO DISTRICT. It shall be the duty of the state board of education, in consultation with the Washington state department of health, to prepare a manual and/or to specify other materials for the information and guidance of local school district authorities and others responsible for and concerned with the designing, planning, maintenance, and operation of school plant facilities for the public schools. In so doing due consideration shall be given to the presentation of information regarding (a) the need

for cooperative state-local district action in planning school plant facilities arising out of the cooperative plan for financing said facilities provided for in RCW 28A.47.570 through 28A.47.710; (b) procedures in inaugurating and conducting a school plant planning program for a school district; (c) standards for use in determining the selection and development of school sites and in designing, planning, and constructing school buildings to the end that the health, safety, and educational well-being and development of school children will be served; (d) the planning of readily expansible and flexible school buildings to meet the requirements of an increasing school population and a constantly changing educational program; (e) an acceptable school building maintenance program and the necessity therefor; (f) the relationship of an efficient school building operations service to the health and educational progress of pupils; and (g) any other matters regarded by the state board as pertinent or related to the purposes and requirements of RCW 28A.47.570 through 28A.47.710.

NEW SECTION. Sec. 28A.47.700 -----STATE BOARD TO PROVIDE DISTRICT WITH CONSULTATORY, ADVISORY SERVICE. The state board of education shall furnish to school districts seeking state assistance under the provisions of RCW 28A.47.570 through 28A.47.710 consultatory and advisory service in connection with the development of school building programs and the planning of school plant facilities.

NEW SECTION. Sec. 28A.47.710 -----MODIFIABLE BASIC OR STANDARD PLANS FOR SCHOOL BUILDINGS--RULES AND REGULATIONS. Whenever in the judgment of the state board of education economies may be effected without impairing the usefulness and adequacy of school buildings, said board may prescribe rules and regulations and establish procedures governing the preparation and use of modifiable basic or standard plans for school building construction projects for which state assistance funds provided by RCW 28A.47.570 through 28A.47.710 are allotted.

NEW SECTION. Sec. 28A.47.720 1961 BOND ISSUE FOR CONSTRUCTION

OF SCHOOL PLANT FACILITIES. AUTHORIZED--FORM, TERM, ETC.--CONTINUATION OF LEVY. For the purpose of furnishing funds for state assistance in providing public school plant facilities, there shall be issued and sold, at any time prior to April 1, 1965, limited obligation bonds of the state of Washington in the sum of fifty million seven hundred and fifty thousand dollars to be paid and discharged not more than twenty years after the date of issuance. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee.

The state finance committee is authorized to prescribe the forms of such bonds; the provisions of sale of all or any portion or portions of such bonds; the terms, provisions, and covenants of said bonds; and the sale, issuance, and redemption thereof. None of the bonds herein authorized shall be sold for less than the par value thereof. Such bonds shall state distinctly that they shall not be a general obligation of the state of Washington, but shall be payable in the manner and from the proceeds of retail sales taxes as in RCW 28A.47.720 through 28A.47.750 provided. As a part of the contract of sale of the aforesaid bonds, the state undertakes to continue to levy the taxes referred to herein and to fix and maintain said taxes in such amounts as will provide sufficient funds to pay said bonds and interest thereon until all such obligations have been paid in full.

The committee may provide that the bonds, or any of them, may be called prior to the maturity date thereof under such terms, conditions, and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and upon any coupons attached thereto. Such bonds shall be payable at such places as the state finance committee may provide. The state finance committee shall, in making its invitation or call for bids on the sale or issuance of such bonds, secure bids on the condition that the bonds may be called prior to maturity and it shall also secure bids on the condition that they shall not be subject to prior call.

NEW SECTION. Sec. 28A.47.722 -----PROCEEDS FROM BOND SALE
--DEPOSIT--USE. The proceeds from the sale of the bonds authorized
in RCW 28A.47.720 through 28A.47.750 shall be deposited in the public
school building construction account of the general fund and shall
be used exclusively for the purposes of carrying out the provisions
of RCW 28A.47.720 through 28A.47.750, and for payment of the expense
incurred in the printing, issuance and sale of such bonds.

NEW SECTION. Sec. 28A.47.724 -----PUBLIC SCHOOL BUILDING
BOND REDEMPTION FUND OF 1961--PAYMENT FROM AND PRIOR CHARGE ON RETAIL
SALES TAX. The public school building bond redemption fund of 1961
is hereby created in the state treasury which fund shall be exclu-
sively devoted to the retirement of the bonds and interest author-
ized by RCW 28A.47.720 through 28A.47.750. The state finance com-
mittee shall, on or before June thirtieth of each year certify to
the state treasurer the amount needed in the ensuing twelve months
to meet interest payments on and retirement of bonds authorized by
RCW 28A.47.720 through 28A.47.750. The state treasurer shall there-
upon deposit such amount in the public school building bond redemp-
tion fund of 1961 from moneys transmitted to the state treasurer by
the department of revenue and certified by the department of revenue
to be sales tax collections, and such amount certified by the state
finance committee to the state treasurer shall be a prior charge
against all retail sales tax revenues of the state of Washington,
subject to and inferior only to amounts previously pledged for the
payment of interest on and retirement of bonds heretofore issued.
Said bond redemption fund shall be kept segregated from all moneys
in the state treasury and shall, while any of such bonds or interest
thereon remains unpaid, be available solely for the payment thereof.

NEW SECTION. Sec. 28A.47.726 -----LEGISLATURE MAY PROVIDE
ADDITIONAL MEANS OF REVENUE--GENERAL CREDIT OF STATE NOT PLEDGED. The
legislature may provide additional means for raising funds for the
payment of the interest and principal of the bonds authorized by
RCW 28A.47.720 through 28A.47.750 and RCW 28A.47.720 through

28A.47.750 shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section is permissive and shall not be construed to constitute a pledge of the general credit of the state of Washington.

NEW SECTION. Sec. 28A.47.728 -----BONDS ARE NEGOTIABLE, LEGAL INVESTMENT AND SECURITY. The bonds authorized in RCW 28A.47-.720 through 28A.47.750 shall be fully negotiable instruments and shall be legal investment for all state funds or for funds under state control and all funds of municipal corporations, and shall be legal security for all state, county, and municipal deposits.

NEW SECTION. Sec. 28A.47.730 -----APPROPRIATION FROM PUBLIC SCHOOL BUILDING CONSTRUCTION ACCOUNT--PURPOSES--LOCAL RESPONSIBILITY--RULES AND REGULATIONS. For the purpose of carrying out the provisions of RCW 28A.47.720 through 28A.47.750 there is hereby appropriated to the state board of education from the public school building construction account of the general fund the sum of fifty million seven hundred and fifty thousand dollars or so much thereof as may be necessary: PROVIDED, That no part of the aforesaid fifty million seven hundred and fifty thousand dollars shall be allotted to a school district for the purpose aforesaid until such district has provided funds for school building construction purposes through the issuance of bonds or through the authorization of excess tax levies or both in an amount equivalent to ten percent of its taxable valuation plus such further amount as may be required by the state board of education. The state board of education shall prescribe and make effective such rules and regulations as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

NEW SECTION. Sec. 28A.47.732 -----DUTIES OF STATE BOARD OF EDUCATION. In allotting the state funds provided by RCW 28A.47-.720 through 28A.47.750, the state board of education shall:

(1) Prescribe rules and regulations governing the administration, control, terms, conditions, and disbursement of allotments to

school districts to assist them in providing school plant facilities;

(2) Approve, whenever the board deems such action advisable, allotments to districts that apply for state assistance;

(3) Authorize the payment of approved allotments by warrant of the state treasurer; and

(4) In the event that the amount of state assistance applied for pursuant to the provisions hereof exceeds the funds available for such assistance during any biennium, make allotments on the basis of the urgency of need for school facilities in the districts that apply for assistance or prorate allotments among such districts in conformity with procedures and regulations applicable thereto which shall be established by the board.

NEW SECTION. Sec. 28A.47.734 -----BASIS OF STATE AID FOR SCHOOL PLANTS. Allocations to school districts of state funds provided by RCW 28A.47.720 through 28A.47.750 shall be made by the state board of education and the amount of state assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The board of directors of the district shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architect's fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the state board of education.

(2) The state board of education shall compute the ratio of the assessed valuation of the district, adjusted in accordance with the ratio of assessed valuation to actual valuation fixed by the state board of equalization for the county to which the district belongs, to the maximum number of educational units theretofore allowable to the district under state board of education regulations

governing apportionment of funds receivable under the provisions of RCW 28A.47.720 through 28A.47.750: PROVIDED, That this number of units may be increased by the state board of education for the use thereof specified in RCW 28A.47.720 through 28A.47.750, upon the finding of said board that completion of the proposed project will provide facilities for additional units and that such additional units will be needed to serve the school population of the district.

(3) The ratio of the adjusted valuation of the district to the number of educational units thereof, computed in the manner hereinabove in this section provided for, shall then be used in determining the percentage of state assistance for the district in accordance with the following table:

Ratio of adjusted valuation to number of educational units	Percentage of state assistance
\$ 10,520 or less to 1	90.0%
15,000 to 1	86.0
20,000 to 1	81.8
25,000 to 1	77.7
28,570 to 1	75.0
30,000 to 1	73.9
35,000 to 1	70.2
40,000 to 1	66.7
45,000 to 1	63.3
50,000 to 1	60.0
55,000 to 1	56.9
60,000 to 1	53.8
65,000 to 1	50.9
70,000 to 1	48.1
75,000 to 1	45.5
80,000 to 1	42.9
85,000 to 1	40.4
90,000 to 1	37.9

95,000 to 1	35.6
100,000 to 1	33.3
105,000 to 1	31.1
110,000 to 1	29.0
115,000 to 1	27.0
120,000 to 1	25.0
130,000 to 1	21.2
140,000 to 1	17.6
150,000 to 1	14.3
160,000 to 1	11.1
170,000 to 1	8.1
180,000 to 1	5.3
190,000 to 1	2.6
200,000 to 1

: PROVIDED, That in the event the percentage of state assistance to any school district based on the above table is less than twenty percent and such school district is otherwise eligible for state assistance under RCW 28A.47.720 through 28A.47.750, the state board of education may establish for such district a percentage of state assistance not in excess of twenty percent of the approved cost of the project, if the state board finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district.

(4) The approved cost of the project determined in the manner herein prescribed times the percentage of state assistance derived as provided for herein shall be the amount of state assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the state board of education: PROVIDED, FURTHER, That additional state assistance may be allowed if it is found by the state board of education that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted

authorities, a sudden and excessive past or clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1961, and without benefit of the state assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state assistance because of the inadequacy of state funds available for the purpose; or (d) conditions similar to those defined under (a), (b), and (c) hereinabove, creating a like emergency.

NEW SECTION. Sec. 28A.47.736 -----TAXABLE VALUATION AND PERCENTAGE OF STATE ASSISTANCE TO BE USED IN DETERMINING ELIGIBILITY FOR ALLOTMENT. Whenever the voters of a school district authorize the issuance of bonds and/or the levying of excess taxes in an amount sufficient to meet the requirements of RCW 28A.47.730 respecting eligibility for state assistance in providing school facilities, the taxable valuation of the district and the percentage of state assistance in providing school facilities prevailing at the time of such authorization shall be the valuation and the percentage used for the purpose of determining the eligibility of the district for an allotment of state funds and the amount or amounts of such allotments, respectively, for all projects for which the voters authorize capital funds as aforesaid, unless a higher percentage of state assistance prevails on the date that state funds for assistance in financing a project are allotted by the state board of education in which case the percentage prevailing on the date of allotment by the state board of funds for each project shall govern: PROVIDED, That if the state board of education determines at any time that there has been undue or unwarranted delay on the part of school district authorities in

advancing a project to the point of readiness for an allotment of state funds, the taxable valuation of the school district and the percentage of state assistance prevailing on the date that the allotment is made shall be used for the purposes aforesaid: PROVIDED FURTHER, That the date herein specified as applicable in determining the eligibility of an individual school district for state assistance and in determining the amount of such assistance shall be applicable also to cases where it is necessary in administering chapter 28A.56 RCW to determine eligibility for and the amount of state assistance for a group of school districts considered as a single school administrative unit.

NEW SECTION. Sec. 28A.47.738 -----ADDITIONAL ALLOTMENT AUTHORIZED--EFFECT OF ALLOTMENT ON FUTURE DISBURSEMENTS TO DISTRICT. If a school district which has qualified for an allotment of state funds under the provisions of RCW 28A.47.720 through 28A.47.750 for school building construction is found by the state board of education to have a school housing emergency requiring an allotment of state funds in excess of the amount allocable under RCW 28A.47.734, an additional allotment may be made to such district: PROVIDED, That the total amount allotted shall not exceed ninety percent of the total cost of the approved project which may include the cost of the site and equipment. At any time thereafter when the state board of education finds that the financial position of such school district has improved through an increase in its taxable valuation or through retirement of bonded indebtedness or through a reduction in school housing requirements, or for any combination of these reasons, the amount of such additional allotment, or any part of such amount as the state board of education determines, shall be deducted, under terms and conditions prescribed by the board, from any state school building construction funds which might otherwise be provided to such district.

NEW SECTION. Sec. 28A.47.742 -----APPLICATION BY DISTRICT FOR STATE ASSISTANCE--RULES AND REGULATIONS--STUDIES AND SURVEYS BY

STATE BOARD. All applications by school districts for state assistance in providing school plant facilities shall be made to the superintendent of public instruction in conformity with rules and regulations which shall be prescribed by the state board of education. Studies and surveys shall be conducted by the state board for the purpose of securing information relating to (a) the kind and extent of the school plant facilities required and the urgency of need for such facilities in districts that seek state assistance, (b) the ability of such districts to provide capital funds by local effort, (c) the need for improvement of school administrative units and school attendance areas among or within such districts, and (d) any other pertinent matters.

NEW SECTION. Sec. 28A.47.744 -----MANUAL, OTHER MATERIALS TO GUIDE AND PROVIDE INFORMATION TO DISTRICT. It shall be the duty of the state board of education, in consultation with the Washington state department of health, to prepare a manual and/or to specify other materials for the information and guidance of local school district authorities and others responsible for and concerned with the designing, planning, maintenance, and operation of school plant facilities for the public schools. In so doing due consideration shall be given to the presentation of information regarding (a) the need for cooperative state-local district action in planning school plant facilities arising out of the cooperative plan for financing said facilities provided for in RCW 28A.47.720 through 28A.47.750; (b) procedures in inaugurating and conducting a school plant planning program for a school district; (c) standards for use in determining the selection and development of school sites and in designing, planning, and constructing school buildings to the end that the health, safety, and educational well-being and development of school children will be served; (d) the planning of readily expansible and flexible school buildings to meet the requirements of an increasing school population and a constantly changing educational program; (e) an acceptable school building maintenance program and the necessity therefor; (f)

the relationship of an efficient school building operations service to the health and educational progress of pupils; and (g) any other matters regarded by the state board as pertinent or related to the purposes and requirements of RCW 28A.47.720 through 28A.47.750.

NEW SECTION. Sec. 28A.47.746 -----STATE BOARD TO PROVIDE DISTRICT WITH CONSULTATORY, ADVISORY SERVICE. The state board of education shall furnish to school districts seeking state assistance under the provisions of RCW 28A.47.720 through 28A.47.750 consultatory and advisory service in connection with the development of school building programs and the planning of school plant facilities.

NEW SECTION. Sec. 28A.47.748 -----MODIFIABLE BASIC OR STANDARD PLANS FOR SCHOOL BUILDINGS--RULES AND REGULATIONS. Whenever in the judgment of the state board of education economies may be effected without impairing the usefulness and adequacy of school buildings, said board may prescribe rules and regulations and establish procedures governing the preparation and use of modifiable basic or standard plans for school building construction projects for which state assistance funds provided by RCW 28A.47.720 through 28A.47.750 are allotted.

NEW SECTION. Sec. 28A.47.750 -----REDUCTION OF BOND ISSUE, PROCEEDS BY AMOUNT AVAILABLE FROM FEDERAL FUNDS. The total amount of bonds authorized for issue under the provisions of RCW 28A.47.720 through 28A.47.750 shall be reduced by the amount of federal funds made available during each biennium for school construction purposes under any applicable federal law. In the event the entire bond issue authorized shall have been sold by the state finance committee, the proceeds in the public school building construction account available for allotment by the state board of education shall be reduced by the amount of such federal funds made available. Notwithstanding the foregoing provisions of this section, the total amount of bonds authorized for issue under RCW 28A.47.720 through 28A.47.750 and/or the total proceeds from the sale thereof shall not be reduced by reason of any grants to any school district of federal moneys paid

under Public Law No. 815 or any other federal act authorizing school building construction assistance to federally affected areas.

NEW SECTION. Sec. 28A.47.760 1963 BOND ISSUE FOR CONSTRUCTION OF SCHOOL PLANT FACILITIES. AUTHORIZED--FORM, TERMS, ETC.--CONTINUATION OF LEVY. For the purpose of furnishing funds for state assistance in providing public school plant facilities, there shall be issued and sold, at any time prior to April 1, 1967, limited obligation bonds of the state of Washington in the sum of fifty-nine million dollars to be paid and discharged not more than twenty years after the date of issuance. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee.

The state finance committee is authorized to prescribe the forms of such bonds; the provisions of sale of all or any portion or portions of such bonds; the terms, provisions, and covenants of said bonds, and the sale, issuance, and redemption thereof. None of the bonds herein authorized shall be sold for less than the par value thereof. Such bonds shall state distinctly that they shall not be a general obligation of the state of Washington, but shall be payable in the manner prescribed in RCW 28A.47.760 through 28A.47.774 from the proceeds of motor vehicle excise taxes as imposed by chapter 82-.44 RCW. As part of the contract of sale of the aforesaid bonds, the state agrees to continue to levy the motor vehicle excise taxes referred to herein and to fix and maintain said taxes in such amounts as will provide sufficient proceeds thereof available to pay said bonds and interest thereon until all such obligations have been paid in full.

The committee may provide that the bonds, or any of them, may be called prior to the maturity date thereof under such terms, conditions, and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and upon any coupons attached thereto. Such bonds shall be payable at such places as the state finance committee may provide.

NEW SECTION. Sec. 28A.47.762 -----PROCEEDS FROM BOND SALE --DEPOSIT--USE. The proceeds from the sale of the bonds authorized in RCW 28A.47.760 through 28A.47.774 shall be deposited in the public school building construction account of the general fund and shall be used exclusively for the purposes of carrying out the provisions of RCW 28A.47.760 through 28A.47.774, and for payment of the expense incurred in the printing, issuance and sale of such bonds.

NEW SECTION. Sec. 28A.47.764 -----PUBLIC SCHOOL BUILDING BOND REDEMPTION FUND OF 1963--PAYMENT FROM AND PRIOR CHARGE ON MOTOR VEHICLE EXCISE TAX. The public school building bond redemption fund of 1963 is hereby created in the state treasury which fund shall be exclusively devoted to the retirement of the bonds and interest authorized by RCW 28A.47.760 through 28A.47.774. The state finance committee shall, on or before June thirtieth of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet interest payments on and retirement of bonds authorized by RCW 28A.47.760 through 28A.47.774. The state treasurer shall thereupon deposit such amount in the public school building bond redemption fund of 1963 from that portion of the motor vehicle excise tax allocable to the state school equalization fund under chapter 82.44 RCW. The amount so deposited in the aforesaid fund shall be devoted exclusively to payment of interest on and to retirement of the bonds authorized by RCW 28A.47.760 through 28A.47.774. Such amount certified by the state finance committee to the state treasurer shall be a first and prior charge, subject only to amounts previously pledged for the payment of interest on and the retirement of bonds heretofore issued, against all motor vehicle excise tax revenues of the state allocable to the state school equalization fund, which amounts so allocable shall never be less than seventy percent of said excise tax revenues. Said bond redemption fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or interest thereon remains unpaid, be available solely for the payment thereof.

NEW SECTION. Sec. 28A.47.766 -----LEGISLATURE MAY PROVIDE ADDITIONAL MEANS OF REVENUE--GENERAL CREDIT OF STATE NOT PLEDGED. The legislature may provide additional means for raising funds for the payment of the interest and principal of the bonds authorized by RCW 28A.47.760 through 28A.47.774 and RCW 28A.47.760 through 28A.47.774 shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section is permissive and shall not be construed to constitute a pledge of the general credit of the state of Washington.

NEW SECTION. Sec. 28A.47.768 -----BONDS ARE NEGOTIABLE, LEGAL INVESTMENT AND SECURITY. The bonds authorized in RCW 28A.47.760 through 28A.47.774 shall be fully negotiable instruments and shall be legal investment for all state funds or for funds under state control and all funds of municipal corporations, and shall be legal security for all state, county and municipal deposits.

NEW SECTION. Sec. 28A.47.770 -----ALLOTMENT OF FUNDS APPROPRIATED FROM PUBLIC SCHOOL BUILDING CONSTRUCTION ACCOUNT--DUTIES, RULES AND REGULATIONS, OF STATE BOARD OF EDUCATION. For the purpose of carrying out the provisions of RCW 28A.47.760 through 28A.47.774 funds appropriated to the state board of education from the public school building construction account of the general fund shall be allotted by the state board of education in accordance with the provisions of RCW 28A.47.732 through 28A.47.748: PROVIDED, That no allotment shall be made to a school district for the purpose aforesaid until such district has provided funds for school building construction purposes through the issuance of bonds or through the authorization of excess tax levies or both in an amount equivalent to ten percent of its taxable valuation plus such further amount as may be required by the state board of education. The state board of education shall prescribe and make effective such rules and regulations as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

NEW SECTION. Sec. 28A.47.772 -----REDUCTION OF BOND ISSUE,

PROCEEDS BY AMOUNT AVAILABLE FROM FEDERAL FUNDS. The total amount of bonds authorized for issue under the provisions of RCW 28A.47.760 through 28A.47.774 shall be reduced by the amount of federal funds made available during each biennium for school construction purposes under any applicable federal law. In the event the entire bond issue authorized shall have been sold by the state finance committee, the proceeds in the public school building construction account available for allotment by the state board of education shall be reduced by the amount of such federal funds made available. Notwithstanding the foregoing provisions of this section, the total amount of bonds authorized for issue under RCW 28A.47.760 through 28A.47.774 and/or the total proceeds from the sale thereof shall not be reduced by reason of any grants to any school district of federal moneys paid under Public Law 815 or any other federal act authorizing school building construction assistance to federally affected areas.

NEW SECTION. Sec. 28A.47.774 -----SUBMISSION OF PROPOSITION AS TO ISSUANCE OF BONDS TO THE PEOPLE--ALTERNATIVE METHOD IN EVENT ISSUANCE OF BONDS DECLARED INVALID OR BONDS NOT SOLD. In order to provide an alternative method for furnishing funds for state assistance in providing public school plant facilities, in the event the issuance of bonds by the state finance committee pursuant to the authority given it by RCW 28A.47.760 through 28A.47.772 is held by the supreme court of the state of Washington to be invalid for the sole reason that the proposition to issue such bonds must have been referred to the people under the provisions of section 3 of article VIII of the state Constitution or in the event none of the bonds heretofore authorized for issue by RCW 28A.47.760 through 28A.47.772 are sold by the state finance committee on or before July 1, 1964, then a proposition as to whether or not fifty-nine million dollars in bonds shall be issued and sold under the terms and conditions as set forth in RCW 28A.47.760 through 28A.47.772 shall be submitted to the people for their adoption and ratification, or rejection, at the next general election.

NEW SECTION. Sec. 28A.47.775 1965 BOND ISSUE FOR CONSTRUCTION OF SCHOOL PLANT FACILITIES. AUTHORIZED--FORM, TERMS, ETC. For the purpose of furnishing funds for state assistance in providing public school plant facilities, there shall be issued and sold, at any time prior to April 1, 1970, general obligation bonds of the state of Washington in the sum of sixteen million five hundred thousand dollars to be paid and discharged not more than twenty years after the date of issuance. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee.

The state finance committee is authorized to prescribe the forms of such bonds; the provisions of sale of all or any portion or portions of such bonds; the terms, provisions, and covenants of said bonds, and the sale, issuance, and redemption thereof. None of the bonds herein authorized shall be sold for less than the par value thereof.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due.

The committee may provide that the bonds, or any of them, may be called prior to the maturity date thereof under such terms, conditions and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and upon any coupons attached thereto. Such bonds shall be payable at such places as the state finance committee may provide.

NEW SECTION. Sec. 28A.47.776 -----PROCEEDS FROM BOND SALE --DEPOSIT--USE. The proceeds from the sale of the bonds authorized in RCW 28A.47.775 through 28A.47.783 shall be deposited in the public school building construction account of the general fund and shall be used exclusively for the purposes of carrying out the provisions of RCW 28A.47.775 through 28A.47.783, and for payment of the expense incurred in the printing, issuance and sale of such bonds.

NEW SECTION. Sec. 28A.47.777 -----PUBLIC SCHOOL BUILDING

BOND REDEMPTION FUND OF 1965--CREATED--TRANSFER AND PAYMENT OF FUNDS --PRIOR CHARGE AGAINST SALES TAX REVENUES. The public school building bond redemption fund of 1965 is hereby created in the state treasury which fund shall be exclusively devoted to the retirement of the bonds and interest authorized by RCW 28A.47.775 through 28A.47.783. The state finance committee shall, on or before June thirtieth of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet interest payments on and retirement of bonds authorized by RCW 28A.47.775 through 28A.47.783. On July 1st of each year the state treasurer shall deposit such amount in the public school building bond redemption fund of 1965 from moneys transmitted to the state treasurer by the department of revenue and certified by the department of revenue to be sales tax collections and such amount certified by the state finance committee to the state treasurer shall be a prior charge against all retail sales tax revenues of the state of Washington, except that portion thereof heretofore pledged for the payment of bond principal and interest.

The owner and holder of each of said bonds or the trustee for any of the bonds may by mandamus or other appropriate proceeding require and compel the transfer and payment of funds as directed herein.

NEW SECTION. Sec. 28A.47.778 -----LEGISLATURE MAY PROVIDE ADDITIONAL MEANS OF REVENUE. The legislature may provide additional means for raising funds for the payment of the interest and principal of the bonds authorized by RCW 28A.47.775 through 28A.47.783 and RCW 28A.47.775 through 28A.47.783 shall not be deemed to provide an exclusive method for such payment.

NEW SECTION. Sec. 28A.47.779 -----BONDS ARE NEGOTIABLE, LEGAL INVESTMENT AND SECURITY. The bonds authorized in RCW 28A.47.775 through 28A.47.783 shall be fully negotiable instruments and shall be legal investment for all state funds or for funds under state control and all funds of municipal corporations, and shall be

legal security for all state, county and municipal deposits.

NEW SECTION. Sec. 28A.47.780 -----ALLOTMENT OF FUNDS APPROPRIATED FROM PUBLIC SCHOOL BUILDING CONSTRUCTION ACCOUNT--LOCAL RESPONSIBILITY--DUTIES, RULES AND REGULATIONS, OF STATE BOARD OF EDUCATION. For the purpose of carrying out the provisions of RCW 28A.47.775 through 28A.47.783 funds appropriated to the state board of education from the public school building construction account of the general fund shall be allotted by the state board of education in accordance with the provisions of RCW 28A.47.732 through 28A.47.748: PROVIDED, That no allotment shall be made to a school district for the purpose aforesaid until such district has provided funds for school building construction purposes through the issuance of bonds or through the authorization of excess tax levies or both in an amount equivalent to ten percent of its taxable valuation or such amount as may be required by the state board of education. The state board of education shall prescribe and make effective such rules and regulations as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

NEW SECTION. Sec. 28A.47.781 -----APPROPRIATIONS FROM PROCEEDS OF BONDS. The following sums, or so much thereof as may be necessary, are hereby appropriated from the public school building construction account of the general fund, from the proceeds of the bonds herein authorized, to carry out the purposes of RCW 28A.47.775 through 28A.47.783: To the state finance committee, sixteen thousand five hundred dollars; to the state board of education, sixteen million four hundred eighty-three thousand five hundred dollars.

NEW SECTION. Sec. 28A.47.782 -----ALLOCATION OF FUNDS--AUTHORIZED--CONDITIONS. In accordance with the provisions of RCW 28A.47.780, the state board of education is authorized to allocate the sum of \$27,753,500 (being (1) \$16,483,500 from the public school building construction account including \$7,403,500 for new community colleges authorized by the 1965 legislature, and (2) \$11,270,000 from

the common school construction fund): PROVIDED, That such allocations shall not be binding upon the state in the event that either chapter 158, Laws of 1965 extraordinary session [RCW 28A.47.775 through 28A.47.783] or Senate Joint Resolution No. 22, 1965 extraordinary session, is rejected by the people: PROVIDED FURTHER, That expenditures against such allocations shall not exceed the amounts appropriated in chapter 158, Laws of 1965 extraordinary session [RCW 28A.47.775 through 28A.47.783] and in chapter 153, Laws of 1965 extraordinary session (ESSB 42) during the 1965-1967 fiscal biennium, or the amounts then currently appropriated for these purposes by future legislatures.

NEW SECTION. Sec. 28A.47.783 -----REFERRAL TO ELECTORATE. Chapter 158, Laws of 1965 extraordinary session [RCW 28A.47.775 through 28A.47.783] shall be submitted to the people for their adoption and ratification, or rejection, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1966, in accordance with the provisions of section 3, Article VIII of the state Constitution; and in accordance with the provisions of section 1, Article II of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof.

NEW SECTION. Sec. 28A.47.784 1967 BOND ISSUE FOR CONSTRUCTION, MODERNIZATION OF SCHOOL PLANT FACILITIES. AUTHORIZED--SALE, CONDITIONS--FORM, TERMS, ETC. For the purpose of furnishing funds for state assistance to school districts in providing common school plant facilities and modernization of existing common school plant facilities, there shall be issued and sold limited obligation bonds of the state of Washington in the sum of twenty-two million dollars to be paid and discharged not more than twenty years after the date of issuance. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee: PROVIDED, That no part of the twenty-two million dollar bond issue shall be sold unless there are insufficient funds in the common school construction fund to meet appropriations authorized by RCW 28A.47.784 through 28A.47.791 as evidenced by a joint agreement

entered into between the governor and the superintendent of public instruction.

The state finance committee is authorized to prescribe the forms of such bonds; the provisions of sale of all or any portion or portions of such bonds; the terms, provisions, and covenants of said bonds, and the sale, issuance and redemption thereof. None of the bonds herein authorized shall be sold for less than the par value thereof.

The committee may provide that the bonds, or any of them, may be called prior to the maturity date thereof under such terms, conditions, and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and upon any coupons attached thereto. Such bonds shall be payable at such places as the state finance committee may provide.

NEW SECTION. Sec. 28A.47.785 -----COMMON SCHOOL BUILDING CONSTRUCTION ACCOUNT--CREATED--PROCEEDS FROM BOND SALE DEPOSITED IN--USE. The common school building construction account of the general fund is hereby created as an account of the general fund and the proceeds from the sale of the bonds authorized by RCW 28A.47.784 through 28A.47.791 shall be deposited therein and shall be used exclusively for the purposes of carrying out the provisions of RCW 28A.47.784 through 28A.47.791, and for payment of the expense incurred in the printing, issuance and sale of such bonds.

NEW SECTION. Sec. 28A.47.786 -----BONDS NOT GENERAL OBLIGATION OF STATE--BONDS, INTEREST ON, SOURCE FOR PAYMENT OF--PLEDGE. Bonds issued under the provisions of RCW 28A.47.784 through 28A.47-.791 shall distinctly state that they are not a general obligation bond of the state, but are payable in the manner provided in RCW 28A.47.784 through 28A.47.791 from that portion of the common school construction fund derived from the interest on the permanent common school fund. That portion of the common school construction fund derived from interest on the permanent common school fund is hereby pledged to the payment of any bonds and the interest thereon issued under the

provisions of RCW 28A.47.784 through 28A.47.791.

NEW SECTION. Sec. 28A.47.787 -----COMMON SCHOOL BUILDING BOND REDEMPTION FUND OF 1967--CREATED--USE--TRANSFER OF FUNDS TO-- PRIOR CHARGE AGAINST CERTAIN COMMON SCHOOL CONSTRUCTION FUND MONEYS. The common school building bond redemption fund of 1967 is hereby created in the state treasury which fund shall be exclusively devoted to the retirement of the bonds and interest authorized by RCW 28A.47-.784 through 28A.47.791. The state finance committee shall, on or before June thirtieth of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet interest payments on and retirement of bonds authorized by RCW 28A.47.784 through 28A.47.791. On July first of each year the state treasurer shall transfer such amount to the common school building bond redemption fund of 1967 from moneys in the common school construction fund certified by the state finance committee to be interest on the permanent common school fund and such amount certified by the state finance committee to the state treasurer shall be a prior charge against that portion of the common school construction fund derived from interest on the permanent common school fund.

The owner and holder of each of said bonds or the trustee for any of the bonds may by mandamus or other appropriate proceeding require and compel the transfer and payment of funds as directed herein.

NEW SECTION. Sec. 28A.47.788 -----LEGISLATURE MAY PROVIDE ADDITIONAL MEANS OF REVENUE--GENERAL CREDIT OF STATE NOT PLEDGED. The legislature may provide additional means for raising funds for the payment of interest and principal of the bonds authorized by RCW 28A-.47.784 through 28A.47.791 and RCW 28A.47.784 through 28A.47.791 shall not be deemed to provide an exclusive method of payment. The power given to the legislature by this section is permissive and shall not be construed to constitute a pledge of general credit of the state of Washington.

NEW SECTION. Sec. 28A.47.789 -----BONDS ARE NEGOTIABLE, LEGAL INVESTMENT AND SECURITY. The bonds authorized in RCW 28A.47.784

through 28A.47.791 shall be fully negotiable instruments and shall be legal investment for all state funds or for funds under state control and all funds of municipal corporations, and shall be legal security for all state, county and municipal deposits.

NEW SECTION. Sec. 28A.47.790 -----ALLOTMENT OF FUNDS APPROPRIATED FROM COMMON SCHOOL BUILDING CONSTRUCTION ACCOUNT OR COMMON SCHOOL CONSTRUCTION FUND--LOCAL RESPONSIBILITY--DUTIES, RULES AND REGULATIONS OF STATE BOARD OF EDUCATION. For the purpose of carrying out the provisions of RCW 28A.47.784 through 28A.47.791 funds appropriated to the state board of education from the common school building construction account of the general fund or the common school construction fund shall be allotted by the state board of education in accordance with the provisions of RCW 28A.47.732 through 28A.47.748: PROVIDED, That no allotment shall be made to a school district for the purpose aforesaid until such district has provided funds for school building construction purposes through the issuance of bonds or through the authorization of excess tax levies or both in an amount equivalent to ten percent of its taxable valuation or such amount as may be required by the state board of education. The state board of education shall prescribe and make effective such rules and regulations as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

NEW SECTION. Sec. 28A.47.791 -----APPROPRIATIONS TO STATE BOARD OF EDUCATION--ALLOCATION OF, LIMITATIONS. There is hereby appropriated to the state board of education the following sums, or so much thereof as may be necessary, for the purpose of carrying out the provisions of RCW 28A.47.784 through 28A.47.791: (1) Twenty-two million dollars from the common school building construction account and (2) twenty-nine million seven hundred forty-four thousand five hundred and fifty-four dollars from the common school construction fund including three million for modernization of existing school facilities.

In accordance with RCW 28A.47.790, the state board of education

is authorized to allocate for the purposes of carrying out the provisions of RCW 28A.47.784 through 28A.47.791 the sum of sixty-three million nine hundred thousand dollars: PROVIDED, That expenditures against such allocation shall not exceed the amount appropriated in this section: PROVIDED FURTHER, That no part of the allocation provided in this section in excess of the total amount appropriated by RCW 28A.47.784 through 28A.47.791 shall be allocated unless joint agreement of its necessity shall be determined by the governor and the superintendent of public instruction.

Chapter 28A.48

APPORTIONMENT TO DISTRICTS--DISTRICT ACCOUNTING

NEW SECTION. Sec. 28A.48.010 BY STATE SUPERINTENDENT. On or before the last business day of each month, the superintendent of public instruction shall apportion from the current state school fund and/or the state general fund to the several counties of the state the proportional share of the total annual amount due and apportionable to such counties for the school districts thereof as follows: In January, ten percent, in February, ten percent, in June, three and one-half percent and in each of the other months respectively eight and one-half percent. The annual amount due and apportionable shall be the amount apportionable for all apportionment credits estimated to accrue to the schools during a year beginning September first and continuing through August thirty-first. The apportionment from the state general fund for each month shall be an amount which together with the revenues of the current state school fund will equal the amount due and apportionable to the several counties during such month: PROVIDED, That any school district may, through its county or intermediate district superintendent, petition the superintendent of public instruction for an emergency advance of funds which may become apportionable to it but not to exceed five percent of the total amount to become due and apportionable during the school district's fiscal year. The superintendent of public instruction shall determine if the emergency warrants such advance, and if the funds are

available therefor, and if he determines in the affirmative he may approve such advance and at the same time add such an amount to the apportionment for the county in which the district is located.

NEW SECTION. Sec. 28A.48.030 DISTRIBUTION BY COUNTY OR INTERMEDIATE DISTRICT SUPERINTENDENT. Upon receiving the certificate of apportionment from the superintendent of public instruction the county or intermediate district superintendent shall promptly apportion to the school districts of his county or district the amounts then due and apportionable to such districts as certified by the superintendent of public instruction. The county or intermediate district superintendent shall apportion to the school districts of his county or district during each of the twelve months of the year the amount then available for apportionment to such districts from the appropriate county current school fund.

NEW SECTION. Sec. 28A.48.040 CREDITS FOR NONRESIDENT ATTENDANCE. If a pupil attends any common school of the state outside of his resident district for any of the grades one through eight during the time the resident district maintains a school with the same grade, the attendance shall be credited to the district in which the pupil resides, unless mutually agreed otherwise by the directors of the two districts.

NEW SECTION. Sec. 28A.4C.050 -----PROCEDURE FOR OBTAINING NONRESIDENT ATTENDANCE CREDIT. The superintendent of any school district whose resident pupils are attending school in another district may notify the superintendent of the district where such pupils attend, when the school of said pupils' resident district will be in session, and of the grades that will be maintained, and he must file a duplicate copy of said notice with the county or intermediate district superintendent. He must name the pupils in his notice, and it shall be the duty of the superintendent of the district so notified, on such dates as the county or intermediate district superintendent shall determine, to certify to the superintendent of the resident district the actual number of days' attendance at school of such

pupils during the time that a school of the grade to which the pupil or pupils properly belong was in session in their resident district. And in case said superintendent shall fail or refuse to furnish such information to the superintendent of the resident district, then it shall be the duty of the county or intermediate district superintendent to grant to the resident district for apportionment purposes attendance credit for the actual number of days' attendance of those resident pupils attending school in such other district. Without the notice herein required by the superintendent of the resident district, all claims to attendance will be forfeited.

NEW SECTION. Sec. 28A.48.055 PRIVATE SCHOOLS MUST REPORT ATTENDANCE. It shall be the duty of the administrative or executive authority of every private school in this state to report to the county or intermediate district superintendent of schools on or before the thirtieth day of June in each year, on a form to be furnished, such information as may be required by the superintendent of public instruction, to make complete the records of education work pertaining to all children residing within the state.

NEW SECTION. Sec. 28A.48.060 SPECIAL CREDIT FOR SCHOOL ATTENDANCE FROM PUPILS OF ORPHAN HOMES. Whenever any pupil attends a common school of the state of Washington and such pupil resides in any home or institution devoted exclusively to providing a home for orphan children which is exempt from taxation under the laws of the state of Washington, and is located in the same school district as the school such pupil attends, the attendance of such pupil in such school shall entitle the district to receive from the state's current school fund an amount up to but not to exceed the average cost per day per pupil of educating pupils for the school year throughout the district in grade schools or high schools, as the case may be. The superintendent of such school district entitled to receive additional funds as hereinabove provided shall certify, under oath, whether as a part of his annual report to the county or intermediate district superintendent of schools, or otherwise, as the county or

intermediate district superintendent shall determine, the following facts as nearly as the same can be ascertained, which data shall in turn be included in a report of the county or intermediate district school superintendent to the state superintendent of public instruction: The name and age of each pupil residing in any such home or institution, with the number of days' attendance of each such pupil, and whether such pupil was enrolled in a grade school or a high school. For the purpose of ascertaining the average cost of educating pupils in the high schools and grade schools, respectively, throughout the district, the following items of school expenditure shall be used: Salaries of teachers, supervisors, principals, special instructors, superintendents and assistants, janitors, clerks and secretaries, stenographers and all other employees; fuel, light, water, power, telephones, textbooks, office expenses, janitors' supplies, freight, express, drayage, rents for school purposes, upkeep of grounds, upkeep of shops and laboratories, all materials used in instruction, insurance, current ordinary repairs of every nature, inspection, promotion of health and such other current expenditures as may be necessary to the efficient operation of the high schools or grade schools, respectively. Expenditures for real estate, construction of buildings, and for other permanent improvements and fixtures shall not be included in estimating school expenditures for the purposes of this section.

NEW SECTION. Sec. 28A.48.090 APPORTIONMENT FOR THIRD CLASS DISTRICTS MAY BE WITHHELD, WHEN. Whenever any school board of any third class district shall neglect or refuse to comply with the provisions of RCW 28A.60.186, it shall be the duty of the county or intermediate district superintendent to withhold the entire apportionment accruing to said district until such time as full compliance with requirements thereof has been made.

NEW SECTION. Sec. 28A.48.100 COUNTY TREASURER'S DUTIES. The county treasurer of each county of this state shall be ex officio treasurer of the several school districts of their respective counties,

and, except as otherwise provided by law, it shall be the duty of each county treasurer:

(1) To receive and hold all moneys belonging to such school districts, and to pay them out only on warrants legally issued.

(2) To certify to the county or intermediate district superintendent and the auditor of his county, at least quarterly each year, the amount of all school funds in his possession subject to apportionment on the last day of the preceding month, which certificate shall specify the source or sources from which said moneys were derived.

(3) To make annually, on or before the twenty-fifth day of July, a report to the county or intermediate district superintendent and auditor of his county, which report shall show the amount of school funds on hand at the beginning of the school year last past belonging to each school district; the amount of funds placed to the credit of each school district during the school year ending June 30th, last past, and the sources from which said funds were derived; the amount of warrants registered during the year, the amount of funds disbursed upon warrants of each school district during the year; the amount of funds remaining in his possession at the close of the school year subject to be paid out upon warrants, and the fund to which said moneys belong; also the amount of all unpaid warrants or bonds appearing upon his register at the close of the school year.

(4) He shall register all school warrants presented to him by the county auditor in a book to be known as the "Treasurer's School District Warrant Register," which register shall show the date issued, number of warrant, to whom issued, amount and purpose, date registered, date advertised, interest if any accruing on said warrant, total as redeemed, date redeemed and to whom paid. If the district has money in the fund on which the warrant is drawn no endorsement on the warrant is necessary, but if there be no money to the credit of the fund on which the warrant is registered he shall endorse on said warrant the following: "This warrant bears interest at percent per annum from until called for

payment. County Treasurer, By Deputy." All warrants shall be paid in the order of their presentation to the county treasurer; and it is hereby made the duty of the county treasurer to advertise, at least quarterly, all warrants which he is prepared to pay, in the same manner in which he is required to advertise county warrants, and after the date fixed in said notice, warrants shall cease to draw interest.

(5) He shall prepare and submit to each school district superintendent in his county a written report of the state of the finances of such district on the first day of each month, which report shall be submitted not later than the seventh day of said month, certified to by the county auditor, which report shall contain the balance on hand the first of the preceding month, the funds paid in, warrants paid with interest thereon, if any, the number of warrants issued and not paid, and the balance on hand.

(6) After each monthly settlement with the county commissioners the treasurer of each county shall submit a statement of all canceled warrants of districts to the respective school district superintendents, which statement shall be verified to by the county auditor. The canceled warrants of each district shall be preserved separately and shall at all times be open to inspection by the school district superintendent or by any authorized accountant of such district.

NEW SECTION. Sec. 28A.48.110 DISTRIBUTION OF STATE PROPERTY TAX PROCEEDS. In each calendar year in which the state shall collect a property tax for the support of common schools, the superintendent of public instruction shall distribute the proceeds of such tax to each school district of the state operating a program approved by the state board of education, in the manner provided in this section.

Except as hereinafter provided, the amount to be distributed to each school district in each year shall be a fraction of the total amount available for distribution, the numerator of which fraction shall be the assessed valuation of all taxable property in such

school district adjusted to fifty percent of true and fair value thereof in accordance with the ratio of assessed valuation to actual valuation fixed by the state department of revenue, and the denominator of which fraction shall be the aggregate valuation of taxable property in all school districts entitled to a distribution under this section adjusted as to the property in each such district to fifty percent of true and fair value thereof in accordance with the ratio of assessed valuation to actual valuation fixed by the state department of revenue: PROVIDED, That each nonhigh school district shall receive only three-fifths of the amount otherwise distributable to a school district as provided above and the remaining two-fifths of such amount shall be distributed to the high school district fund of the county in which the nonhigh school district is located.

The superintendent of public instruction shall make the distribution of funds authorized in this section on or before the tenth day of each month by prorating the funds available on such distribution dates to the school districts entitled thereto.

Chapter 28A.51

DISTRICT BONDS FOR LANDS, BUILDINGS AND EQUIPMENT

NEW SECTION. Sec. 28A.51.010 DIRECTORS MAY BORROW MONEY, ISSUE BONDS--RATE OF INTEREST, TERM, FORM, SALE AND REDEMPTION. The board of directors of any school district may borrow money and issue negotiable coupon bonds therefor for the purpose of:

- (1) Funding outstanding indebtedness or bonds theretofore issued; or
- (2) For the purchase of schoolhouse sites for buildings or playgrounds authorized by law; or
- (3) For erecting buildings authorized by law and providing the necessary furniture, apparatus, or equipment; or
- (4) For any or all of these purposes.

Neither the amount of money borrowed nor bonds issued therefor shall exceed five percent of the assessed valuation of the taxable property in such district, as shown by the last assessment roll for

county and state purposes previous to the incurring of such indebtedness, except that in cities incorporated under special charter the valuation shall be taken from the last assessment for city purposes: PROVIDED, That any school district may become indebted to a larger amount but not exceeding five percent additional for capital outlays.

Bonds may be issued only when authorized by the vote of the district.

The bonds so issued shall be in such form, for such terms, bear such interest, be sold in such manner, and be payable and redeemable, as the board of directors shall determine in accordance with this chapter and chapter 39.44 RCW.

NEW SECTION. Sec. 28A.51.020 BOND ELECTION REGULATIONS--- BONDS, COUPONS, SIGNATURES, SEAL. The question whether the bonds shall be issued, as provided in RCW 28A.51.010, shall be determined at an election to be held in the manner prescribed by law for holding annual school elections. Notice therefor to be given in such manner as provided in RCW 29.27.080 shall state the amount of bonds proposed to be issued, time they are to run, and the purpose for which the money is to be used. The ballots must contain the words "Bonds, yes," or "Bonds, no." If a majority of the votes cast at such election are "Bonds, yes," the board of directors must issue such bonds: PROVIDED, That if the amount of bonds to be issued, together with any outstanding indebtedness of the district, exceeds one and one-half percent of the taxable property in said district, then three-fifths of the votes cast at such election must be "Bonds, yes," before the board of directors is authorized to issue said bonds. Except as otherwise provided for facsimile signatures on bonds and coupons in chapter 39.44 RCW, or as otherwise in this chapter provided, bonds with the coupons shall be signed in the corporate name of the district by the president or chairman of the board of directors thereof and attested by the school district superintendent as secretary of the board. In districts of the first class the corporate seal of the said district shall be affixed to each bond by the school district

superintendent thereof.

NEW SECTION. Sec. 28A.51.030 CERTIFICATE OF RESULTS OF ELECTION TO COUNTY TREASURER--SALE PROVISIONS--CONTENTS OF BONDS--REGISTRATION. Upon receipt of a resolution from the board of directors of any school district authorizing the sale of all or any part of bonds authorized by an election as provided for in RCW 28A.51.020, the county treasurer of the county to which said school district belongs shall publish notice of the sale of the said bonds in accordance with the provisions of RCW 39.44.030. Said notices, in addition to such information as required in RCW 39.44.030, must give the amounts of bonds to be sold, the time to run, where payable, the option, if any, of the district to redeem, also naming the hour and day for considering bids, and asking bidders to name the price and rates of interest at which they will purchase such bonds or any of them. Such bonds may be issued in such denominations as provided for in RCW 39.44.011, and shall contain upon their faces the date and series of issue, rate of interest, where payable, time to run, option, if any, of district to redeem and that the whole indebtedness of said district does not exceed the constitutional limit. Each bond so issued must be registered by the county treasurer, in a book to be kept for that purpose, which must show the number and such data as is necessary to secure a complete record of such bond, the series and amount of such bond, the person to whom the same is issued, the number of the district issuing, together with the names of directors signing the same; and the said bond shall be indorsed and bear a statement on the back thereof as provided in RCW 39.44.102: PROVIDED, That in the case of joint school districts the bond or bonds shall be registered by the treasurer of each county in which any part of such school district shall lie.

NEW SECTION. Sec. 28A.51.055 SIGNATURE ON BONDS BY DESIGNEE. In addition to the authorization of the use of facsimile signatures in chapter 39.44 RCW, the board of directors of any school district authorized by vote of the electorate to issue bonds for capital

purposes or the payment of validated indebtedness, or any officer required by law to sign such bonds, in the manner in RCW 28A.51.055 through 28A.51.058 provided, may authorize one or more bonded persons to affix the signature of the designating officer to such bonds. When the signature of such officer is so affixed to any such bond or bonds pursuant to such designation, the bond or bonds shall bind the school district and all persons concerned as though the signature were made by the designating officer.

NEW SECTION. Sec. 28A.51.056 -----AUTHORIZATION---REVOCATION. Whenever any such board or officer desires to designate a person for said purpose, such action shall be authorized by resolution at a regular or special meeting of the board, giving the name of the person who has been selected therefor and stating, either generally or specifically, what bond or bonds such person shall have authority to sign. If so stated and appearing in such resolution, for the signature of such officer upon any such bond or bonds there may be a facsimile reproduction of such officer's own signature impressed by some mechanical process followed by the word "By" and the original signature of the bonded person so designated by such board or officer. Any such designation may be revoked by resolution signed by the board or officer who has made such designation, and such revocation shall be effective from the time of receipt of a certified copy of such resolution, but shall not affect the validity of any signature theretofore validly made.

NEW SECTION. Sec. 28A.51.057 -----LIABILITY OF OFFICER AFFIXING SIGNATURE THROUGH A DESIGNEE. Any such officer authorizing the affixing of his signature in the manner provided in RCW 28A.51.055 through 28A.51.058 shall be subject to the same liability, personally and on his official bond, for any signature so affixed, to the same extent as if such signature had been affixed by himself in person.

NEW SECTION. Sec. 28A.51.058 -----COUPONS---FACSIMILE SIGNATURES. In the case of coupons attached to any bond or bonds, the

signature or signatures of any of said officers on any such coupons shall be lawful and sufficient if a facsimile reproduction of such officer's own signature is printed, lithographed or engraved on such coupons without further authentication thereon.

NEW SECTION. Sec. 28A.51.070 SALE OF BONDS--DELIVERY--DISPOSITION OF PROCEEDS. At the time named in said notice it shall be the duty of said board of directors to meet with the county treasurer at his office, and with him open said bids, and sell said bonds or any portion thereof to the person or persons making the most advantageous offer: PROVIDED, That said bids and the acceptance or rejection thereof and the sale of such bonds shall be in conformance with the provisions of RCW 39.44.030. Upon the sale of the bonds, the board of directors, as soon thereafter as practicable, shall deliver the bonds, properly executed, to the county treasurer, taking his receipt therefor. The county treasurer, upon payment of the price agreed upon, shall deliver the same to the person or persons to whom sold, and place the moneys arising from such sale to the credit of the general school fund of the district: PROVIDED, That where the bonds have been sold for the purchase of a schoolhouse site or sites or building one or more schoolhouses and providing the same with all necessary furniture, apparatus or equipment, or for any or all of these purposes, he shall place the money derived from such sale to the credit of the building fund of the district, and such fund is hereby created. Fees for advertising shall be deducted from the proceeds. If the board of directors and the person or persons to whom the bonds are sold agree that the delivery of said bonds shall be in installments, the county treasurer shall hold said bonds, and deliver to purchasers only on written order of the board of directors to deliver at specified times the bonds designated by number and series.

NEW SECTION. Sec. 28A.51.180 REFUNDING FORMER ISSUES WITHOUT VOTE OF THE PEOPLE. Whenever any bonds lawfully issued by any school district under the provisions of this chapter shall reach

maturity and shall remain unpaid, or may be paid under any option provided in the bonds, the board of directors thereof shall have the power without any vote of the school district to fund the same by issuing coupon bonds conformable to the requirements of this chapter and sell the same at not less than their par value and use the proceeds exclusively for the purpose of retiring and canceling such outstanding bonds as aforesaid, or the said directors in their discretion may exchange such refunding bonds par for par for such outstanding bonds: PROVIDED, That such bonds shall be issued in such denominations as the school district issuing such bonds in its discretion shall determine and in accordance with RCW 39.44.011, shall be redeemable within the time provided by RCW 39.44.070 and shall draw a rate of interest not to exceed that allowed by law and as the school district issuing such bonds so designates.

NEW SECTION. Sec. 28A.51.190 HOLDER TO NOTIFY TREASURER--REDEMPTION. Every holder of any of the bonds so issued as provided in this chapter, within ten days after he shall become the owner or holder thereof, shall notify the county treasurer of the county in which such bonds are issued of his ownership, together with his full name and post office address, and the county treasurer of said county, in addition to the published notice in RCW 28A.51.210 provided for, shall deposit in the post office, properly stamped and addressed to each owner or holder of any such bonds subject to redemption or payment, a notice in like form, stating the time and place of the redemption of such bonds and the number of the bonds to be redeemed, and in case any owners of bonds shall fail to notify the treasurer of their ownership as aforesaid, then a notice mailed to the last holder of such bonds shall be deemed sufficient, and any and all such notices so mailed as aforesaid shall be deemed to be personal notice to the holders of such bonds, and at the expiration of the time therein named shall have the force to suspend the interest upon any such bonds.

NEW SECTION. Sec. 28A.51.200 EXPENSE OF COUNTY TREASURER. At

any time after the issuance of such bonds as in this chapter provided, and in the discharge of the duties imposed upon said county treasurer, should any incidental expense, costs or charges arise, the said county treasurer shall present his claim for the same to the board of directors of the school district issuing such bonds, and the same shall be audited and paid in the same manner as other services are paid under the provisions of law.

NEW SECTION. Sec. 28A.51.210 CANCELLATION OF REDEEMED BONDS. Whenever the amount of any sinking fund created under the provisions of this chapter shall equal the amount, principal and interest of any bond then due, or subject under the pleasure or option of said school district to be paid or redeemed, it shall be the duty of the county treasurer of the county in which the school district issuing such bonds is located, to publish a notice in the official newspaper of the county, if such a one there be, and if not, then in a newspaper of general circulation, that the said county treasurer within thirty days from the date of such notice, will redeem and pay any such bond then redeemable or payable, giving priority according to the date of issue numerically, and upon the presentation of any such bond or bonds the said treasurer shall pay the same; and in case that any holder of such bond or bonds shall fail or neglect to present the same at the time mentioned in said notice, or in the notice provided for in RCW 28A.51.190, then the interest upon such bond or bonds shall cease and determine, and the treasurer of such county thereafter shall pay only the amount of such bond and the interest accrued thereon up to the day mentioned in said notice. When any bonds are so redeemed or paid, the county treasurer shall cause the same to be fully canceled, and write across the face of such bonds the words "redeemed," with the date of redemption, and shall file the same with the county auditor as vouchers for the sum so paid. When the bonds are held by the state of Washington advertising as contemplated and prescribed in this section shall be deemed unnecessary.

NEW SECTION. Sec. 28A.51.220 EXCHANGE OF WARRANTS FOR BONDS.

If bonds issued under this chapter are not sold as in this chapter provided, the holders of unpaid warrants drawn on the county treasurer by such district for an indebtedness existing at the date of the election may exchange said warrants at the face value thereof and accrued interest thereon for coupon bonds issued under this chapter, at not less than par value and accrued interest of such bonds at the time of the exchange; such exchange to be made under such regulations as may be provided by the board of directors of such district.

Chapter 28A.52

VALIDATING INDEBTEDNESS--BONDS

NEW SECTION. Sec. 28A.52.010 AUTHORITY TO VALIDATE INDEBTEDNESS. Any school district may validate and ratify the indebtedness of such school district, incurred for strictly school purposes, when the same together with all then outstanding legal indebtedness does not exceed that amount permitted for school districts in RCW 39.36-.020 (1) and (3). The value of taxable property in such school district shall be ascertained as provided in article eight, section six, amendment 27, of the Constitution of the state of Washington.

NEW SECTION. Sec. 28A.52.020 RESOLUTION PROVIDING FOR ELECTION--VOTE REQUIRED TO VALIDATE. Whenever the board of directors of any school district shall deem it advisable to validate and ratify the indebtedness mentioned in RCW 28A.52.010, they shall provide therefor by resolution, which shall be entered on the records of such school district, which resolution shall provide for the holding of an election for the purpose of submitting the question of validating and ratifying the indebtedness so incurred to the voters of such school district for approval or disapproval, and if at such election three-fifths of the voters in such school district voting at such election shall vote in favor of the validation and ratification of such indebtedness, then such indebtedness so validated and ratified and every part thereof existing at the time of the adoption of said resolution shall thereby become and is hereby declared to be validated and ratified and a binding obligation upon such school district

NEW SECTION. Sec. 28A.52.030 NOTICE OF ELECTION. At the time of the adoption of the resolution provided for in RCW 28A.52.020, the board of directors shall direct the school district superintendent to give notice to the county auditor of the suggested time and purpose of such election, and specifying the amount and general character of the indebtedness proposed to be ratified. Such superintendent shall also cause written or printed notices to be posted in at least five places in such school district at least twenty days before such election. In addition to his other duties relating thereto, the county auditor shall give notice of such election as provided for in RCW 29.27.080.

NEW SECTION. Sec. 28A.52.040 MANNER AND RESULT OF ELECTION. Elections hereunder shall be by ballot, and conducted in the manner provided for conducting annual school elections. The ballot must contain the words, "Validating and ratifying indebtedness, yes," or the words, "Validating and ratifying indebtedness, no." Ballots containing the words, "Validating and ratifying indebtedness, yes," shall be counted in favor of validating and ratifying such indebtedness, and ballots containing the words, "Validating and ratifying indebtedness, no," shall be counted against validating and ratifying such indebtedness. At their next meeting following ascertainment of the result of the election from the county auditor, the board of directors of any such district holding such an election shall cause to be entered a minute thereof on the records of such district. The qualifications of voters at such election shall be the same as prescribed for the election of school officials.

NEW SECTION. Sec. 28A.52.050 AUTHORITY TO BORROW, ISSUE BONDS--BOND PROCEDURE, INTEREST, SIGNATURES. If the indebtedness of such school district is validated and ratified, as provided in this chapter, by three-fifths of the voters voting at such election, the board of directors of such school district, without any further vote, may borrow money and issue negotiable coupon bonds therefor in accordance with the provisions of chapter 39.44 RCW.

Except as provided in RCW 39.44.100 for facsimile signatures, in all school districts of the second or third class, said bonds, with the coupons, must be signed by the board of directors and countersigned by the school district superintendent and in school districts of the first class said bonds, with the coupons, must be signed in the corporate name of the district by the president of the board of directors thereof.

NEW SECTION. Sec. 28A.52.055 RESOLUTION OF ISSUANCE AND SALE --APPLICABLE LAW--INTEREST--ADVERTISING--BIDS--DISPOSITION OF PROCEEDS. When authorized to issue bonds, as provided in this chapter, the board of directors shall, at a meeting of such board, by resolution provide for the issue, sale, and disposition of the proceeds from the sale of such bonds, and the payment of interest and principal thereon, all in accordance with the provisions of chapter 39.44 RCW, and the money arising from the sale of the bonds issued under this chapter shall be applied as provided in RCW 28A.52.050.

NEW SECTION. Sec. 28A.52.060 EXCHANGE OF BONDS FOR WARRANTS. If bonds issued under this chapter are not sold as herein provided, the holders of unpaid warrants drawn on the county treasurer by such district for an indebtedness existing at the time of the adoption of the resolution mentioned in RCW 28A.52.020, may exchange said warrants at the face value thereof and accrued interest thereon for coupon bonds issued under this chapter, at not less than par value and accrued interest of such bonds at the time of the exchange; such exchange to be made under such regulations as may be provided by the board of directors of such district.

NEW SECTION. Sec. 28A.52.070 NOTICE TO COUNTY TREASURER OF AUTHORITY TO ISSUE BONDS--ANNUAL LEVY FOR PAYMENT OF INTEREST AND PRINCIPAL ON BONDS--PENALTY AGAINST OFFICER FOR EXPENDITURES IN EXCESS OF REVENUES. When authorized to issue bonds, as provided in this chapter the board of directors shall immediately cause to be sent to the appropriate county treasurer, notice thereof. The county officials charged by law with the duty of levying taxes for the

payment of said bonds and interest shall do so as provided in RCW 39-.44.020.

The annual expense of such district shall not thereafter exceed the annual revenue thereof, and any officer of such district who shall knowingly aid in increasing the annual expenditure in excess of the annual revenue of such district, in addition to any other penalties, whether civil or criminal, as provided by law, shall be deemed to be guilty of a misdemeanor, and shall be punished by a fine not exceeding five hundred dollars.

NEW SECTION. Sec. 28A.52.080 VALIDATING INDEBTEDNESS PROCEEDINGS AFTER MERGER. In case any school district has heretofore incurred, or shall hereafter incur, indebtedness for strictly school purposes and has heretofore, or shall hereafter, become merged with another district as provided in chapter 28A.57 RCW, the directors of the last named district may, after such merger, cause to be submitted to the voters within the limits of the district which incurred the obligations, the question of validating and ratifying such indebtedness. The vote shall be taken and the question determined in the manner prescribed in RCW 28A.52.020, 28A.52.030 and 28A.52.040. The directors of the district to which the district incurring the obligations was merged shall make provisions for payment of the indebtedness so validated by certifying the amount thereof in the manner prescribed in RCW 28A.52.070: PROVIDED, Such enlarged district may pay a part, or all, of such validating indebtedness from any funds available or by issuing bonds therefor when such enlarged district has taken over property of any district and in making such adjustment and apportionment as provided in chapter 28A.57 RCW, the value of the property received shall be found to exceed the total indebtedness of the district annexed to the extent of such value over the total indebtedness of the district annexed.

Chapter 28A.56

CAPITAL FUND AID BY NONHIGH DISTRICTS

NEW SECTION. Sec. 28A.56.005 HIGH SCHOOL FACILITIES DEFERRED.

High school facilities shall mean buildings for occupancy by grades nine through twelve and equipment and furniture for such buildings and shall include major alteration or major remodeling of buildings and the acquisition of new sites and of additions to existing sites, and improvement of sites but only when included as a part of a general plan for the construction, equipping and furnishing of a building or of an alteration or addition to a building. The term shall also (1) include that portion of any building, alteration, equipment, furniture, site and improvement of site allocated to grade nine when included in a plan for facilities to be occupied by grades seven through nine and (2) includes such facilities for grades seven and eight when included in a plan as aforesaid, if the county committee finds that students of these grades who reside in any non-high school districts involved are now attending school in the high school district involved under an arrangement which likely will be continued.

NEW SECTION. Sec. 28A.56.010 PLAN FOR NONHIGH DISTRICT TO PROVIDE CAPITAL FUNDS IN AID OF HIGH SCHOOL DISTRICT. Upon receipt of a written request from the board of directors of a high school district or a non-high school district that presents to the county committee on school district organization satisfactory evidence of a need for high school facilities to be located therein and of ability to provide such facilities, the county committee shall prepare a plan for participation by any non-high school district or districts in providing capital funds to pay the cost of such school facilities and equipment to be provided for the education of students residing in the school districts. Prior to submission of the aforesaid request the board of directors of the school district concerned therewith shall determine the nature and extent of the high school facilities proposed to be provided, the approximate amount of local capital funds required to pay the cost thereof, and the site or sites upon which the proposed facilities are to be located, and shall submit a report thereon to the county committee along with the aforesaid request.

NEW SECTION. Sec. 28A.56.020 FACTORS TO BE CONSIDERED IN PREPARATION OF PLAN. The said county committee shall give consideration to:

- (1) The report submitted by the board of directors as stated above;

(2) The exclusion from the plan of nonhigh school districts because of remoteness or isolation or because they are so situated with respect to location, present and/or clearly foreseeable future population, and other pertinent factors as to warrant the establishment of a high school therein within a period of two years or the inclusion of their territory in some other nonhigh school district within which the establishment of a high school within a period of two years is warranted;

(3) The assessed valuation of the school districts involved;

(4) The cash balance, if any, in the building fund of the district submitting the request which is designated for high school building construction purposes, together with the sources of such balance; and

(5) Any other factors found by the committee to have a bearing on the preparation of an equitable plan.

NEW SECTION. Sec. 28A.56.030 PUBLIC HEARING--NOTICE. The said county committee shall also hold a public hearing or hearings on any proposed plan: PROVIDED, That three members of the committee or two members of the committee and the county or intermediate district superintendent may be designated by the committee to hold such public hearing or hearings and to submit a report thereof to the county committee. The county committee shall cause to be posted, at least ten days prior to the date appointed for any such hearing, a written or printed notice thereof in at least three prominent and public places in the school districts involved and at the place of hearing.

NEW SECTION. Sec. 28A.56.040 REVIEW BY STATE BOARD--APPROVAL--REVISED PLAN. Subsequent to the holding of a hearing or hearings as aforesaid, the county committee shall determine the nonhigh school districts to be included in the plan and the amount of capital funds to be provided by every district included therein, and shall submit the proposed plan to the state board of education together with such maps and other materials pertaining thereto as the state board may require. The state board shall review such plan, shall approve any plan which in its judgment makes adequate and satisfactory provision for participation by the nonhigh school districts in providing capital funds to be used for the purpose above

stated, and shall notify the county committee of such action. Upon receipt by the county committee of such notification, the county or intermediate district superintendent shall notify the board of directors of each school district included in the plan, supplying each board with complete details of the plan and shall state the total amount of funds to be provided and the amount to be provided by each district.

If any such plan submitted by a county committee is not approved by the state board, the county committee shall be so notified, which notification shall contain a statement of reasons therefor and suggestions for revision. Within sixty days thereafter the county committee shall submit to the state board a revised plan which revision shall be subject to the procedural requirements and provisions of law applicable to an original plan submitted to said board.

NEW SECTION. Sec. 28A.56.050 BOND, EXCESS LEVY, ELECTIONS--USE OF PROCEEDS. Within sixty days after receipt of the notice of approval from the county or intermediate district superintendent, the board of directors of each school district included in the plan shall submit to the voters thereof a proposal or proposals for providing, through the issuance of bonds and/or the authorization of an excess tax levy, the amount of capital funds that the district is required to provide under the plan. The proceeds of any such bond issue and/or excess tax levy shall be credited to the building fund of the school district in which the proposed high school facilities are to be located and shall be expended to pay the cost of high school facilities for the education of such students residing in the school districts as are included in the plan and not otherwise.

NEW SECTION. Sec. 28A.56.060 REJECTION BY VOTERS OF NONHIGH DISTRICTS--ADDITIONAL ELECTIONS--REVISED PLAN--ANNEXATION PROPOSAL. In the event that a proposal or proposals for providing capital funds as provided in RCW 28A.56.050 is not approved by the voters of a nonhigh school district a second election thereon shall be held within sixty days thereafter. If the vote of the electors of the nonhigh school district is again in the negative, the high school students _____

residing therein shall not be entitled to admission to the high school under the provisions of RCW 28A.58.230, following the close of the school year during which the second election is held: PROVIDED, That in any such case the county committee shall determine within thirty days after the date of the aforesaid election the advisability of initiating a proposal for annexation of such nonhigh school district to the school district in which the proposed facilities are to be located or to some other district where its students can attend high school without undue inconvenience: PROVIDED FURTHER, That pending such determination by the county committee and action thereon as required by law the board of directors of the high school district shall continue to admit high school students residing in the nonhigh school district. Any proposal for annexation of a nonhigh school district initiated by a county committee shall be subject to the procedural requirements of this chapter respecting a public hearing and submission to and approval by the state board of education. Upon approval by the state board of any such proposal, the county or intermediate district superintendent shall make an order, establishing the annexation.

NEW SECTION. Sec. 28A.56.070 FAILURE OF NONHIGH DISTRICTS TO SUBMIT PROPOSAL TO VOTE WITHIN TIME LIMITS--ANNEXATION PROCEDURE. In case of failure or refusal by a board of directors of a nonhigh school district to submit a proposal or proposals to a vote of the electors within the time limit specified in RCW 28A.56.050 and 28A.56.060, the county committee may initiate a proposal for annexation of such nonhigh school district as provided for in RCW 28A.56.060.

NEW SECTION. Sec. 28A.56.075 NONHIGH DISTRICTS, TIME OF LEVY AND ISSUANCE OF BONDS. If the voters of a nonhigh school district approve an excess tax levy, the levy shall be made at the earliest time permitted by law. If the voters of a nonhigh school district approve the issuance of bonds, the board of directors of the nonhigh school district shall issue and sell said bonds within ninety days after receiving a copy of a resolution of the board of directors of

the high school district that the high school district is ready to proceed with the construction of the high school facilities provided for in the plan and requesting the sale of the bonds.

NEW SECTION. Sec. 28A.56.170 VALIDATION OF PROCEEDINGS UNDER 1955 ACT, WHEN. All proceedings had and taken under chapter 344, Laws of 1955, shall be valid and binding although not in compliance with that act if said proceedings comply with the requirements of this chapter.

Chapter 28A.57

ORGANIZATION AND REORGANIZATION OF SCHOOL DISTRICTS

NEW SECTION. Sec. 28A.57.010 PURPOSE. It is the intent and purpose of this chapter (1) to incorporate into a single, permanent, school district organization law all essential provisions governing the formation and establishment of new school districts, the alteration of the boundaries of existing districts, and the adjustment of the assets and liabilities of school districts when changes are made as aforesaid; and (2) to establish methods and procedures whereby the aforesaid changes in the school district system may be brought about by the people concerned and affected, all to the end that the territorial organization of school districts may be more readily adapted to the needs of the changing economic pattern and educational program in the state; that existing disparities among school districts in ability to provide current and capital outlay funds may be reduced and the educational opportunities of children thereby enhanced; and that a wiser use of public funds may be secured through improvement in the school district system. It is not the intent nor purpose of this chapter to apply to organizational changes and the procedure therefor relating to capital fund aid by nonhigh districts as provided for in chapter 28A.56 RCW.

NEW SECTION. Sec. 28A.57.020 DEFINITIONS. As used in this chapter:

(1) "Change in the organization and extent of school districts" means the formation and establishment of new school districts,

the dissolution of existing school districts, the alteration of the boundaries of existing school districts, or all of them.

(2) "County committee" means the county committee on school district organization created by this chapter.

(3) "State board" means the state board of education.

(4) "School district" means the territory under the jurisdiction of a single governing board designated and referred to as the board of directors.

(5) "County or intermediate district superintendent" means the county superintendent of schools as provided for in RCW 28A.19-.010 or the intermediate district superintendent as provided for in RCW 28A.19.350, as the case may be. When a county has property both within and without an intermediate district or districts, the state board of education shall determine whether the county superintendent or an intermediate district superintendent shall carry out the functions assigned to the county or intermediate district superintendent under this chapter and be secretary to the county committee as provided for in RCW 28A.57.040, said appointee to serve at the pleasure of the state board.

NEW SECTION. Sec. 28A.57.030 COUNTY COMMITTEES. CREATED.
There is hereby created in each county a committee which shall be known as the county committee on school district organization, which committee shall be composed of not less than five nor more than nine registered voters of the county, the number in each county to be determined by the persons in RCW 28A.57.032 charged with the duty of electing the members of the committee.

NEW SECTION. Sec. 28A.57.031 -----MEMBERSHIP LIMITATION.
Neither the county or intermediate district superintendent nor an employee of a school district shall be a member of the county committee.

NEW SECTION. Sec. 28A.57.032 -----ELECTION OF MEMBERS--
REPRESENTATION QUALIFICATIONS--MEMBERSHIP SERVICE DISABILITY. The members of the county committee shall be elected by the county or

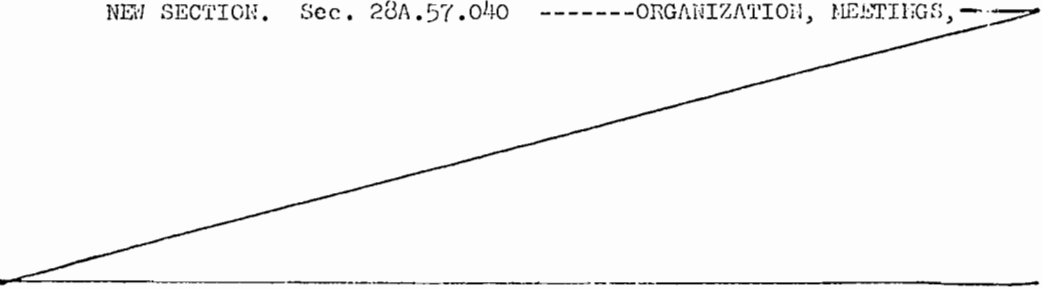
intermediate district superintendent and the members of the board of directors of the school districts of the county at a meeting which the county or intermediate district superintendent shall call for that and any additional purpose. At least one member of the county committee shall be elected from among the registered voters of each county commissioner's district in the county; and, as nearly as possible, an equal number of members shall be elected from among the registered voters of each class of school district (first, second, or third class) in the county. No member of a county committee shall continue to serve thereon if he ceases to be a registered voter of the county or if he is absent from three consecutive meetings of the committee without an excuse acceptable to the committee.

NEW SECTION. Sec. 28A.57.033 -----VACANCIES, FILLING OF. Vacancies in the membership of the county committee shall be filled by the persons charged with the duty of electing the members of the committee under RCW 28A.57.032: PROVIDED, That the committee may fill vacancies in its membership pending the calling of a meeting of said persons for this purpose by the county or intermediate district superintendent.

NEW SECTION. Sec. 28A.57.034 -----TERMS OF MEMBERS. The terms of members of the county committee shall be for five years and until their successors are elected. As nearly as possible one-fifth of the members shall be elected annually.

NEW SECTION. Sec. 28A.57.035 -----MEMBERS' EXPENSES REIMBURSED. Members of the county committee shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties, including the cost of travel, incident to the performance of their duties.

NEW SECTION. Sec. 28A.57.040 -----ORGANIZATION, MEETINGS,



QUORUM, OF COUNTY COMMITTEE. The county committee shall organize by electing from its membership a chairman and a vice chairman. The county or intermediate district superintendent shall be the secretary of the committee. Meetings of the committee shall be held upon call of the chairman or of a majority of the members thereof. A majority of the committee shall constitute a quorum.

NEW SECTION. Sec. 28A.57.050 -----POWERS AND DUTIES OF COUNTY COMMITTEE. The powers and duties of the county committee shall be:

(1) To initiate, on its own motion and whenever it deems such action advisable, proposals or alternate proposals for changes in the organization and extent of school districts in the county; to receive, consider, and revise, whenever in its judgment revision is advisable, proposals initiated by petition or presented to the committee by the county or intermediate district superintendent as provided for in this chapter; to prepare and submit to the state board any of the aforesaid proposals that are found by the county committee to provide for satisfactory improvement in the school district system of the county and state; to prepare and submit with the aforesaid proposals, a map showing the boundaries of existing districts affected by any proposed change and the boundaries, including a description thereof, of each proposed new district or of each existing district as enlarged or diminished by any proposed change, or both, and a summary of the reasons for the proposed change; and such other reports, records, and materials as the state board may request. The committee may utilize as a basis of its proposals and changes that comprehensive plan for changes in the organization and extent of the school districts of the county prepared and submitted to the state board prior to September 1, 1956, or, if the county committee found, after considering the factors listed in RCW 28A.57.055, that no changes in the school district organization of the county were needed, the report to this effect submitted to the state board.

(2) (a) To make an equitable adjustment of the property and

other assets and of the liabilities, including bonded indebtedness, as to the old school districts and the new district or districts, if any, involved in or affected by a proposed change in the organization and extent of the school districts; and (b) to make an equitable adjudgment of the bonded indebtedness outstanding against any of the aforesaid districts whenever in its judgment such adjustment is advisable, as to all of the school districts involved in or affected by any change heretofore or hereafter effected; and (c) to submit to the state board the proposed terms of adjustment and a statement of the reasons therefor in each case. In making the adjustments herein provided for, the county committee shall consider the number of children of school age resident in and the assessed valuation of the property located in each district and in each part of a district involved or affected; the purpose for which the bonded indebtedness of any district was incurred; the value, location, and disposition of all improvements located in the districts involved or affected; and any other matters which in the judgment of the committee are of importance or essential to the making of an equitable adjustment.

(3) To hold and keep a record of a public hearing or public hearings (a) on every proposal for the formation of a new district or for the transfer from one existing district to another of any territory in which children of school age reside or for annexation of territory when the conditions set forth in RCW 28A.57.190 prevail; and (b) on every proposal for adjustment of the assets and of the liabilities of school districts provided for in this chapter. Three members of the county committee or two members of the committee and the county or intermediate district superintendent may be designated by the committee to hold any public hearing that the committee is required to hold. The county committee shall cause to be posted, at least ten days prior to the date appointed for any such hearing, a written or printed notice thereof (a) in at least three public places in the territory of each proposed new district or of each established district when such district is involved in a question of adjustment

of bonded indebtedness, (b) in at least one public place in territory proposed to be transferred or annexed to an existing school district, (c) on a commonly-used schoolhouse door of each district involved in or affected by any proposed change or adjustment upon which a public hearing is required; and (d) at the place or places of holding the hearing. In addition notice may be given by newspaper, radio, and television, or either thereof, when in the committee's judgment the public interest will be served thereby.

(4) To divide into five school directors' districts all first and second class school districts now in existence and not heretofore so divided and all first and second class school districts hereafter established: PROVIDED, That no first or second class school district not heretofore so divided and no first or second class school district hereafter created containing a city with a population in excess of seven thousand according to the latest population certificate filed with the secretary of state by the planning and community affairs agency shall be divided into director's districts unless a majority of the registered voters voting thereon at an election shall approve a proposition authorizing the division of the district into directors' districts: AND PROVIDED FURTHER, That nothing in this chapter shall authorize the division of any new or existing third class school district into school directors' districts. The boundaries of each directors' district shall be so established that each such district shall comprise as nearly as practicable an equal portion of the population of the school district.

(5) To rearrange at any time the committee deems such action advisable in order to correct inequalities caused by changes in population and changes in school district boundaries, the boundaries of any of the directors' districts of any school district heretofore or hereafter so divided: PROVIDED, That a petition therefor, shall be required for rearrangement in order to correct inequalities caused by changes in population. Said petition shall be signed by at least ten registered voters residing in the aforesaid school district, and

shall be presented to the county or intermediate district superintendent. A public hearing thereon shall be held by the county committee, which hearing shall be called and conducted in the manner prescribed in subsection (3) of this section, except that notice thereof shall be posted in some public place in each directors' district of the school district and on a commonly-used schoolhouse door of the district and at the place of holding the hearing. In addition notice may be given by newspaper, radio, and television, or either thereof, when in the committee's judgment the public interest will be served thereby.

(6) To prepare and submit to the superintendent of public instruction from time to time or, upon his request, reports and recommendations respecting the urgency of need for school plant facilities, the kind and extent of the facilities required, and the development of improved local school administrative units and attendance areas in the case of school districts that seek state assistance in providing school plant facilities.

NEW SECTION. Sec. 28A.57.055 -----COMMITTEE CONSIDERATION IN IMPLEMENTING RCW 28A.57.050. The county committee, in carrying out the purposes of RCW 28A.57.050, shall give due consideration in the preparation of plans and terms of adjustment as provided for therein (a) to equalization of the educational opportunities of pupils and to economies in the administration and operation of schools through the formation of larger units of administration and areas of attendance; (b) to equalization among school districts of the tax burden for general fund and capital purposes through a reduction in disparities in per-pupil valuation; (c) to geographical and other features, including, but not limited to such physical characteristics as mountains, lakes and rivers, waste land, climatic conditions, highways, and means of transportation; (d) to the convenience and welfare of pupils, including but not limited to remoteness or isolation of their places of residence and time required to travel to and from school; (e) to improvement of the educational opportunities of

pupils through improvement and extension of school programs and through better instruction facilities, equipment, materials, libraries, and health and other services; (f) to equalization of the burden of financing the cost of high school facilities through extension of the boundaries of high school districts to include within each such district all of the territory served by the high school located therein: PROVIDED, That a nonhigh school district may be excluded from a plan if such district is found by the county committee and the state board to be so situated with respect to location, present and clearly foreseeable future population, and other pertinent factors as to warrant the establishment and operation of a high school therein or the inclusion of its territory in a new district formed for the purpose of establishing and operating a high school; (g) to the future effective utilization of existing satisfactory school buildings, sites, and playfields; the adequacy of such facilities located in the proposed new district; and additional facilities required if such proposed district is formed; and (h) to any other matters which in the judgment of the committee are related to or may operate to further equalization and improvement of school facilities and services, economies in operating and capital fund expenditures, and equalization among school districts of tax rates for school purposes.

NEW SECTION. Sec. 28A.57.060 POWERS AND DUTIES OF STATE BOARD, GENERALLY. The powers and duties of the state board with respect to this chapter shall be:

(1) To aid county committees in the performance of their duties by furnishing them with plans of procedure, standards, data, maps, forms, and other necessary materials and services essential to a study and understanding of the problems of school district organization in the county.

(2) To receive, file, and examine the proposals and the maps, reports, records, and other materials relating thereto submitted by county committees and to approve such proposals and so notify the

county committces when said proposals are found to provide for satisfactory improvement in the school district system of the counties and the state and for an equitable adjustment of the assets and liabilities of the districts involved or affected: PROVIDED, That whenever such proposals are found by the state board to be unsatisfactory or inequitable, the board shall so notify the county committee and, upon request, assist the committee in making revisions which revisions shall be resubmitted within sixty days after such notification.

NEW SECTION. Sec. 28A.57.070 ACTION UPON BOARD'S REPORT.

Upon receipt by the county committee of such notice from the state board as is required in RCW 28A.57.060(2), the county or intermediate district superintendent shall make an order establishing all approved changes involving the alteration of the boundaries of an established school district or districts and all approved terms of adjustment of assets and liabilities involving an established district or districts the boundaries of which have been or are hereafter altered in the manner provided by law, and shall certify his action to each county auditor for the board of county commissioners, each county treasurer, each county assessor and the superintendents of all school districts affected by such action. Upon receipt of such certification the superintendent of each school district which is annexed to another district by the action shall deliver to the superintendent of the school district to which annexed all books, papers, documents, records, and other materials pertaining to his office.

NEW SECTION. Sec. 28A.57.075 ADJUSTMENT OF BONDED INDEBTEDNESS--SPECIAL ELECTION IN CERTAIN CASES. Whenever adjustments of bonded indebtedness are made between or among school districts in connection with the alteration of the boundaries thereof, pursuant to the provisions of this chapter, the order of the county or intermediate district superintendent establishing the terms of adjustment of bonded indebtedness shall provide and specify:

(1) In every case where bonded indebtedness is transferred from one school district to another school district (a) that such

bonded indebtedness is assumed by the school district to which it is transferred; (b) that thereafter such bonded indebtedness shall be the obligation of the school district to which it is transferred; (c) that, if the terms of adjustment so provide, any bonded indebtedness thereafter incurred by such transferee school district through the sale of bonds authorized prior to the date its boundaries were altered shall be the obligation of such school district including the territory added thereto; and (d) that taxes shall be levied thereafter against the taxable property located within such school district as it is constituted after its boundaries were altered, said taxes to be levied at the times and in the amounts required to pay the principal of and the interest on the bonded indebtedness assumed or incurred as aforesaid, as the same become due and payable.

In computing the debt limitation of any school district from which or to which bonded indebtedness has been transferred, the amount of such transferred bonded indebtedness at any time outstanding (a) shall be an offset against and deducted from the total bonded indebtedness, if any, of the school district from which such bonded indebtedness was transferred and (b) shall be deemed to be bonded indebtedness solely of the transferee school district that assumed such indebtedness.

(2) In every case where adjustments of bonded indebtedness do not provide for transfer of bonded indebtedness from one school district to another school district (a) that the existing bonded indebtedness of each school district the boundaries of which are altered and any bonded indebtedness incurred by each such school district through the sale of bonds authorized prior to the date its boundaries were altered shall be the obligation of the school district in its reduced or enlarged form, as the case may be; and (b) that taxes shall be levied thereafter against the taxable property located within each such school district in its reduced or enlarged form, as the case may be, at the times and in the amounts required to pay the principal of and interest on such bonded indebtedness as the same

become due and payable.

In case the aforesaid approval by the state board concerns a proposal to form a new school district or a proposal for adjustment of bonded indebtedness involving an established school district and one or more former school districts now included therein pursuant to a vote of the people concerned, a special election of the voters residing within the territory of the proposed new district or of the established district involved in a proposal for adjustment of bonded indebtedness as the case may be shall be held for the purpose of affording said voters an opportunity to approve or reject such proposals as concern or affect them.

In a case involving both the question of the formation of a new district and the question of adjustment of bonded indebtedness, the questions may be submitted to the voters either in the form of a single proposition or as separate propositions, whichever to the county committee seems expedient. When the county committee has passed appropriate resolutions for the questions to be submitted and the county or intermediate district superintendent has given notice thereof to the county auditor such special election shall be called, conducted, and the returns canvassed as in regular school district elections.

NEW SECTION. Sec. 28A.57.080 NOTICE OF ELECTION--CONTENTS--
POSTING. Notice of such special elections as provided for in RCW 28A.57.075 shall be given by the county auditor as in RCW 29.27.080 provided, and in addition thereto the county or intermediate district superintendent shall cause to be posted (1) in at least three public places in the territory of a proposed new district or of an established district involved in a proposal for adjustment of bonded indebtedness, and (2) on a commonly-used schoolhouse door of each district included in the proposed new district, and (3) in some public place in the territory of each part of a district included in the proposed new district, and (4) at the place or places of holding the election, a statement encompassing the contents of the notice. The

notice of election shall state the purpose for which the election has been called and shall contain a description of the boundaries of the proposed new district and a statement of any terms of adjustment of bonded indebtedness to be voted on.

NEW SECTION. Sec. 28A.57.090 VOTE, HOW DETERMINED--SUPERINTENDENT'S ORDER--CERTIFICATION--EFFECTIVE DATE. Whenever a special election is held to vote on a proposal or alternate proposals to form a new school district, the votes cast by the registered voters in each component district shall be tabulated separately and any such proposition shall be considered approved only if it receives a majority of the votes cast in each separate district voting thereon. Whenever a special election is held to vote on a proposal for adjustment of bonded indebtedness the entire vote cast by the registered voters of the proposed new district or of the established district as the case may be shall be tabulated and any such proposition shall be considered approved if a majority of sixty percent of all votes cast thereon is in the affirmative.

In the event of approval of a proposition or propositions voted on at a special election, the county or intermediate district superintendent shall: (1) Make an order establishing such new district or such terms of adjustment of bonded indebtedness or both, as were approved by the registered voters and shall also order effected such other terms of adjustment, if there be any, of property and other assets and of liabilities other than bonded indebtedness as have been approved by the state board; and (2) certify his action to the county and school district officials specified in RCW 28A.57.070. He may designate, with the approval of the new district, a name and number different from that of any component thereof but must designate the new district by name and number different from any other district in existence in the county.

The county or intermediate district superintendent, if he deems such action advisable, may fix, as the effective date of any order or orders he is required by this chapter to make, the first day

of July next succeeding the date of final approval of any change in the organization and extent of school districts or of any terms of adjustment of the assets and liabilities of school districts.

Upon receipt of the aforesaid certification, the superintendent of each school district which is included in the new district shall deliver to the superintendent of the new school district all books, papers, documents, records and other materials pertaining to his office.

NEW SECTION. Sec. 28A.57.100 PROCEDURE UPON REJECTION OF PROPOSAL. If a proposal for the formation of a new school district and for adjustment of bonded indebtedness, or either, is rejected by the registered voters at a special election, the county committee may make such revisions therein as it deems advisable and submit the revised proposal or proposals to the state board. Thereafter such revised proposal or proposals shall be subject to the provisions and procedural requirements of this chapter applicable to original proposals submitted to said board.

NEW SECTION. Sec. 28A.57.110 PERSONNEL AND SUPPLIES TO BE FURNISHED BY STATE SUPERINTENDENT--EXPENSES REIMBURSED. The superintendent of public instruction shall furnish to the state board and to county committees the services of employed personnel and the materials and supplies necessary to enable them to perform the duties imposed upon them by this chapter and shall reimburse the members thereof for expenses necessarily incurred by them in the performance of their duties, such reimbursement for county committee members to be in accordance with RCW 28A.57.035, as now or hereafter amended, and such reimbursement for state board members to be in accordance with allowances for members of the legislature under RCW 44.04.120, as now or hereafter amended.

NEW SECTION. Sec. 28A.57.120 APPEAL. An appeal may be taken, as provided for in RCW 28A.88.010 and 28A.88.020, to the superior court of the county in which a school district or any part thereof is situated on any question of adjustment of property and other

assets and of liabilities provided for in this chapter. If the court finds the terms of the adjustment in question not equitable, the court shall make an adjustment that is equitable.

NEW SECTION. Sec. 28A.57.130 ORGANIZATION OF SCHOOL DISTRICTS. A school district shall be organized in form and manner as hereinafter in this chapter provided, and shall be known as (insert here the name of the district) School District No., county, state of Washington: PROVIDED, That all school districts now existing as shown by the records of the county or intermediate district superintendent are hereby recognized as legally organized districts.

NEW SECTION. Sec. 28A.57.140 CLASSES OF DISTRICTS--CHANGE OF CLASSIFICATION. Any school district in the state having a population in excess of ten thousand, as shown by any regular or special census or by any other evidence acceptable to the county or intermediate district superintendent, shall be a school district of the first class. Any other school district maintaining a fully accredited high school or containing a city of the third class or of the fourth class or an area of one square mile having a population of at least three hundred shall be a school district of the second class. All other school districts shall be school districts of the third class.

Whenever the county or intermediate district superintendent finds that the classification of a school district should be changed, he shall make an order in conformity with his findings and alter the records of his office accordingly. Thereafter the board of directors of the district shall organize in the manner provided by law for the organization of the board of a district of the class to which said district then belongs.

NEW SECTION. Sec. 28A.57.150 CITY OR TOWN DISTRICTS. Each incorporated city or town in the state shall be comprised in one school district: PROVIDED, That nothing in this section shall be construed: (1) To prevent the extension of the boundaries of a school district beyond the limits of the city or town contained therein, or

(2) to prevent the inclusion of two or more incorporated cities or towns in a single school district, or (3) to change or disturb the boundaries of any school district organized prior to the incorporation of any city or town, except as hereafter in this section provided.

In case all or any part of a school district that operates a school or schools on one site only or operates elementary schools only on two or more sites is included in an incorporated city or town through the extension of the limits of such city or town in the manner provided by law, the county or intermediate district superintendent shall: (1) Declare the territory so included to be a part of the school district containing the city or town and (2) whenever a part of a district so included contains a school building of the district, present to the county committee a proposal for the disposition of any part or all of the remaining territory of the district.

In case of the extension of the limits of a town to include territory lying in a school district that operates on more than one site one or more elementary schools and one or more junior high schools or high schools, the county committee shall, in its discretion, prepare a proposal or proposals for annexation to the school district in which the town is located any part or all of the territory aforesaid which has been included in the town and for annexation to the school district in which the town is located or to some other school district or districts any part or all of the remaining territory of the school district affected by extension of the limits of the town: PROVIDED, That where no school or school site is located within the territory annexed to the town and not less than seventy-five percent of the registered voters residing within the annexed territory present a petition in writing for annexation and transfer of said territory to the school district in which the town is located, the county or intermediate district superintendent shall declare the territory so included to be a part of the school district containing said town: PROVIDED FURTHER, That territory approved for

annexation to a city or town by vote of the electors residing therein prior to January 12, 1953, shall not be subject to the provisions herein respecting annexation to a school district or school districts: AND PROVIDED FURTHER, That the provisions and procedural requirements of this chapter as now or hereafter amended not in conflict with or inconsistent with the provisions hereinabove in this section stated shall apply in the case of any proposal or proposals (1) for the alteration of the boundaries of school districts through and by means of annexation of territory as aforesaid, and (2) for the adjustment of the assets and liabilities of the school districts involved or affected thereby.

In case of the incorporation of a city or town containing territory lying in two or more school districts or of the uniting of two or more cities or towns not located in the same school district, the county or intermediate district superintendent, except where the incorporation or consolidation would affect a district or districts of the first class, shall: (1) Order and declare to be established in each such case a single school district comprising all of the school districts involved, and (2) designate each such district by name and by a number different from that of any other district in existence in the county.

The county or intermediate district superintendent, if he deems such action advisable, may fix as the effective date of any declaration or order required under this section the first day of July next succeeding the date of the issuance of such declaration or order.

NEW SECTION. Sec. 28A.57.160 REORGANIZATION OF DISTRICTS BY TRANSFER OF TERRITORY OR ANNEXATION. A new school district may be formed comprising contiguous territory lying in either a single county or in two or more counties. Such new district may comprise two or more whole school districts and/or a part of one or more school districts and/or territory which is not a part of any school district. The boundaries of existing school districts may be altered (1) by

the transfer of territory from one district to another district, or (2) by the annexation to a district of a part or all of one or more other districts or of territory which is not a part of any school district: PROVIDED, That such territory shall be contiguous to the district to which it is transferred or annexed. Territory may be transferred or annexed to an existing school district without regard to county boundaries.

NEW SECTION. Sec. 23A.57.170 PETITION FOR REORGANIZATION. For the purpose of forming a new school district, a petition in writing may be presented to the county or intermediate district superintendent, as secretary of the county committee, signed either by ten registered voters or by a majority of the registered voters residing (1) in each whole district and in each part of a district proposed to be included in any single new district, or (2) in the territory of a proposed new district which comprises a part only of one or more districts. The petition shall state the name and number of each district involved in or affected by the proposal to form the new district and shall describe the boundaries of the proposed new district.

NEW SECTION. Sec. 23A.57.180 TRANSFER OF TERRITORY--BY PETITION--BY SUPERINTENDENT, LIMITATION, WHEN ELECTION REQUIRED. For the purpose of transferring territory from one school district to another district, a petition in writing may be presented to the county or intermediate district superintendent, as secretary of the county committee, signed by a majority of the registered voters residing in the territory proposed to be transferred, or by the board of directors of one of the districts affected by a proposed transfer of territory if there is no registered voter resident in the territory, which petition shall state the name and number of each district affected, describe the boundaries of the territory proposed to be transferred, and state the reasons for desiring the change and the number of children of school age, if any, residing in the territory: PROVIDED, That the county or intermediate district superintendent, without being petitioned to do so, may present to the county committee a proposal for the transfer from one school district to another of any territory in which no children of school age reside: PROVIDED FURTHER, That the county or intermediate district superintendent shall not execute any transfer of

territory pursuant to the provisions of this section which involves ten percent or more of the common school student population of the entire district from which such transfer is proposed, unless he has first called and held a special election of the voters of the entire school district from which such transfer of territory is proposed for the purpose of affording said voters an opportunity to approve or reject such proposed transfer, and has obtained approval of the proposed transfer by a majority of those registered voters voting in said election; and if such proposed transfer is disapproved, the state board of education shall determine whether or not said district is meeting or capable of meeting minimum standards of education as set up by the state board. If the board decides in the negative, the superintendent of public instruction may thereupon withhold from such district, in whole or in part, state contributed funds.

NEW SECTION. Sec. 23A.57.190 ANNEXATION OF DISTRICT BOUNDED ON THREE SIDES BY HIGH SCHOOL DISTRICT. Whenever all or any part of a school district in which no accredited high school is maintained is bounded on three or more sides by a school district in which an accredited high school is situated and maintained, or by a school district in which a high school with a program approved by the state board of education is situated and maintained, the county or intermediate district superintendent shall report said fact to the county committee, which committee shall consider the question of the annexation to the aforesaid high school district of the territory or district so bounded.

NEW SECTION. Sec. 23A.57.200 DISSOLUTION AND ANNEXATION OF UNRELATED DISTRICTS--ANNEXATION OF NONDISTRICT PROPERTY. In case a school district shall have an average enrollment of fewer than five pupils or shall not have maintained, during the preceding school

year at least the minimum term of school required by law, the county or intermediate district superintendent shall report said fact to the county committee, which committee shall give consideration to the question of the dissolution of the school district and the annexation of the territory thereof to some other district or districts. In case any territory is not a part of any school district, the county or intermediate district superintendent shall present to the county committee a proposal for the annexation of said territory to some contiguous district or districts.

NEW SECTION. Sec. 28A.57.210 ADJUSTMENT OF INDEBTEDNESS--BASIS. The fact of the issuance of bonds by a school district, heretofore or hereafter, shall not prevent changes in the organization and extent of school districts, regardless of whether or not such bonds or any part thereof are outstanding at the time of change. In case of any change (1) the bonded indebtedness outstanding against any school district involved in or affected by such change shall be adjusted equitably among the old school districts and the new district or districts, if any, involved or affected; and (2) the property and other assets and the liabilities other than bonded indebtedness of any school district involved in or affected by any such change shall also be adjusted in the manner and to the effect hereinbefore in this section provided for, except when all the territory of an old school district is included in a single new district or is annexed to a single existing district, in which event the title to the property and other assets and the liabilities other than bonded indebtedness of such old district shall vest in and become the assets and liabilities of the new district or of the existing district as the case may be.

NEW SECTION. Sec. 28A.57.220 CORPORATE EXISTENCE RETAINED TO PAY BONDED INDEBTEDNESS--TAX LEVIES--JOINT SCHOOL DISTRICTS. Each school district involved in or affected by any change heretofore or hereafter made in the organization and extent of school districts shall retain its corporate existence insofar as is necessary for the

purpose until the bonded indebtedness outstanding against it on and after the effective date of said change has been paid in full: PROVIDED, That nothing in this section shall be so construed as to prevent, after the aforesaid effective date, such adjustments of bonded indebtedness as are provided for in this chapter. The county commissioners shall have the power and it shall be their duty to provide by appropriate levies on the taxable property of each school district for the payment of the bonded indebtedness outstanding against it after any of the aforesaid changes and/or adjustments have been effected. In case any such changes or adjustments involve a joint school district, the tax levy for the payment of any bonded indebtedness outstanding against such joint district after said changes or adjustments are effected shall be made and the proceeds thereof shall be transmitted, credited, and paid out in conformity with the provisions of law applicable to the payment of the bonded indebtedness of joint school districts heretofore established.

NEW SECTION. Sec. 28A.57.230 JOINT SCHOOL DISTRICTS. DEFINED --DESIGNATION. Any school district composed of territory lying in more than one county shall be known as a joint school district, and shall be designated by a separate number for each county in which any part of its territory may lie.

NEW SECTION. Sec. 28A.57.240 -----CHANGE OR ADJUSTMENT OF JOINT DISTRICTS--PROCEDURE GENERALLY. The duties in this chapter imposed upon and required to be performed by a county committee and by a county or intermediate district superintendent in connection with a change in the organization and extent of school districts and/or with the adjustment of the assets and liabilities of school districts and with all matters related to such change or adjustment whenever territory lying in a single county is involved shall be performed jointly by the county committees and by the superintendents of the several counties or districts as required whenever territory lying in more than one county is involved: PROVIDED, That a county committee may designate three of its members, or two of its members

and the county or intermediate district superintendent, as a subcommittee to serve in lieu of the whole committee, but action by a subcommittee shall not be binding unless approved by the whole committee of the county. Proposals for changes in the organization and extent of school districts and proposed terms of adjustment of assets and liabilities thus prepared and approved shall be submitted to the state board (1) by the county committee of the county in which is situated the high school of the proposed new district or of the established district proposed to be enlarged, or (2) in case no high school district is involved in the proposed change, by the county committee of the county in which the schoolhouse of the district is situated, or (3) if there be no schoolhouse in the district or more than one schoolhouse, by the county committee of the county in which is located the part of the district having the largest number of children of school age residing therein.

NEW SECTION. Sec. 28A.57.245 -----CHANGE OR ADJUSTMENT OF JOINT DISTRICTS--PROCEDURE WHEN ONE COMMITTEE DOES NOT APPROVE, OR FAILS TO ACT--TEMPORARY COMMITTEE. Whenever a change in the organization and extent of school districts or an adjustment of the assets and liabilities of school districts, or both, or any other matters related to such change or adjustment involve a joint district, and a majority of the county committee of either county approve a proposal but the proposal is not approved by the other county committee or said committee fails or refuses to act upon the proposal within sixty days of its receipt, the county committee approving the proposal shall certify the proposal and its approval to the state superintendent of public instruction. Upon receipt of a properly certified proposal, the state superintendent of public instruction shall appoint a temporary committee on joint school district organization composed of five persons. The members of the committee shall be selected from the membership of any county committee in this state except that no member shall be appointed from any county in which part of the joint district is situated. Said committee shall meet at the call of the

state superintendent of public instruction and organize by electing a chairman and secretary. Thereupon, this temporary committee on joint school district organization shall have jurisdiction of the proposal and shall treat the same as a proposal initiated on its own motion. Said committee shall have the powers and duties imposed upon and required to be performed by a county committee under the provisions of this chapter and the secretary of the committee shall have the powers and duties imposed upon and required to be performed by the county or intermediate district superintendents under the provisions of this chapter. It shall be the duty of the county or intermediate district superintendents of the counties in which the joint district is situated to assist the temporary committee on joint school district organization by supplying said committee with information from the records and files of their offices and with a proper and suitable place for holding meetings.

NEW SECTION. Sec. 28A.57.250 -----ADMINISTRATION--COUNTY TO WHICH JOINT SCHOOL DISTRICT CONSIDERED AS BELONGING TO. For all purposes essential to the maintenance, operation, and administration of the schools of a district, including the apportionment of current state and county school funds, a joint school district shall be considered as belonging to the county in which the high school of said district or the county in which the high school with the largest enrollment at the time of its establishment, is situated, or in case no high school is operated by the district, to the county in which is situated the schoolhouse of the district or the school with the largest attendance, if there be more than one schoolhouse. If there is no schoolhouse in the joint district, said district shall then be considered as belonging to the county in which is located that part of the district having the largest number of children of school age residing therein.

NEW SECTION. Sec. 28A.57.255 -----SPECIAL RULES IN JOINT DISTRICTS FOR ELECTORS VOTING FOR DIRECTORS OR COUNTY BOARD OF EDUCATION. The registered voters residing within a joint school district

shall vote on the office of school director of their district and on the office of county or intermediate board of education of the county to which the district belongs, even though they reside outside that county.

Jurisdiction of any such election shall rest with the county auditor of the county administering such joint district as provided in RCW 28A.57.250.

At each general election, or upon approval of a request for a special election as provided for in RCW 29.13.020, such county auditor shall:

- (1) See that there shall be at least one polling place in each county;
- (2) At least twenty days prior to the elections concerned, certify in writing to the superintendent of the school district the number and location of the polling places established by him for such regular or special elections; and
- (3) Do all things otherwise required by law for the conduct of such election.

It is the intention of this section that the qualified electors of a joint school district shall not be forced to go to a different polling place on the same day when other elections are being held to vote for school directors of their district and members of the county or intermediate board of education concerned with their school district.

NEW SECTION. Sec. 28A.57.260 -----DIRECTORS, SUPERINTENDENT--VACANCIES. Every director or superintendent of a joint school district shall, on assuming the duties of his office, file his certificate of election or appointment and his signature with the appropriate county or intermediate district superintendent, which signature shall be placed on file with the appropriate county auditor by the said superintendent. A vacancy in the office of director of a joint district of the second or third class shall be filled by the appropriate county or intermediate district superintendent, such

appointment to be valid only until a director is elected and qualified to fill such vacancy at the next regular district election. In a joint district of the first class, such vacancy shall be filled in the manner provided by RCW 28A.57.326 for filling vacancies in districts of the first class, such appointment to be valid only until a director is elected and qualified to fill such vacancy at the next regular district election.

NEW SECTION. Sec. 28A.57.270 -----POWERS AND DUTIES. A joint school district and the officers thereof shall possess all the powers and be subject to all of the duties vested in or imposed upon other school districts of the same class and upon the officers thereof, except as otherwise provided by law. Whenever the laws relating to school districts shall provide for any action by a county officer, such action, if required to be performed in behalf of a joint school district, shall be performed by the proper officer of the county to which the joint district belongs, except as otherwise provided by law.

NEW SECTION. Sec. 28A.57.280 -----ASSESSED VALUATION OF DISTRICT PROPERTY TO BE CERTIFIED. It shall be the duty of the assessor of each county, a part of which is included within a joint school district, to certify annually to the auditor of his county and to the auditor of the county to which the joint district belongs, for the board of county commissioners thereof, the aggregate assessed valuation of all taxable property in his county situated in such joint school district, as the same appears from the last assessment roll of his county.

NEW SECTION. Sec. 28A.57.290 -----APPORTIONMENT OF TAX TO BE LEVIED. The amount of tax to be levied upon the taxable property of that part of a joint school district lying in one county shall be in such ratio to the whole amount levied upon the property in the entire joint district as the assessed valuation of the property lying in such county bears to the assessed valuation of the property in the entire joint district. After the budget of a joint school district

has been prepared in the manner provided by law, the county or intermediate district superintendent of the county or district to which the joint school district belongs, after deducting estimated receipts from sources other than district taxation, shall apportion to each county in which the territory of the joint district lies its proportionate share of the estimated expenditures of such joint district, which apportionment shall be made upon the same basis as is herein provided for the apportionment of tax levies. He shall then forward to the county auditor of his county and to the county or intermediate district superintendent and the county auditor of each other county, for the board of county commissioners thereof, a certificate setting forth the sum apportioned to that county, together with copies of the certificates forwarded by him to the aforesaid officers of other counties.

NEW SECTION. Sec. 28A.57.300 -----LEVY OF TAX--REMITTANCE OF COLLECTIONS TO DISTRICT TREASURER. Upon receipt of the aforesaid certificate, it shall be the duty of the board of county commissioners of each county to levy on all taxable property of that part of the joint school district which lies within the county a tax sufficient to raise the amount necessary to meet the county's proportionate share of the estimated expenditures of the joint district, as shown by the certificate of the county or intermediate district superintendent of the county or district to which the joint school district belongs. Such taxes shall be levied and collected in the same manner as other taxes are levied and collected, and the proceeds thereof shall be forwarded quarterly by the treasurer of each county, other than the county to which the joint district belongs, to the treasurer of the county to which such district belongs and shall be placed to the credit of said district. The treasurer of the county to which a joint school district belongs is hereby declared to be the treasurer of such district.

NEW SECTION. Sec. 28A.57.312 DIRECTORS--ELECTIONS--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 29.13.060, members 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 their successors are 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.

The board of directors of a school district of the first class or of a school district of the second class shall consist of five members. The board of directors of a school district of the third class shall consist of three members.

NEW SECTION. Sec. 28A.57.314 DIRECTORS--DECLARATIONS OF CANDIDACY--DESIGNATION OF POSITIONS. Candidates for the position of school director shall file their declarations of candidacy as provided in RCW 29.21.060, as it now exists or may hereafter be amended.

Not less than ten days before the time of filing such declarations of candidacy, the officer charged with the conduct of the election shall designate by lot the positions to be filled by consecutive number, commencing with one. The positions so designated for 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, candidates shall file for such director districts.

NEW SECTION. Sec. 28A.57.316 DIRECTORS--BALLOTS--FORM. Except as provided in RCW 29.21.010, 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.

NEW SECTION. Sec. 28A.57.318 DIRECTORS--ELECTED WHEN--QUALIFICATIONS. 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.

NEW SECTION. Sec. 28A.57.322 DIRECTORS--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 his office according to the best of his ability. In case any official has a written appointment or commission, his 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 officer with whom declarations of candidacy for such positions are filed.

NEW SECTION. Sec. 28A.57.324 DIRECTORS--MEETINGS. Regular meetings of the board of directors of any school district shall be held monthly or oftener 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 chairman of the board, if a second or third 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 42.32.020.

NEW SECTION. Sec. 28A.57.326 DIRECTORS--FILLING VACANCIES.
(1) The board of directors of any first class school district shall fill, by appointment after board election, any vacancy which may occur in its body, but the appointment to fill such vacancy shall be valid only until the next regular district election.

(2) In case of a vacancy from any cause in the board of directors of a second class school district, the county or intermediate district superintendent, as the case may be, in conjunction with the other directors, shall fill such vacancy by appointment until the next regular school district election, at which time a successor shall be elected for the unexpired term. In case the electors of any second class school district shall fail to elect a director at any

election and for whatsoever reason, the county or intermediate district superintendent, as the case may be, shall declare the office vacant upon the expiration of the term of the incumbent director and such vacancy shall be filled as hereinabove in this subsection provided.

(3) In case of a vacancy from any cause in the board of directors of a third class school district, the county or intermediate district superintendent, as the case may be, shall fill such vacancy by appointment until the next regular school district election, at which time a successor shall be elected for the unexpired term. In case the electors of any third class district shall fail to elect a director at any election and for whatsoever reason, the county or intermediate district superintendent, as the case may be, shall declare the office vacant upon the expiration of the term of the incumbent director and fill such vacancy as hereinabove in this subsection provided.

In the event of there being less than two members on the board of any first or second class district for whatsoever reason the county or intermediate district superintendent shall fill such vacancies by appointment, such appointments being valid only until the next regular school district election at which time successors shall be elected for the respective unexpired terms.

Vacancies in second and third class districts may result from vacancies caused by death, resignation, failure of the district to hold elections, failure of an electee to qualify before the day for taking office, absence from the district for a period of ninety days without board sanction or failure to attend four consecutive meetings of the board without a reasonable excuse.

NEW SECTION. Sec. 28A.57.328 DIRECTORS--NUMBER AND TERMS OF IN NEW THIRD CLASS DISTRICTS. Upon the establishment of a new school district of the third class, the directors of the old school districts who reside within the limits of the new district shall meet at the call of the county or intermediate district superintendent and elect

from among their number three directors for said new district: PROVIDED, That if fewer than three such directors reside in such new school district, they shall become directors of said district, and the county or intermediate district superintendent shall appoint the number of additional directors required to constitute a board of three directors for the 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 authority conferred by law upon boards of directors of other third class districts until the next regular election in the district and until their successors are elected and qualified. At such election three directors shall be elected at large by the electors of the school district, one for a term of two years and two for a term of four years. Directors thereafter elected and qualified shall serve such terms as provided for in RCW 28A.57.312.

NEW SECTION. Sec. 28A.57.332 DIRECTORS--INCREASE IN NUMBER OF DIRECTORS, HOW EFFECTED. If at any time after this chapter takes effect three directors constitute the board of directors of any school district for which a board of five directors is required by law, except a district divided into school directors' districts, the three directors of such school district shall continue to serve for the terms for which they were elected; two additional directors shall be appointed for the district in the manner provided by law for filling a vacancy on the board of other districts of the same class; and the aforesaid five directors shall thereafter constitute the board of directors of the district. The additional directors so appointed shall serve until the next regular school election in the district and until their successors are elected and qualified, at which election their successors shall be elected, one for a term of two years and one for a term of four years. Directors thereafter elected and qualified shall serve such terms as provided for in RCW 28A.57.312.

NEW SECTION. Sec. 28A.57.334 DIRECTORS--CANDIDATES IN UNDIVIDED DISTRICTS TO INDICATE 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.57.314 and each candidate shall indicate on his declaration of candidacy the term for which he seeks to be elected and position number for which he is filing. The candidate receiving the largest number of votes for each position shall be deemed elected.

NEW SECTION. Sec. 28A.57.336 DIRECTORS--TERMS IN CERTAIN FIRST CLASS DISTRICTS TO BE STAGGERED. Whenever the provisions of this chapter require school directors to be elected at the regular school district election and the district affected is a first class school district which elects directors for a term of six years under the provisions of RCW 29.13.060 the directors shall be elected for such terms of office not in excess of six years as will 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 thereafter.

NEW SECTION. Sec. 28A.57.340 DIRECTORS--NUMBER AND TERMS OF IN REORGANIZED CITY DISTRICTS NOT DIVIDED INTO DIRECTORS' DISTRICTS. Upon the establishment of a new school district which contains a city having a population of more than seven thousand and which is not divided into director districts, the board of directors of the old district comprising such city shall become the board of the new district and each member thereof shall serve for the term for which he was elected. Directors thereafter elected and qualified shall serve such terms as provided for in RCW 28A.57.312.

Upon the establishment of a new school district which is not divided into directors' districts and which includes two or more old districts each of which contains a city having a population of more than seven thousand, all of the directors of the old districts shall constitute the board of directors of the new district until the next

regular school election in said district and until their successors are elected and qualified, at which election there shall be elected five directors, 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.57.312.

In case any new school district established through the incorporation of a city or through the uniting of two or more cities or towns, pursuant to the provisions of RCW 28A.57.150, contains a city having a population of more than seven thousand and is not divided into directors' districts, all of the directors of the old districts included in the new district so established shall constitute the board of directors of the new district and shall serve until the next regular school election in the district and until their successors are elected and qualified. At such election there shall be elected five directors, 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.57.312.

NEW SECTION. Sec. 28A.57.342 DIRECTORS' DISTRICTS IN CERTAIN SCHOOL DISTRICTS CONTAINING CITY. SUBMITTAL OF PROPOSITION AT FORMATION ELECTION. Whenever an election shall be held for the purpose of securing the approval of the voters for the formation of a new school district that, if formed, will be a district of the first or second class and will contain a city with a population in excess of seven thousand according to the latest population certificate filed with the secretary of state by the planning and community affairs agency, there shall also be submitted to the voters at the same election a proposition to authorize the county committee to divide the school district, if formed, into directors' districts.

NEW SECTION. Sec. 28A.57.344 -----ELECTION TO AUTHORIZE DIVISION IN SCHOOL DISTRICTS NOT ALREADY DIVIDED INTO DIRECTORS' DISTRICTS. The board of directors of every first and second class school district containing a city with a population in excess of seven thousand according to the latest population certificate filed with the

secretary of state by the planning and community affairs agency which is not divided into directors' districts may submit to the voters at any regular school district election a proposition to authorize the county committee to divide the district into directors' districts. If a majority of the votes cast on the proposition shall be affirmative, the county committee shall proceed to divide the district into directors' districts.

NEW SECTION. Sec. 28A.57.350 DIRECTORS' DISTRICTS GENERALLY. NUMBER AND TERMS OF DIRECTORS IN NEW DIRECTORS' DISTRICTS. The directors of old school districts who reside within the limits of a new school district of the first class that is divided into directors' districts in conformity with the provisions of this chapter shall meet at the call of the county or intermediate district superintendent and elect from among their number five directors for the new district, no two of whom shall be residents of the same school directors' district: PROVIDED, That if one or more of the directors' districts of the new school district has no such director residing therein, the directors shall nominate and elect the number of directors required to constitute a board of five directors for the school district from registered voters in such school directors' district. The directors of old school districts who reside within the limits of a new school district of the second class that is divided into directors' districts in conformity with the provisions of this chapter shall meet at the call of the county or intermediate district superintendent and elect from among their number five directors for the new district, no two of whom shall be residents of the same school directors' district: PROVIDED, That if one or more of the directors' districts of the new school district has no such director residing therein, the county or intermediate district superintendent shall appoint the number of additional directors required to constitute a board of five directors for the school district, no two of whom shall be residents of the same school directors' district.

Each board of directors constituted as provided for in this

section 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 directors of other districts of the same class until the next regular school election in the district and until their successors are elected and qualified. At such election there shall be elected five directors to constitute the board of the district; one shall be elected from among the residents of each of the five directors' districts of the school district by the electors of the entire school district, two such directors 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.57.312.

NEW SECTION. Sec. 28A.57.370 -----SUCCESSION OF DIRECTORS WHEN EXISTING DISTRICT DIVIDED INTO DIRECTORS' DISTRICTS. Whenever any school district other than a newly established school district is divided into directors' districts by the county committee in the discharge of its duties hereunder, the directors thereof shall continue to serve for the terms for which they were elected, unless two or more such directors reside in the same directors' district, in which event the director who shall continue to serve shall be determined by lot. The county or intermediate district superintendent shall then appoint the number of additional directors required to constitute a board of five directors for the school district, no two of whom shall be residents of the same directors' district. The additional directors so appointed shall serve until the next regular school election in the district and until their successors are elected and qualified, at which election their successors shall be elected for the unexpired terms of those who were removed from office by virtue of this section or for four year terms in case no unexpired terms exist. Directors thereafter elected and qualified shall serve such terms as provided for in RCW 28A.57.312.

NEW SECTION. Sec. 28A.57.380 -----SUCCESSION IN DISTRICTS HERETOFORE DIVIDED INTO DIRECTORS' DISTRICTS. In case a school

district has heretofore been divided into five directors' districts in conformity with the requirements of law in effect prior to April 1, 1947, one director therefor shall be elected from among the residents of each such directors' district by the electors of the entire school district, as the terms of the present incumbents expire, except in case such school district is a district of the third class, in which event (1) three of the incumbent directors, selected by lot in such manner that the terms of no two of them will expire simultaneously, shall constitute the board of the district and shall continue to serve for the terms for which they were elected; (2) school directors' districts shall cease to exist; and (3) at the next annual school election in said district and annually thereafter, one director shall be elected at large by the electors of the district.

NEW SECTION. Sec. 28A.57.390 -----MAP AND RECORD OF DIRECTORS' DISTRICTS. The county or intermediate district superintendent shall prepare and keep in his office (1) a map showing the boundaries of the directors' districts of all school districts in or belonging to his county that are so divided, and (2) a record of the action taken by the county committee in establishing such boundaries.

NEW SECTION. Sec. 28A.57.410 -----TERMS SPECIFIED FOR DIRECTORS IN DIVIDED DISTRICTS WHOSE TERMS ARE NOT THE SAME. 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. Each candidate shall indicate on his declaration of candidacy the directors' district from which he seeks to be elected.

NEW SECTION. Sec. 28A.57.415 -----DISSOLUTION OF DIRECTORS' DISTRICTS. Upon receipt of a written petition by a county or intermediate district superintendent signed by at least twenty percent of

the registered voters of a first or second class school district theretofore divided into directors' districts after a majority vote thereon in accordance with RCW 28A.57.050(4), which petition shall request a return to the system of directors running at large within the district, 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 at large.

Chapter 28A.58

PROVISIONS APPLICABLE TO ALL SCHOOL DISTRICTS

NEW SECTION. Sec. 28A.58.010 CORPORATE POWERS. A school district shall constitute a body corporate and shall possess all the usual powers of a public corporation, and in that name and style may sue and be sued and transact all business necessary for maintaining school and protecting the rights of the district, and enter into such obligations as are authorized therefor by law.

NEW SECTION. Sec. 28A.58.020 LIABILITY FOR DEBTS AND JUDGMENTS. Every school district shall be liable for any debts legally due, and for judgments against the district, and such district shall pay any such judgment or liability out of the proper school funds to the credit of the district.

NEW SECTION. Sec. 28A.58.040 DIRECTORS--CONVEYANCE AND ACQUISITION OF PROPERTY--MANAGEMENT. The board of directors of each school district shall have exclusive control of all school property, real or personal, belonging to the district; said board shall have power, subject to RCW 28A.58.045, in the name of the district, to convey by deed all the interest of their district in or to any real

property of the district which is no longer required for school purposes. Except as otherwise specially provided by law, and RCW 28A.58.045, the board of directors of each school district may purchase, lease, receive and hold real and personal property in the name of the district, and rent or sell the same, and all conveyances of real estate made to the district shall vest title in the district.

NEW SECTION. Sec. 28A.58.045 REAL PROPERTY--SALE--PURCHASE TO RELOCATE AND SELL BUILDINGS. The board of directors of any school district of this state may:

(1) Sell for cash, at public or private sale, and convey by deed all interest of the district in or to any of the real property of the district which is no longer required for school purposes if the value thereof is thirty-five thousand dollars or less; and

(2) Purchase real property for the purpose of locating thereon and affixing thereto any house or houses and appurtenant buildings removed from school sites owned by the district and sell for cash, at public or private sale, and convey by deed all interest of the district in or to such acquired and improved real property if the value of any single parcel thereof is thirty-five thousand dollars or less; and is at least equal in funds received to ninety percent of the relocated value thereof: PROVIDED, HOWEVER, That prior to selling any of such real property of the district the board of directors shall appoint three licensed real estate brokers who shall appraise the real property to be sold, and such real property shall not be sold for less than ninety percent of the appraised value thereof.

If the value of any such parcel of real property is found by the board of directors to be greater than thirty-five thousand dollars, the question of the sale thereof shall be submitted to a vote of the voters of the district, either at a general or special election called for that purpose. If a majority of the votes cast thereat favor the sale of such real property the board may make the sale. The sale must be made at public auction for cash and good title shall be conveyed by deed of the school district, executed by the

president or the vice president and the secretary of the board.

NEW SECTION. Sec. 28A.58.048 DIRECTORS--USE AND RENTAL OF PLAYGROUNDS, ATHLETIC FIELDS OR ATHLETIC FACILITIES. Boards of directors of school districts are hereby authorized to permit the use of, and to rent school playgrounds, athletic fields, or athletic facilities, by, or to, any person or corporation for any athletic contests or athletic purposes.

Permission to use and/or rent said school playgrounds, athletic fields, or athletic facilities shall be for such compensation and under such terms as regulations of the board of directors adopted from time to time so provide.

NEW SECTION. Sec. 28A.58.070 DIRECTORS--EMINENT DOMAIN. The board of directors of any school district may proceed to condemn and appropriate not more than fifteen acres of land for any elementary school purpose; not more than twenty-five acres for any junior high school purpose; not more than forty acres for any senior high school purpose; except as otherwise provided by law, not more than seventy-five acres for any vocational technical school purpose; and not more than fifteen acres for any other school district purpose. Such condemnation proceedings shall be in accordance with chapters 8.16 and 8.25 RCW and such other laws of this state providing for appropriation of private property for public use by school districts.

NEW SECTION. Sec. 28A.58.100 DIRECTORS--HIRING AND DISCHARGING EMPLOYEES--LEAVES FOR EMPLOYEES--SENIORITY AND LEAVE BENEFITS, RETENTION UPON TRANSFERS BETWEEN SCHOOLS. Every board of directors, unless otherwise specially provided by law, shall:

- (1) Employ for not more than one year, and for sufficient cause discharge all certificated and noncertificated employees, and fix, alter, allow and order paid their salaries and compensation;
- (2) Adopt written policies granting leaves to persons under contracts of employment with the school district(s) in positions requiring either certification or noncertification qualifications, including but not limited to leaves for attendance at official or

private institutes and conferences and sabbatical leaves for employees in positions requiring certification qualification, and leaves for illness, injury, bereavement and emergencies for both certificated and noncertificated employees, and with such compensation as the board of directors prescribe: PROVIDED, That the board of directors shall adopt written policies granting to such persons annual leave with compensation for illness and injury as follows:

(a) For such persons under contract with the school district for a full year, at least ten days;

(b) For such persons under contract with the school district as part time employees, at least that portion of ten days as the total number of days contracted for bears to one hundred eighty days;

(c) Compensation for leave for illness or injury actually taken shall be the same as the compensation such person would have received had such person not taken the leave provided in this proviso;

(d) Leave provided in this proviso not taken shall accumulate from year to year up to a maximum of one hundred eighty days, and such accumulated time may be taken at any time during the school year;

(e) Sick leave heretofore accumulated under section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) and sick leave accumulated under administrative practice of school districts prior to the effective date of section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) is hereby declared valid, and shall be added to leave for illness or injury accumulated under this proviso.

(f) Accumulated leave under this proviso not taken at the time such person retires or ceases to be employed in the public schools shall not be compensable;

(g) Accumulated leave under this proviso shall be transferred to and from one district to another, the office of superintendent of public instruction and offices of county and intermediate district superintendents and boards of education, to and from such districts and such offices;

(h) Leave accumulated by a person in a district prior to leaving said district may, under rules and regulations of the board, be granted to such person when he returns to the employment of the district.

When any teacher or other certificated employee leaves one community college district or school district within the state and commences employment with another school district or community college district within the state, he shall retain the same seniority, leave benefits and other benefits that he had in his previous position. If the school district or community college district to which the person transfers has a different system for computing seniority, leave benefits and other benefits, then the employee shall be granted the same seniority, leave benefits and other benefits as a person in that district who has similar occupational status and total years of service.

NEW SECTION. Sec. 28A.58.101 DIRECTORS--GOVERNMENT OF SCHOOLS, RULES AND REGULATIONS FOR--ENFORCEMENT. Every board of directors, unless otherwise specifically provided by law, shall:

(1) Enforce the rules and regulations prescribed by the superintendent of public instruction and the state board of education for the government of schools, pupils, and certificated employees; and

(2) Suspend or expel pupils from school or discipline such pupils upon their refusal to obey the reasonable rules or regulations of such school or as promulgated by the superintendent of public instruction and the state board of education.

NEW SECTION. Sec. 28A.58.102 DIRECTORS--SCHOOL BUILDINGS, MAINTENANCE, FURNISHING AND INSURING. Every board of directors, unless otherwise specifically provided by law, shall:

(1) Cause all school buildings to be properly heated, lighted and ventilated and maintained in a clean and sanitary condition; and

(2) Maintain and repair, furnish and insure such school buildings.

NEW SECTION. Sec. 28A.58.103 DIRECTORS--INSTRUCTIONAL

MATERIALS--INSTRUCTIONAL MATERIALS COMMITTEE--DISPOSITION OF USED OR OBSOLETE MATERIAL. Every board of directors, unless otherwise specifically provided by law, shall:

(1) Prepare, negotiate, set forth in writing and adopt, policy relative to the selection of instructional materials. Such policy shall:

(a) State the school district's goals and principles relative to instructional materials;

(b) Delegate responsibility for the preparation and recommendation of teachers' reading lists and specify the procedures to be followed in the selection of all instructional materials including textbooks;

(c) Establish an instructional materials committee to be appointed, with the approval of the school board, by the school district's chief administrative officer. This committee shall consist of representative members of the district's professional staff, including representation from the district's curriculum development committees, and, in the case of districts which operate elementary school(s) only, the county or intermediate district superintendent of schools, one of whose responsibilities shall be to assure the correlation of those elementary district adoptions with those of the high school district(s) which serve their children;

(d) Provide for terms of office for members of the instructional materials committee;

(e) Provide a system for receiving, considering and acting upon written complaints regarding instructional materials used by the school district;

(f) Provide free textbooks, supplies and other instructional materials to be loaned to the pupils of the school, when, in its judgment, the best interests of the district will be subserved thereby and prescribe rules and regulations to preserve such books, supplies and other instructional materials from unnecessary damage.

Recommendation of instructional materials shall be by the

district's instructional materials committee in accordance with district policy. Approval shall be by the local school district's board of directors.

Districts may pay the necessary travel and subsistence expenses for expert counsel from outside the district. In addition, the committee's expenses incidental to visits to observe other districts' selection procedures may be reimbursed by the school district.

Districts may, within limitations stated in board policy, use and experiment with instructional materials for a period of time before general adoption is formalized.

Within the limitations of board policy, a school district's chief administrator may purchase instructional materials to meet deviant needs or rapidly changing circumstances.

(2) Establish a depreciation scale for determining the value of texts which students wish to purchase.

Local boards of school directors may declare selected instructional materials obsolete and dispose of them by sale to the highest bidder, following public notice in a newspaper of general circulation in the area.

NEW SECTION. Sec. 28A.58.104 DIRECTORS--OPERATION AND STOCKING OF LIBRARIES. Every board of directors shall provide for the operation and stocking of such libraries as the board deems necessary for the proper education of the district's students or as otherwise required by law or rule or regulation of the superintendent of public instruction or the state board of education.

NEW SECTION. Sec. 28A.58.105 DIRECTORS--NIGHT SCHOOLS, SUMMER SCHOOLS, MEETINGS, USE OF FACILITIES FOR. Every board of directors, unless otherwise specifically provided by law, shall:

(1) Authorize school facilities to be used for night schools and establish and maintain the same whenever deemed advisable;

(2) Authorize school facilities to be used for summer schools or for meetings, whether public, literary, scientific, religious, political, mechanical, agricultural or whatever, upon approval of

the board under such rules or regulations as the board of directors may adopt, which rules or regulations may require a reasonable rental for the use of such facilities.

NEW SECTION. Sec. 28A.58.107 DIRECTORS--COMMENCEMENT EXERCISES--LIP READING INSTRUCTION--JOINT PURCHASING--BUDGETS. Every board of directors, unless otherwise specifically provided by law, shall:

(1) Provide for the expenditure of a reasonable amount for suitable commencement exercises;

(2) In addition to providing free instruction in lip reading for children handicapped by defective hearing, make arrangements for free instruction in lip reading to adults handicapped by defective hearing whenever in its judgment such instruction appears to be in the best interests of the school district and adults concerned;

(3) Join with boards of directors of other school districts in buying supplies, equipment and services by establishing and maintaining a joint purchasing agency, or otherwise, when deemed for the best interests of the district; and

(4) Prepare budgets as provided for in chapter 28A.65 RCW.

NEW SECTION. Sec. 28A.58.110 DIRECTORS--BYLAWS. Every board of directors shall have power to make such bylaws for their own government, and the government of the common schools under their charge, as they deem expedient, not inconsistent with the provisions of this title, or rules and regulations of the superintendent of public instruction or the state board of education.

NEW SECTION. Sec. 28A.58.130 DIRECTORS--LIMITATION ON CONTRACTING INDEBTEDNESS, PENALTY--EXCEPTIONS. It shall be unlawful for any board of directors to make expenditures and/or contract indebtedness against its district in any one year in any sum in excess of the aggregate amount set forth and approved in its final budget. The members of any board of directors violating any provision of this section shall be personally liable for the full amount thus expended, or contracted for, and each director having a part in such unlawful

expenditure or contractual indebtedness shall immediately forfeit his office: PROVIDED, That no board of directors shall be prohibited from making expenditures for the payment of regular employees and for the necessary repairs, and upkeep of the school plant during the interim while the budget is being settled.

NEW SECTION. Sec. 28A.58.135 DIRECTORS--ADVERTISING FOR BIDS --BID PROCEDURE--EMERGENCIES. When, in the opinion of the board of directors of any school district, the cost of any furniture, supplies, equipment, building, improvements or repairs, or other work or purchases will equal or exceed the sum of twenty-five hundred dollars, complete plans and specifications for such work or purchases shall be prepared and notice by publication given in at least one newspaper of general circulation within the district, once each week for two consecutive weeks, of the intention to receive bids therefor and that specifications and other information may be examined at the office of the board: PROVIDED, That the board without giving such notice may make improvements or repairs to the property of the district through the shop and repair department of such district when the total of such improvements or repair do not exceed the sum of twenty-five hundred dollars. The bids shall be in writing and shall be opened and read in public on the date and in the place named in the notice and after being opened shall be filed for public inspection. The contract for the work or purchase shall be awarded to the lowest responsible bidder as defined in RCW 43.19.1911. Any or all bids may be rejected for good cause. On any work or purchase of more than five hundred dollars, the board shall provide bidding information to any qualified bidder or his agent, requesting it in person, and if more than one supplier is available, it shall seek competitive bidding in such manner as it deems in the best interests of the district.

In the event of any emergency when the public interest or property of the district would suffer material injury or damage by delay, upon resolution of the board declaring the existence of such an emergency and reciting the facts constituting the same, the board

may waive the requirements of this section with reference to any purchase or contract: PROVIDED, That an "emergency", for the purposes of this section, means a condition likely to result in immediate physical injury to persons or to property of the school district in the absence of prompt remedial action.

NEW SECTION. Sec. 28A.58.136 DIRECTORS--LUNCHROOMS--ESTABLISHMENT AND OPERATION--PERSONNEL FOR. The directors of any school district may establish, equip and operate lunchrooms in school buildings for pupils, certificated and noncertificated employees and for school or employee functions: PROVIDED, That the expenditures for food supplies shall not exceed the estimated revenues from the sale of lunches, federal lunch aid, Indian education fund lunch aid, or other anticipated revenue, including donations, to be received for that purpose. Operation for the purposes of this section shall include the employment and discharge for sufficient cause of personnel necessary for preparation of food or supervision of students during lunch periods and fixing their compensation, payable from the district general fund, or entering into agreement for the preparation and service of food by a private agency.

NEW SECTION. Sec. 28A.58.137 DIRECTORS--EMPLOYMENT OF SUPERINTENDENT--SUPERINTENDENT'S QUALIFICATIONS, GENERAL POWERS, TERM. In all districts the board of directors shall elect a superintendent who shall hold a valid teacher's certificate and such other credentials as required by the state board of education. He shall have supervision over the several departments of the schools thereof and carry out such other powers and duties as prescribed by law. Notwithstanding the provisions of RCW 28A.58.100(1), the board may contract with such superintendent for a term not to exceed three years when deemed in the best interest of the district.

NEW SECTION. Sec. 28A.58.140 DIRECTORS' AND SUPERINTENDENTS' SIGNATURES FILED WITH AUDITOR. Every school district director and school district superintendent, on assuming the duties of his office, shall place his signature, certified to by some school district

official, on file in the office of the county auditor.

NEW SECTION. Sec. 28A.58.150 SUPERINTENDENT'S DUTIES. In addition to such other duties as a district school board shall prescribe the school district superintendent shall:

(1) Attend all meetings of the board of directors and cause to have made a record as to the proceedings thereof.

(2) Keep such records and reports and in such form as the district board of directors require or as otherwise required by law or rule or regulation of higher administrative agencies and turn the same over to his successor.

(3) Keep accurate and detailed accounts of all receipts and expenditures of school money. At each annual school meeting the superintendent must present his record book of board proceedings for public inspection, and shall make a statement of the financial condition of the district and such record book must always be open for public inspection.

(4) Take annually in May of each year a census of all persons between the ages of four and twenty who were bona fide residents of the district on the first day of May of that year. He shall designate the name and sex of each child, and the date of its birth; the number of weeks it has attended school during the school year, its post office address, and such other information as the superintendent of public instruction shall desire. Parents or guardians may be required to verify as to the correctness of this report. He shall also list separately all defective persons between the ages of four and twenty and give such information concerning them as may be required by the superintendent of public instruction. The board of directors may employ additional persons and compensate the same to aid the superintendent in carrying out such census.

(5) Make to the county or intermediate district superintendent on or before the fifteenth day of July his annual report verified by affidavit upon forms to be furnished by the superintendent of public instruction. It shall contain such items of information as said

superintendent of public instruction shall require, including the following: A full and complete report of all children enumerated under subsection (4) above; the number of schools or departments taught during the year; the number of children, male and female, enrolled in the school, and the average daily attendance; the number of teachers employed, and their compensation per month; the number of days school was taught during the past school year, and by whom; and the number of volumes, if any, in the school district library; the number of schoolhouses in the district, and the value of them; and the aggregate value of all school furniture and apparatus belonging to the district. The superintendent shall keep on file a duplicate copy of said report.

(6) Give such notice of all annual or special elections as otherwise required by law; also give notice of the regular and special meetings of the board of directors.

(7) Report to the county or intermediate district superintendent at the beginning of each term of school the name of every teacher and their proposed length of term, and supply each such teacher with school registers furnished by the county or intermediate district school superintendent.

(8) Sign all orders for warrants ordered to be issued by the board of directors.

(9) Carry out all orders of the board of directors made at any regular or special meeting.

NEW SECTION. Sec. 28A.58.170 OFFICIALS AND EMPLOYEES TO DELIVER BOOKS, PAPERS AND MONEYS TO SUCCESSORS. Every school official and employee, prior to termination of office or employment, shall deliver to his successor all books, papers and moneys pertaining to his office or employment.

NEW SECTION. Sec. 28A.58.180 MINIMUM ANNUAL SCHOOL TERM. All school districts in this state shall maintain school at least one hundred eighty days each school year as defined in RCW 28A.01.020.

NEW SECTION. Sec. 28A.58.190 QUALIFICATION FOR ADMISSION TO

DISTRICT'S SCHOOLS. Except as otherwise provided by law, common schools shall be open to the admission of all persons between the ages of six and twenty-one years residing in that school district.

NEW SECTION. Sec. 28A.58.200 PUPILS TO COMPLY WITH RULES AND REGULATIONS. EXPULSION. All pupils who attend the common schools shall comply with the rules and regulations established in pursuance of the law for the government of the schools, shall pursue the required course of studies, and shall submit to the authority of the teachers of such schools, subject to such disciplinary or other action as the local school officials shall determine.

NEW SECTION. Sec. 28A.58.210 CHILDREN ON U.S. RESERVATIONS. U.S. AUTHORITIES TO COOPERATE. Any child who is of school age and otherwise eligible residing within the boundaries of any military, naval, lighthouse, or other United States reservation, national park or national forest or residing upon rented or leased undeeded lands within any Indian reservation within the state of Washington, shall be admitted to the public school, or schools, of any contiguous district without payment of tuition: PROVIDED, That the United States authorities in charge of such reservation or park shall cooperate fully with state, county, and school district authorities in the enforcement of the laws of this state relating to the compulsory attendance of children of school age, and all laws relating to and regulating school attendance.

NEW SECTION. Sec. 28A.58.215 -----CENSUS BY SCHOOL DISTRICT SUPERINTENDENT OF CONTIGUOUS DISTRICT. It shall be the duty of the school district superintendent of a school district contiguous to any United States military, naval or lighthouse reservation or national park in which the majority of children residing within such reservation or park attend, to take a census of the children residing within such reservation or park at the time of taking the census of the school children of his district as otherwise provided by law and to report such census in the manner provided by law for reporting the school census of his district.

NEW SECTION. Sec. 28A.58.220 REIMBURSING DISTRICT FOR EDUCATING CHILDREN OF EMPLOYEES OF MUNICIPAL LIGHT PLANT. Any city operating a public utility pursuant to the provisions of RCW 35.92.050, with a plant for the generation of electricity located within the limits of any school district outside of the corporate limits of such city which shall cause any loss of revenues and/or increase the financial burden of any such school district affected because of an increase in the number of pupils by reason of the operation of such generating facility, shall provide for recompensing such losses or alleviating such financial burden through agreement with such school district in accordance with the provisions of RCW 35.21.425 through 35.21.427.

NEW SECTION. Sec. 28A.58.225 EDUCATION OF PUPILS IN ANOTHER DISTRICT. A local district may be authorized by the county or intermediate district superintendent to transport and educate its pupils in another district for one year, either by payment of a compensation agreed upon by such school districts, or under other terms mutually satisfactory to the districts concerned when this will afford better educational facilities for the pupils and when a saving may be effected in the cost of education. Such authorization may be extended for an additional year at the discretion of the county or intermediate district superintendent.

NEW SECTION. Sec. 28A.58.230 ADMISSION TO HIGH SCHOOL--CERTAIN NONRESIDENTS. Every high school in a high school district shall admit all persons of school age who are residents of this state, and, except as provided in RCW 28A.58.240, not residents of another high school district carrying the grades for which they desire to enroll, upon presentation of satisfactory evidence by such persons of having completed in a creditable manner the eighth grade or a course of study during the preceding grades similar in quality to that prescribed by the state board of education for students completing the eighth grade.

NEW SECTION. Sec. 28A.58.240 ADULTS, CHILDREN FROM OTHER DISTRICTS, AGREEMENTS FOR ATTENDING SCHOOL--TUITION. Any board of

directors may make agreements with adults wishing to attend school or with the directors of adjoining districts for the attendance of children in the school district of either as may be best accommodated therein; in absence of an express agreement therefor between such adults or directors of adjoining districts and the board, a reasonable tuition shall be paid. Children from nonadjoining districts may also be permitted to attend upon payment of a reasonable tuition. All tuition money must be paid over to the county treasurer within thirty days of its collection for the credit of the district.

Reimbursement of a high school district for cost of educating high school pupils of a nonhigh school district shall not be deemed a tuition charge as affecting the apportionment of current state school funds.

NEW SECTION. Sec. 28A.58.250 RECIPROCITY EXCHANGES WITH OTHER STATES. If the laws of another state permit its school districts to extend similar privileges to pupils resident in this state, the board of directors of any school district contiguous to a school district in such other state may make agreements with the officers of the school district of that state for the attendance of any pupils resident therein upon the payment of tuition.

If a district accepts out-of-state pupils whose resident district is contiguous to a Washington school district, such district shall charge and collect the cost for educating such pupils and shall not include such out-of-state pupils in the computation of the district's share of state and/or county funds.

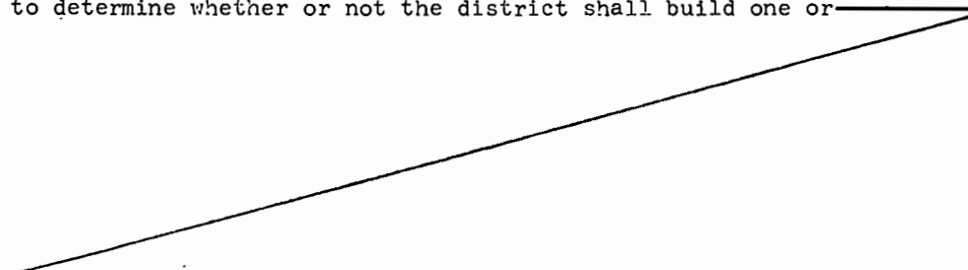
The board of directors of any school district which is contiguous to a school district in another state may make agreements for and pay tuition for any children of their district desiring to attend school in the contiguous district of the other state. The tuition to be paid for the attendance of resident pupils in an out-of-state school as provided in this section shall be no greater than the cost of educating such elementary or secondary pupils, as the case may be, in the out-of-state educating district.

NEW SECTION. Sec. 28A.58.275 LUNCH PERIOD FOR CERTIFICATED EMPLOYEES--SUPERVISION BY NONCERTIFICATED PERSONNEL. All certificated employees of school districts shall be allowed a reasonable lunch period of not less than thirty continuous minutes per day during the regular school lunch periods and during which they shall have no assigned duties.

Any school district may employ noncertificated personnel to supervise school children in noninstructional activities during regular school lunch periods.

NEW SECTION. Sec. 28A.58.310 REIMBURSEMENT OF EXPENSES OF SCHOOL DIRECTORS OR REPRESENTATIVES. The actual expenses of school directors in going to, returning from and attending upon directors' meetings or other meetings called or held pursuant to statute shall be paid to them. Likewise, the expenses of school superintendents and other school representatives chosen by the directors to attend any conferences or meetings or to attend to any urgent business at the behest of the state superintendent of public instruction or the board of directors shall be paid to them.

NEW SECTION. Sec. 28A.58.370 SPECIAL MEETINGS OF VOTERS. AUTHORIZED. Any board of directors at its discretion may, and, upon a petition of a majority of the legal voters of their district, shall call a special meeting of the voters of the district, to determine the length of time in excess of the minimum length of time prescribed by law that such school shall be maintained in the district during the year; to determine whether or not the district shall purchase any schoolhouse site or sites, and to determine the location thereof; or to determine whether or not the district shall build one or



more schoolhouses or school facilities; or to determine whether or not the district shall maintain one or more free kindergartens; or to determine whether or not the district shall sell any real or personal property belonging to the district, borrow money or establish and maintain a school district library.

NEW SECTION. Sec. 28A.58.380 -----PLACE, NOTICE, PROCEDURE, RECORD. All such special meetings shall be held at such schoolhouse or place as the board of directors may determine. The voting shall be by ballot, the ballots to be of white paper of uniform size and quality. At least ten days' notice of such special meeting shall be given by the school district superintendent, in the manner that notice is required to be given of the annual school election, which notice shall state the object or objects for which the meeting is to be held, and no other business shall be transacted at such meeting than such as is specified in the notice. The school district superintendent shall be the secretary of the meeting, and the chairman of the board of directors or, in his absence, the senior director present, shall be chairman of the meeting: PROVIDED, That in the absence of one or all of said officials, the qualified electors present may elect a chairman or secretary, or both chairman and secretary, of said meeting as occasion may require, from among their number. The secretary of the meeting shall make a record of the proceedings of the meeting, and when the secretary of such meeting has been elected by the qualified voters present, he shall within ten days thereafter, file the record of the proceedings, duly certified, with the superintendent of the district, and said records shall become a part of the records of the district, and be preserved as other records.

NEW SECTION. Sec. 28A.58.390 -----DIRECTORS TO FOLLOW ELECTORS' DECISION. It shall be the duty of every board of directors to carry out the directions of the electors of their districts as expressed at any such meeting.

NEW SECTION. Sec. 28A.58.420 LIABILITY, LIFE, HEALTH, ACCIDENT, DISABILITY AND SALARY INSURANCE AUTHORIZED--PREMIUMS. The

board of directors of any of the state's school districts may make available liability, life, health, accident, disability and salary insurance or any one of, or a combination of the enumerated types of insurance for the members of the boards of directors, the students, and employees of the school district, and their dependents. Whenever funds shall be available for these purposes the board of directors of the school district may contribute toward the cost of such life, health, accident, disability and salary insurance, including hospitalization and medical aid for the employees of their respective school districts and their dependents in an amount not to exceed fifty percent of the premiums therefor, or ten dollars per month per employee covered, whichever is the lesser. The premiums on such liability insurance shall be borne by the school district. The premiums due on such life, health, accident, or disability and salary insurance shall be borne by the assenting school board member, student or employee.

NEW SECTION. Sec. 28A.58.440 INVESTMENT OF FUNDS OF DISTRICT NOT NEEDED FOR IMMEDIATE NECESSITIES--SERVICE FEE. The county treasurer, or the trustee, guardian, or any other custodian of any school fund, when authorized to do so by the board of directors of any school district, shall invest or reinvest any school funds of such district in savings or time accounts in banks, trust companies and mutual savings banks which are doing business in this state, up to the amount of insurance afforded such accounts by the Federal Deposit Insurance Corporation, or in accounts in savings and loan associations which are doing business in this state, up to the amount of insurance afforded such accounts by the Federal Savings and Loan Insurance Corporation, or any obligations, securities, certificates, notes, bonds, or short term securities or obligations, of the United States. The county treasurer shall have the power to select the particular investment in which said funds may be invested. All earnings and income from such investments shall inure to the benefit of any school fund designated by the board of directors of the school district.

which such board may lawfully designate: PROVIDED, That any interest or earnings being credited to a fund different from that which earned the interest or earnings shall only be expended for instructional supplies, equipment or capital outlay purposes. This section shall apply to all funds which may be lawfully so invested or reinvested which in the judgment of the school board are not required for the immediate necessities of the district.

Five percent of the interest or earnings, with an annual minimum of ten dollars or annual maximum of fifty dollars, on any transactions authorized by each resolution of the board of school directors shall be paid as an investment service fee to the office of county treasurer when the interest or earnings becomes available to the school district.

NEW SECTION. Sec. 28A.58.450 DISCHARGE OF CERTIFICATED PERSONNEL--NOTICE--PROBABLE CAUSE--HEARING--DECISION. Every board of directors determining that there is probable cause for the discharge of a teacher, principal, supervisor, or superintendent shall notify such employee of its decision, which notification shall specify the probable cause for discharge. Every such employee so notified, at his or her request made in writing and filed with the chairman of the board or secretary of the board of directors of the district within ten days after receiving such notice, shall be granted opportunity for hearing before the board of directors of the district, to determine whether or not there is cause for discharge. The board upon receipt of such request shall call the hearing to be held within ten days following the receipt of such request, and at least three days prior to the date fixed for the hearing shall notify such employee in writing of the date, time and place of the hearing. The employee may engage such counsel and produce such witnesses as he or she may desire. The board of directors within five days following the conclusion of such hearing shall notify such employee in writing of its final decision. Any decision to discharge such employee shall be based solely upon the cause for discharge specified in the notice

of probable cause to the employee and established by a preponderance of the evidence at the hearing to be sufficient cause for discharge.

In the event such notice and opportunity for hearing is not timely given by the district, or in the event cause for discharge is not established by a preponderance of the evidence at the hearing, such employee shall not be discharged for the duration of his or her contract.

If such employee does not request a hearing as provided herein, such employee shall be discharged.

NEW SECTION. Sec. 28A.58.460 DISCHARGE OF CERTIFICATED PERSONNEL OR FAILURE TO RENEW CONTRACT. NOTICE OF JUDICIAL APPEAL--SERVICE--FILING--CONTENTS. Any teacher, principal, supervisor or superintendent desiring to appeal from any action or failure to act upon the part of a school board relating to the discharge, or failure to renew that employee's contract for the next ensuing term, within thirty days after his receipt of such decision or order, may serve upon the chairman of the school board and file with the clerk of the superior court in the county in which the school district is located a notice of appeal which shall set forth also in a clear and concise manner the errors complained of.

NEW SECTION. Sec. 28A.58.470 -----CERTIFICATION AND FILING WITH COURT OF TRANSCRIPT BY SCHOOL BOARD. The clerk of the superior court, within ten days of his receipt of the notice of appeal shall notify in writing the chairman of the school board of the taking of the appeal, and within twenty days thereafter the school board shall at its expense file the complete transcript of the evidence and the papers and exhibits relating to the decision complained of, all properly certified to be correct.

NEW SECTION. Sec. 28A.58.480 -----APPEAL TO BE HEARD DE NOVO AND EXPEDITIOUSLY. Any appeal to the superior court by teacher, principal, supervisor or superintendent shall be heard de novo by the superior court. Such appeal shall be heard expeditiously.

NEW SECTION. Sec. 28A.58.490 -----COSTS AND ATTORNEYS'

FEEES ON APPEAL. The court in its discretion may award to a teacher, principal, supervisor or superintendent a reasonable attorney's fee for the preparation and trial of his appeal, together with his taxable costs in the superior court.

NEW SECTION. Sec. 28A.58.500 -----APPEAL TO SUPREME COURT. Either party to the proceedings in the superior court may appeal the decision to the supreme court of this state as any other civil action is appealed.

NEW SECTION. Sec. 28A.58.510 -----OTHER APPEAL STATUTES NOT APPLICABLE. The provisions of chapter 28A.88 RCW shall not be applicable to RCW 28A.58.450 through 28A.58.500.

NEW SECTION. Sec. 28A.58.520 ELECTIONS. QUALIFICATIONS OF ELECTORS--VOTING PLACE. Qualifications of electors at all school elections shall be the same as at a general state or county election. Except as otherwise provided by law, only those electors residing within the district shall be entitled to vote, and an elector may vote only at the polling place designated by the proper election official.

NEW SECTION. Sec. 28A.58.521 -----ELECTIONS TO BE CONDUCTED ACCORDING TO TITLE 29 RCW. All school district elections, regular or special, shall be conducted according to the election laws of the state as contained in Title 29 RCW, and in the event of a conflict as to the application of the laws of this title or Title 29 RCW, the latter shall prevail.

NEW SECTION. Sec. 28A.58.530 INFORMATION AND RESEARCH SERVICES. For the purpose of obtaining information on school organization, administration, operation and instruction, school districts and county or intermediate district superintendents may contract for or purchase information and research services from public universities, colleges and other public bodies. For the same purpose, school districts and county or intermediate district superintendents may become members of any nonprofit organization whose principal purpose is to provide such services. Charges payable for such services and

membership fees payable to such organizations may be based on the cost of providing such services, on the benefit received by the participating school districts measured by enrollment, or on any other reasonable basis, and may be paid before, during, or after the receipt of such services or the participation as members of such organizations.

NEW SECTION. Sec. 28A.58.550 CONDITIONAL SALES CONTRACTS FOR ACQUISITION OF PROPERTY OR PROPERTY RIGHTS. Any school district may execute an executory conditional sales contract with any other municipal corporation, the state or any of its political subdivisions, the government of the United States or any private party for the purchase of any real or personal property, or property rights, in connection with the exercise of any powers or duties which they now or hereafter are authorized to exercise, if the entire amount of the purchase price specified in such contract does not result in a total indebtedness in excess of one and one-half percent of the assessed valuation of the taxable property in such school district: PROVIDED, That if such a proposed contract would result in a total indebtedness in excess of one and one-half percent of the assessed valuation of the taxable property of such school district, as the case may be, a proposition in regard to whether or not such a contract may be executed shall be submitted to the voters for approval or rejection in the same manner that bond issues for capital purposes are submitted to the voters: PROVIDED FURTHER, That any school district may jointly with another school district execute contracts authorized by this section.

NEW SECTION. Sec. 28A.58.560 TAX DEFERRED ANNUITIES. The board of directors of any school district is authorized to provide and pay for tax deferred annuities for their respective employees in lieu of a portion of salary or wages as authorized under the provisions of 26 U.S.C., section 403(R), as amended by Public Law 87-370, 75 Stat. 796, as now or hereafter amended.

NEW SECTION. Sec. 28A.58.600 CHANGE OF DISTRICT NAME.

AUTHORIZED--PETITION FOR. Any school district in the state, regardless of size or method of organization, may change its name in the following manner: Upon receipt of a petition signed by ten percent of the registered voters of the district, requesting that the name of the school district shall be changed and submitting with said request a proposed name, the school board shall accept or reject the petition within the time for the next two regular meetings. If the petition is rejected, the board's action shall not be appealed.

NEW SECTION. Sec. 28A.58.601 -----PUBLIC HEARING ON--NOTICE OF--HEARING MAY INCLUDE ADDITIONAL PETITIONS. If the petition is accepted, the board shall set a date for a public hearing thereon to be held within one month of the date of acceptance and cause notice thereof, together with the proposed new name to be published once a week for three consecutive weeks in a newspaper of general circulation within the school district: PROVIDED, That additional petitions for change of name may be heard at the same public hearing without the necessity of additional publication of notice, so long as the additional proposed names are presented at any board meeting, whether special or regular, including at the public hearing. At the hearing any interested elector who is a resident of the school district may appear and speak for or against the propositions.

NEW SECTION. Sec. 28A.58.602 -----BOARD SELECTION OF NAME FOR VOTER APPROVAL. Within two regular meetings after the public hearing the board shall select one name to present to the residents of the school district for their approval or rejection at the next special or general election.

NEW SECTION. Sec. 28A.58.603 -----PROCEDURE UPON VOTER APPROVAL--RECORDING--NOTICE TO INTERESTED INSTITUTIONS. If a majority of the electors voting at the election at which the proposed name is voted upon approve the proposed name, the new name shall be recorded in the school district office, the office of the intermediate superintendent or county superintendent of schools, the offices of the state superintendent of public instruction and the state board

of education.

All institutions which have a legal or financial interest in the status of a school district whose name has been changed shall be notified in a manner prescribed by the state attorney general.

Chapter 28A.59

PROVISIONS APPLICABLE ONLY TO FIRST CLASS DISTRICTS

NEW SECTION. Sec. 28A.59.030 BOARD PRESIDENT, VICE PRESIDENT OR PRESIDENT PRO TEMPORE. At the first meeting of the members of the board they shall elect a president and vice president from among their number who shall serve for a term of one year or until their successors are elected. In the event of the temporary absence or disability of both the president and vice president, the board of directors may elect a president pro tempore who shall discharge all the duties of president during such temporary absence or disability.

The superintendent of such school district shall act as secretary to the board in accordance with the provisions of RCW 28A.58-.150.

NEW SECTION. Sec. 28A.59.040 CERTAIN BOARD ELECTIONS, MANNER AND VOTE REQUIRED--SELECTION OF PERSONNEL, MANNER. The election of the officers of the board of directors or to fill any vacancy as provided in RCW 28A.57.326, and the selection of the school district superintendent shall be by oral call of the roll of all the members, and no person shall be declared elected or selected unless he receives a majority vote of all the members of the board. Selection of other certificated and noncertificated personnel shall be made in such manner as the board shall determine.

NEW SECTION. Sec. 28A.59.050 DUTIES OF PRESIDENT. It shall be the duty of the president to preside at all meetings of the board, and to perform such other duties as the board may prescribe.

NEW SECTION. Sec. 28A.59.060 DUTIES OF VICE PRESIDENT. It shall be the duty of the vice president to perform all the duties of president in case of his absence or disability.

NEW SECTION. Sec. 28A.59.070 DUTIES OF SUPERINTENDENT AS

SECRETARY OF THE BOARD. In addition to the duties as prescribed in RCW 28A.58.150, the school district superintendent, as secretary of the board, may be authorized by the board to act as business manager, purchasing agent, and/or superintendent of buildings and janitors, and charged with the special care of school buildings and other property of the district, and he shall perform other duties as the board may direct.

NEW SECTION. Sec. 28A.59.080 SUPERINTENDENT'S BOND AND OATH. Before entering upon the discharge of his duties, the superintendent as secretary of the board shall give bond in such sum as the board of directors may fix from time to time, but for not less than five thousand dollars, with good and sufficient sureties, and shall take and subscribe an oath or affirmation, before a proper officer that he will support the Constitution of the United States and of the state of Washington and faithfully perform the duties of his office, a copy of which oath or affirmation shall be filed with the county or intermediate district superintendent.

NEW SECTION. Sec. 28A.59.100 OFFICE OF BOARD--RECORDS AVAILABLE FOR PUBLIC INSPECTION. The board of directors shall maintain an office where all regular meetings shall be held, and where all records, vouchers and other important papers belonging to the board may be preserved. Such records, vouchers, and other important papers at all reasonable times shall be available for public inspection.

NEW SECTION. Sec. 28A.59.110 PAYMENT OF CLAIMS--SIGNING OF WARRANTS. Moneys of such school districts shall be paid out only upon orders for warrants signed by the president, or a majority of the board of directors and countersigned by the secretary: PROVIDED, That when, in the judgment of the board of directors, the orders for warrants issued by the district monthly shall have reached such numbers that the signing of each warrant by the president personally imposes too great a task on the president, the board of directors, after auditing all payrolls and bills as provided by RCW 28A.59.150, may authorize the issuing of one general certificate to the county

treasurer, to be signed by the president, authorizing said treasurer to pay all the warrants specified by date, number, name and amount, and the funds on which said warrants shall be drawn; thereupon the secretary of said board shall be authorized to draw and sign said orders for warrants.

NEW SECTION. Sec. 28A.59.130 QUORUM--FAILURE TO ATTEND MEETINGS MAY RESULT IN VACATION OF OFFICE. 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 vacate his position in the board, which fact shall be passed upon by the board of directors and spread upon their records.

NEW SECTION. Sec. 28A.59.150 AUDITING COMMITTEE AND EXPENDITURES--EXAMINATION BY COUNTY OR INTERMEDIATE DISTRICT SUPERINTENDENT. All accounts shall be audited by a committee of board members chosen in such manner as the board so determines to be styled the "auditing committee," and, except as otherwise provided by law, no expenditure greater than three hundred dollars shall be voted by the board except in accordance with a written contract, nor shall any money or appropriation be paid out of the school fund except on a recorded affirmative vote of a majority of all members of the board: PROVIDED, That nothing herein shall be construed to prevent the board from making any repairs or improvements to the property of the district through their shop and repair department as otherwise provided in RCW 28A.58.135; and the accounts and the records of said board shall at all times be subject to the inspection and examination of the county or intermediate district superintendent, as the case may be, whose duty it shall be, annually, to examine said records and check said accounts, and report in writing to the proper board of county commissioners the nature and state of said accounts, and any facts that may be required concerning said records.

NEW SECTION. Sec. 28A.59.180 ADDITIONAL POWERS OF BOARD. Every board of directors of a school district of the first class,

in addition to the general powers for directors enumerated in chapter 28A.58 RCW or elsewhere in this title, shall have the power:

(1) To employ for a term of not exceeding three years a superintendent of schools of the district, and for cause to dismiss him; and to fix his duties and compensation.

(2) To employ, and for cause dismiss one or more assistant superintendents and to define their duties and fix their compensation.

(3) To employ a business manager, attorneys, architects, inspectors of construction, superintendents of buildings and a superintendent of supplies, all of whom shall serve at the board's pleasure, and to prescribe their duties and fix their compensation.

(4) To employ, and for cause dismiss, supervisors of instruction and to define their duties and fix their compensation.

(5) To prescribe a course of study and a program of exercises which shall be consistent with the course of study prepared by the state board of education for the use of the common schools of this state.

(6) To establish and maintain such grades and departments, including night, high, kindergarten, vocational training and, except as otherwise provided by law, industrial schools, and schools and departments for the education and training of any class or classes of handicapped youth, as in the judgment of the board, best shall promote the interests of education in the district.

(7) To determine the length of time over and above one hundred eighty days that school shall be maintained: PROVIDED, That for purposes of apportionment no district shall be credited with more than one hundred and eighty-three days' attendance in any school year; and to fix the time for annual opening and closing of schools and for the daily dismissal of pupils before the regular time for closing schools.

(8) To maintain a shop and repair department, and to employ, and for cause dismiss, a foreman and the necessary help for the maintenance and conduct thereof.

(9) To provide free textbooks and supplies for all children attending school, when so ordered by a vote of the electors; or if the free textbooks are not voted by the electors, to provide books for children of indigent parents, on the written statement of the city superintendent that the parents of such children are not able to purchase them.

(10) To require of the officers or employees of the district to give a bond for the faithful discharge of their duties in such penal sum as may be fixed by the board with good and sufficient surety, and to cause the premium for all bonds required of all such officers or employees to be paid by the district.

(11) To prohibit all secret fraternities and sororities among the students in any of the schools of the said districts.

(12) To appoint a practicing physician, resident of the school district, who shall be known as the school district medical inspector, and whose duty it shall be to decide for the board of directors all questions of sanitation and health affecting the safety and welfare of the public schools of the district who shall serve at the board's pleasure; he or authorized deputies shall make monthly inspections of each school in the district and report the condition of the same to the board of education and board of health: PROVIDED, That children shall not be required to submit to vaccination against the will of their parents or guardian.

NEW SECTION. Sec. 28A.59.185 PERMANENT INSURANCE FUND--BUDGET ITEM--INVESTMENT. School districts of the first class, when in the judgment of the board of directors it be deemed expedient, shall have power to create and maintain a permanent insurance fund for said districts, to be used to meet losses by fire, if any, of said school districts.

Funds required for maintenance of such a permanent insurance fund shall be budgeted and allowed as are other funds required for the support of the school district.

The county treasurer or other custodian of such fund, when

authorized to do so by the board of directors of any school district, may invest any accumulated moneys in such permanent insurance fund in like manner as for the investment or reinvestment of other school funds as provided in RCW 28A.58.440.

Chapter 28A.60

PROVISIONS APPLICABLE ONLY TO

SECOND AND THIRD CLASS DISTRICTS

NEW SECTION. Sec. 28A.60.010 ORGANIZATION OF BOARD--ASSUMPTION OF SUPERINTENDENT'S DUTIES BY BOARD MEMBER, WHEN--SECOND AND THIRD CLASS DISTRICTS. The term of office of directors of districts of the second and third class shall begin, and the board shall organize, as provided in RCW 29.13.050. At the first meeting of the members of the board they shall elect a chairman from among their number who shall serve for a term of one year or until his successor is elected. The school district superintendent as defined in RCW 28A.01.100 shall serve as secretary to the board. Whenever a district shall be without the services of such a superintendent and the business of the district necessitates action thereby, or when any third class district board determines that no one of its teachers is qualified to act as district superintendent, the board shall appoint any member thereof to carry out the superintendent's powers and duties for the district.

NEW SECTION. Sec. 28A.60.070 NOTICE TO COUNTY OR INTERMEDIATE DISTRICT SUPERINTENDENT OF CHANGE OF CHAIRMAN OR SUPERINTENDENT--SECOND AND THIRD CLASS DISTRICTS. Every school district superintendent in districts of the second and the third class shall within ten days after any change in the office of chairman or superintendent, notify the county or intermediate district superintendent of such change.

NEW SECTION. Sec. 28A.60.181 SCHOOLHOUSES, TEACHERS' COTTAGES--PURCHASE OF REALTY FOR DISTRICT PURPOSES--SECOND CLASS DISTRICTS. The board of directors of a second class school district shall build schoolhouses and teachers' cottages when directed by a

vote of the district to do so. The board of directors of a second class school district may purchase real property for any school district purpose.

NEW SECTION. Sec. 28A.60.185 SCHOOLHOUSES, TEACHERS' COTTAGES---PURCHASE, LEASE OF REALTY---SITES--THIRD CLASS DISTRICTS. The board of directors of a third class school district shall build schoolhouses and teachers' cottages and purchase real property when directed by a vote of the district to do so: PROVIDED, That if a third class school district owns a schoolhouse on a site owned by the district, the board by unanimous vote of all members thereof may purchase or lease additional real estate contiguous to such site without a vote of the district: PROVIDED FURTHER, That a schoolhouse or other building already built on a site which has been selected by a majority vote of the district shall not be removed to a new site without a two-thirds vote of the district at a regular or special election; nor shall a schoolhouse site that has been selected by a majority vote of the district, but upon which no schoolhouse has been built, be changed except by a two-thirds vote of the district voting at a regular or special election.

NEW SECTION. Sec. 28A.60.186 APPROVAL OF BUILDING PLANS--THIRD CLASS DISTRICTS. Whenever any board of directors of school districts of the third class shall be authorized by the electors of their district to erect a school building, it shall be the duty of such board, before entering into any contract for the erection of any such building, to obtain the approval of the county superintendent or the intermediate district superintendent, as the case may be, of the plans and specifications for the building to be erected, including approval of the heating, lighting, ventilating and safety thereof.

NEW SECTION. Sec. 28A.60.190 SCHOOL PROPERTY USED FOR PUBLIC PURPOSES--SECOND AND THIRD CLASS DISTRICTS. School boards in each district of the second class and third class may provide for the free, comfortable and convenient use of the school property to promote and

facilitate frequent meetings and association of the people in discussion, study, improvement, recreation and other community purposes, and may acquire, assemble and house material for the dissemination of information of use and interest to the farm, the home and the community, and facilities for experiment and study, especially in matters pertaining to the growing of crops, the improvement and handling of livestock, the marketing of farm products, the planning and construction of farm buildings, the subjects of household economies, home industries, good roads, and community vocations and industries; and may call meetings for the consideration and discussion of any such matters, employ a special supervisor, or leader, if need be, and provide suitable dwellings and accommodations for teachers, supervisors and necessary assistants.

NEW SECTION. Sec. 28A.60.200 -----COMMUNITY BUILDINGS. Each school district of the second or third class, by itself or in combination with any other district or districts, shall have power, when in the judgment of the school board it shall be deemed expedient, to reconstruct, remodel, or build schoolhouses, and to erect, purchase, lease or otherwise acquire other improvements and real and personal property, and establish a communal assembly place and appurtenances, and supply the same with suitable and convenient furnishings and facilities for the uses mentioned in RCW 28A.60.190.

NEW SECTION. Sec. 28A.60.210 -----SPECIAL STATE COMMISSION TO PASS ON PLANS. Plans of any second or third class district or combination of districts for the carrying out of the powers granted by RCW 28A.60.190 through 28A.60.220 shall be submitted to and approved by a board of supervisors composed of members, as follows: The superintendent of public instruction; the head of the extension department of Washington State University; the head of the extension department of the University of Washington; the county or intermediate district superintendent of schools, or both, depending upon the school organization of the districts involved; these to choose one member from such county in which the facilities are proposed to be

located, and two members, one of whom shall be a woman, from the district or districts concerned.

NEW SECTION. Sec. 28A.60.220 -----LIMIT ON EXPENDITURES. No real or personal property or improvements shall be purchased, leased, exchanged, acquired or sold, nor any schoolhouses built, remodeled or removed, nor any indebtedness incurred or money expended for any of the purposes of RCW 28A.60.190 through 28A.60.220 except in the manner otherwise provided by law for the purchase, lease, exchange, acquisition and sale of school property, the building, remodeling and removing of schoolhouses and the incurring of indebtedness and expenditure of money for school purposes.

NEW SECTION. Sec. 28A.60.320 SCHOOL PHYSICIAN OR SCHOOL NURSE MAY BE EMPLOYED--SECOND AND THIRD CLASS DISTRICTS. The board of directors of any school district of the second or third class may employ a regularly licensed physician or a licensed public health nurse for the purpose of protecting the health of the children in said district.

Chapter 28A.61

WASHINGTON STATE SCHOOL DIRECTORS' ASSOCIATION

NEW SECTION. Sec. 28A.61.010 ASSOCIATION CREATED. The public necessity for the coordination of programs and procedures pertaining to policymaking and to control and management among the school districts of the state is hereby recognized, and in the furtherance of such coordination there is hereby created for said purpose an agency of the state to be known as the Washington state school directors' association, hereinafter designated as the school directors' association.

NEW SECTION. Sec. 28A.61.020 MEMBERSHIP. The membership of the school directors' association shall comprise the members of the boards of directors of the school districts of the state.

NEW SECTION. Sec. 28A.61.030 POWERS OF ASSOCIATION. The school directors' association shall have the power:

(1) To prepare and adopt, amend and repeal a constitution and rules, regulations, and bylaws for its own organization including county or regional units and for its government and guidance: PROVIDED, That action

taken with respect thereto is consistent with the provisions of RCW 28A.-61.010 through 28A.61.060 or with other provisions of law;

(2) To arrange for and call such meetings of the association or of the officers and committees thereof as are deemed essential to the performance of its duties;

(3) To provide for the payment of travel and subsistence expenses incurred by members and/or officers of the association and association staff while engaged in the performance of duties under direction of the association in the manner provided by RCW 28A.58.310;

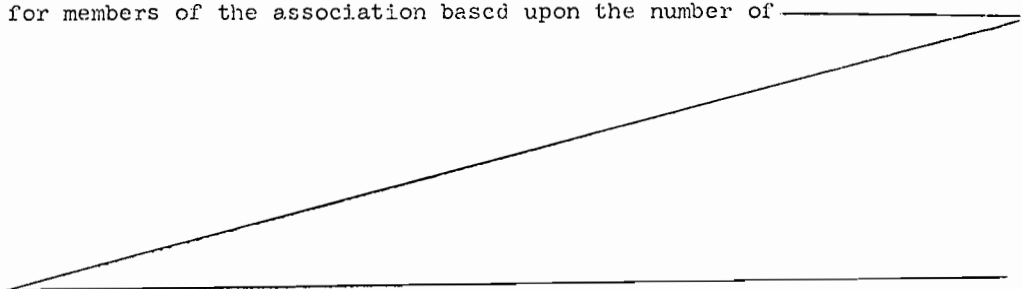
(4) To employ an executive secretary and other staff and pay such employees out of the funds of the association;

(5) To conduct studies and disseminate information therefrom relative to increased efficiency in local school board administration; and

(6) To buy, sell or exchange such personal property as necessary for the efficient operation of the association.

NEW SECTION. Sec. 28A.61.040 COORDINATION OF POLICIES--REPORT. It shall be the duty of the school directors' association (1) to take such action as the association deems advisable to effect a coordination of policymaking, control, and management of the school districts of the state; and (2) to prepare and submit to the superintendent of public instruction annually, and oftener if deemed advisable by the association, reports and recommendations respecting the aforesaid matters and any other matters which in the judgment of the association pertain to an increase in the efficiency of the common school system.

NEW SECTION. Sec. 28A.61.050 ASSOCIATION DUES--PAYMENT. The school directors' association may establish a graduated schedule of dues for members of the association based upon the number of _____



certificated personnel in each district. Dues shall be established for the directors of each district as a group. The total of all dues assessed shall not exceed twenty-two cents for each one thousand dollars of the state-wide total of all school districts' general fund receipts. The board of directors of a school district shall make provision for payment out of the general fund of the district of the dues of association members resident in the district, which payment shall be made in the manner provided by law for the payment of other claims against the general fund of the district. The dues for each school district shall be due and payable on the first day of January of each year, and if not paid by any district before the thirty-first day of December of any year the executive committee of the association may present a written request to the county auditor that such payment be made by him by transfer of funds from the general fund of the district. Upon receipt of such request the county auditor shall make such transfer.

NEW SECTION. Sec. 28A.61.060 COUNTY OR REGIONAL UNITS. To assist the Washington state school directors' association in carrying out its purpose as provided in RCW 28A.61.010, the members of that association may establish county or regional directors' associations which shall be designated as units of the Washington state school directors' association. Each county or regional unit may establish a schedule of dues for members of the unit, which schedule shall provide for dues not in excess of one dollar per year for each member from each school district. Such membership dues shall be payable to the county or regional unit and shall be due and payable at the same time and in the same manner as the membership dues for the Washington state school directors' association are due and payable. Dues payable to a county or regional unit shall be received by the treasurer of such unit and shall be disbursed by him upon order of the executive committee of such unit for necessary expenses incurred by such unit.

SCHOOL DISTRICT BUDGETS

NEW SECTION. Sec. 28A.65.010 PRELIMINARY BUDGETS. WHEN PREPARED--CONTENTS. On or before the thirtieth day of April in each year, the board of directors of all school districts shall prepare the preliminary budget for the ensuing fiscal year. The budget shall set forth the complete financial program of the district for the ensuing fiscal year, showing in detail in two sections the expenditure program and the sources of revenue from which it is to be financed.

NEW SECTION. Sec. 28A.65.020 -----REVENUE AND EXPENDITURE DETAIL. The revenue section shall set forth the estimated receipts from the various sources other than taxation for the ensuing fiscal year, the actual receipts for the last completed fiscal year, the probable surplus that will be on hand at the close of the current fiscal year, and the amount to be raised by taxation.

The expenditure section shall set forth by detailed items or classes the estimated expenditures for the ensuing fiscal year, the appropriations for the current fiscal year, and the expenditures for the last completed fiscal year. Each salary shall be set forth separately together with the title or position of the recipient: PROVIDED, That salaries may be set out in total amounts under each budget class if a detailed schedule of such salaries and positions be attached to the budget and made a part thereof.

NEW SECTION. Sec. 28A.65.030 -----FORMAT OF ESTIMATES AND COMPARATIVE DATA--CLASSIFICATIONS. The estimates and comparative budget data shall be set up in comparative and tabular form according to the classifications established by the division of municipal corporations of the state auditor's office.

NEW SECTION. Sec. 28A.65.040 -----ITEMS DEPENDENT UPON PROSPECTIVE ENROLLMENT--HOW SUBMITTED--REVISIONS--LIMITATION. Estimates of number of teachers required, equipment, instruction, supplies, textbooks, and such other items as depend in amount directly upon the prospective enrollment shall be submitted on the basis of the requirements for the current fiscal year and be subject to

revision in September as hereafter in this chapter provided: PROVIDED, That no new subject not specifically provided for in the preliminary budget shall be taught, nor shall any expenditure be made therefor.

NEW SECTION. Sec. 28A.65.050 -----FORMS--CLASSIFICATIONS--ACCOUNTING AND COST SYSTEMS. For the purposes of carrying out the provisions of RCW 28A.65.010 through 28A.65.040, school districts shall prepare their budgets on forms to be provided by the superintendent of public instruction. In addition, the division of municipal corporations, office of the state auditor, is hereby empowered and directed to prescribe such budget and other forms and classifications as are required, to define for the school accounting officers what expenditures shall be chargeable to each budget class, and to establish such accounting and cost systems as may be necessary to secure accurate budget information.

NEW SECTION. Sec. 28A.65.060 -----PORTION OF TAXABLE INCOME MAY BE BUDGETED FOR CERTAIN CAPITAL AND/OR BONDING PURPOSES. The board of directors of any school district at the time of preparing the annual budget for the ensuing year may include therein a sum not exceeding one-fifth of the taxable income of the district for any or all of the following purposes: (1) The establishment and support of a building fund, (2) the establishment and support of a fund for the purchase of transportation equipment, (3) the purchase of a schoolhouse site or sites for buildings or playgrounds, (4) the erection of one or more buildings authorized by law and providing the same with furniture, and (5) the payment of the principal or interest on outstanding bonds or the refunding of outstanding indebtedness.

NEW SECTION. Sec. 28A.65.070 -----NOTICE OF COMPLETION AND OF HEARING THEREON--TAXPAYERS' COPIES. The board of directors shall immediately after the compilation of said preliminary budget publish a notice stating that the board of directors has completed the preliminary budget and placed the same on file with the school district superintendent, that a copy thereof will be furnished any taxpayer who will call upon the superintendent for it, and that the

board of directors will meet for the purpose of fixing and adopting the preliminary budget of the district for the ensuing fiscal year. Such notice shall designate the date, time, and place of said meeting which shall occur on or before the first day of June. The notice shall also state that any taxpayer may appear thereat and be heard for or against any part of such budget. Said notice shall be published once each week for two consecutive weeks immediately following the compilation of the preliminary budget in a newspaper of general circulation in the district, or, if there be none, in a newspaper of general circulation in the county. The board of directors shall provide a sufficient number of copies of the preliminary budget to meet the reasonable demands of the taxpayers therefor, and the same shall be made available for distribution not later than two weeks immediately preceding the date set for the public hearing.

NEW SECTION. Sec. 28A.65.080 -----HEARING AND ADOPTION OF PRELIMINARY BUDGET--TENTATIVE ADOPTION OF REVISABLE ITEMS. On the date given in said notice the board of directors shall meet at the time and place designated. Any taxpayer may appear thereat and be heard for or against any part of such budget. Such hearing may be continued not to exceed a total of two days.

Upon the conclusion of the hearing, the board of directors shall fix and determine each item or class of the budget separately and shall by resolution adopt the preliminary budget as so finally determined and enter the same in detail in the official minutes: PROVIDED, That the estimates for the expenditures depending directly upon the prospective September enrollment shall be adopted tentatively subject to revision.

NEW SECTION. Sec. 28A.65.090 -----MEETING TO REVISE ITEMS WHICH DEPEND UPON ENROLLMENT--NOTICE--HEARING. On or before the twentieth day of September following, the board of directors of districts of the second and third class, and on or before the first Monday in October following, the board of directors of districts of the first class shall meet for the purpose of revising those items of the

budget adopted pursuant to RCW 28A.65.080 to meet the requirements of the enrollment as finally determined. Said meeting shall be a public meeting, notice thereof to be given in the manner provided in RCW 28A.65.070. Any taxpayer may appear thereat and be heard for or against any proposed revision.

NEW SECTION. Sec. 28A.65.100 ADOPTION OF BUDGET--SECOND AND THIRD CLASS DISTRICTS TO FORWARD FOR REVIEW. Upon the conclusion of the revision hearing the board of directors shall fix and determine the budget and by resolution adopt the same: PROVIDED, That in the case of second and third class districts the board of directors shall immediately forward the budget to the county superintendent for review and revision by a county reviewing committee.

NEW SECTION. Sec. 28A.65.110 COUNTY REVIEWING COMMITTEE--COMPOSITION--REVIEW--OFFSETTING WARRANTS BY TAXES. The county reviewing committee shall consist of the county or intermediate district superintendent, a member of the local board of directors, and the members of the county or intermediate district board of education.

Upon receipt of the district budget the county reviewing committee shall meet on or before the thirtieth day of September and finally fix and determine the total amount of the budget. Said meeting shall be open to the public, and copies of the original and revised budgets shall be available for examination by any resident taxpayer in attendance. In arriving at the amount of the budget, only current taxes may be considered for the purpose of offsetting outstanding warrants, unless the use of delinquent taxes is approved by the reviewing committee.

NEW SECTION. Sec. 28A.65.120 CERTIFICATION AND FILING OF BUDGETS. Upon the conclusion of the revision hearing in districts of the first class and upon the conclusion of the county reviewing committee's action in districts of the second and third class, the board or reviewing committee as the case may be shall certify the final budget and the amount to be raised by taxation to the county commissioners for the levying of the district taxes in the manner now

provided by law. A copy of said final budget, when certified, shall be filed with the county or intermediate district superintendent, state superintendent of public instruction, the appropriate county auditor for the board of county commissioners, and the division of municipal corporations, office of the state auditor. The certification and filing of the budgets as aforesaid shall occur on or before the first day of October.

NEW SECTION. Sec. 28A.65.130 SECOND AND THIRD CLASS DISTRICTS--SPECIAL LEVIES FOR ADDITIONAL EXPENDITURES. When, in the judgment of a school board of a second or third class district, additional expenditures other than those allowed by the reviewing board are deemed necessary, such expenditures shall be submitted to the voters at a special election for a special levy as a separate item, and, if authorized in the manner required by law, shall be levied and included as a part of the final budget.

NEW SECTION. Sec. 28A.65.140 FIRST CLASS DISTRICTS--EMERGENCY EXPENDITURES. Upon the happening of any emergency in a district of the first class, caused by the destruction or impairment of any school property necessary for the maintenance of school, or to provide school facilities for an enrollment not contemplated in the budget, or by epidemic, or by the entry of a judgment for damages against the district, or by the enactment of legislation since the adoption of said budget requiring expenditures not contemplated therein, the board of directors, by unanimous vote of the directors present at any meeting, the time of place of which all directors shall have had reasonable notice, may adopt a resolution stating the facts constituting said emergency and authorizing the issuance of warrants against the general fund of such district to meet said emergency: PROVIDED, That there is sufficient unappropriated surplus to the credit of the district to provide for such emergency: PROVIDED FURTHER, That said surplus shall be deemed appropriated to the extent of such emergency warrants issued against it until reimbursed as hereafter provided.

The board of directors shall file a certified copy of such emergency resolution together with a written authorization for the issuance of such warrants with the appropriate county auditor and with the appropriate county treasurer and thereupon the county auditor shall issue warrants on the order of the board of directors: PROVIDED, That the total amount of such warrants shall not exceed the amount of said unappropriated surplus to the credit of the district; and the treasurer is hereby authorized to pay such warrants out of any moneys on hand in the general fund of such district and if there be none then such warrants shall be registered, bear interest and be called in the manner provided by law.

The board of directors shall include in their annual budget the total amount of emergency warrants issued during the preceding fiscal year and shall cause a sufficient sum to be levied to reimburse said general fund for the amount of such emergency warrants.

NEW SECTION. Sec. 28A.65.150 SECOND AND THIRD CLASS DISTRICTS--EMERGENCY EXPENDITURES. If an emergency arises in a second or third class school district because of unforeseen conditions, the board of directors, in consultation with the county or intermediate district superintendent and the appointed citizen members of the county reviewing committee, shall determine the best means of meeting such emergency. When the proposed plan and the indebtedness therefor have received the approval of the state superintendent of public instruction, it shall be put into effect.

NEW SECTION. Sec. 28A.65.160 TERMINATION OF APPROPRIATIONS. All appropriations shall lapse at the end of the fiscal year: PROVIDED, That the appropriation accounts shall remain open for a period of twenty days thereafter for the payment of claims incurred against them before the close of the fiscal year. At the expiration of said period all appropriations shall become null and void and any claim presented thereafter against any such appropriation for the fiscal year just closed shall be provided for in the next budget: PROVIDED, That this shall not prevent payments upon incompletd improvements

in progress at the close of the fiscal year: PROVIDED FURTHER, That this shall not prevent the accumulation of sinking funds, building funds, insurance funds or any other funds which the district may lawfully accumulate for a specific purpose.

NEW SECTION. Sec. 28A.65.170 BUDGET CONSTITUTES APPROPRIATIONS--NONBUDGETED EXPENDITURES PROHIBITED--DIRECTORS' PERSONAL LIABILITY--INTERIM EXPENDITURES. The budget as finally adopted shall constitute the appropriations of the district for the ensuing fiscal year and the board of directors shall be limited in the making of expenditures and the incurring of liabilities to the grand total of such appropriations. The board of directors shall make no expenditures nor incur any liability for any purpose not provided for in said budget, except for emergencies as hereinabove provided. Expenditures made, liabilities incurred, or warrants issued in excess of said appropriations shall not be a liability of the district, but shall subject the members of any board of directors violating any provision of this section to personal liability in the full amount thus expended or contracted for, and each director shall immediately forfeit his office: PROVIDED, That no board of directors shall be prohibited from making expenditures for the payment of regular employees and for the necessary repairs, and upkeep of the school plant during the interim while the budget is being settled.

Chapter 28A.66

SCHOOL DISTRICT WARRANTS,

AUDITOR'S DUTIES RELATING TO

NEW SECTION. Sec. 28A.66.010 REGISTERING WARRANTS--FIRST CLASS DISTRICTS. The county auditor shall register in his own office, and present to the treasurer for registration in the office of the county treasurer, all warrants of first class districts received from school district superintendents or district secretaries before delivery of the same to claimants.

NEW SECTION. Sec. 28A.66.020 REGISTERING WARRANTS--SECOND AND THIRD CLASS DISTRICTS. The county auditor shall cause all school

warrants of second and third class districts issued by him to be registered in the treasurer's office and shall retain the vouchers on file in his office.

NEW SECTION. Sec. 28A.66.030 AUDITING ACCOUNTS--ALL DISTRICTS. The county auditors of the several counties of this state shall audit all accounts of the several school districts of their respective counties, the same as other accounts are audited with the other departments of the county.

NEW SECTION. Sec. 28A.66.040 AUDITOR TO DRAW AND ISSUE WARRANTS--SECOND AND THIRD CLASS DISTRICTS. The county auditor shall draw and issue warrants for the payment of all salaries, expenses and accounts against second and third class districts upon the written order of the majority of the members of the school board of each district.

NEW SECTION. Sec. 28A.66.050 TEACHER MUST QUALIFY AND BE UNDER CONTRACT BEFORE WARRANT DRAWN AND ISSUED OR REGISTERED--ALL DISTRICTS. No warrant shall be drawn and issued or registered by the county auditor for the payment of any teacher who is not qualified within the meaning of the law of this state, nor unless a copy of a written contract evidencing employment thereof be filed with the county or intermediate district superintendent in accordance with the provisions of law.

NEW SECTION. Sec. 28A.66.060 TEACHER'S LAST MONTH'S SALARY WARRANT NOT TO BE DRAWN AND ISSUED OR REGISTERED UNLESS FINAL REPORT FILED--ALL DISTRICTS. The county auditor shall not draw and issue or register the warrant in payment of the last month's salary of any teacher in any district until he shall receive notice from the county or intermediate district superintendent that the teacher's final report has been made to the said county or intermediate district superintendent or that no such report is required.

NEW SECTION. Sec. 28A.66.070 LIABILITY OF AUDITOR FOR WARRANTS EXCEEDING BUDGET--ALL DISTRICTS. Any county auditor issuing or causing to be issued a district warrant for any sum in excess of

the aggregate total of a district's annual budget shall be personally liable therefor, and shall reimburse the district in double the amount of any such sum.

NEW SECTION. Sec. 28A.66.080 ORDERS FOR WARRANTS NOT TRANSFERABLE--SECOND AND THIRD CLASS DISTRICTS. An order for a warrant issued by any board of directors of second or third class school districts shall not be transferable, and the county auditor shall issue no warrant except to individuals or firms designated in original district orders.

NEW SECTION. Sec. 28A.66.090 CHECK AND REPORT OF REDEEMED WARRANTS--ALL DISTRICTS. The county auditor shall check the redeemed warrants of all school districts after each monthly settlement with the treasurer, enter the date redeemed in his school warrant register, and certify as to the correctness of the treasurer's reports to such school districts.

NEW SECTION. Sec. 28A.66.100 AUDITOR'S ANNUAL REPORT TO COUNTY OR INTERMEDIATE DISTRICT SUPERINTENDENT. The county auditor shall make an annual report for the period ending on the preceding June 30th on the financial condition of each school in his county to the county or intermediate district superintendent on or before the twenty-fifth day of July, in such form as may be prescribed by the superintendent of public instruction.

Chapter 28A.67

TEACHERS--GENERAL PROVISIONS

NEW SECTION. Sec. 28A.67.010 QUALIFICATIONS--CERTIFICATE OR PERMIT REQUIRED. No person shall be accounted as a qualified teacher within the meaning of the school law who is not the holder of a valid teacher's certificate or permit issued by lawful authority of this state.

NEW SECTION. Sec. 28A.67.020 QUALIFICATIONS--CITIZENSHIP REQUIREMENT--PERMITS TO ALIENS--OATH REQUIRED. No person, who is not a citizen of the United States of America, shall be permitted to teach in the common schools in this state: PROVIDED, That the

superintendent of public instruction may grant to an alien a permit to teach in the common schools of this state if such teacher has all the other qualifications required by law, has declared his intention of becoming a citizen of the United States of America and five years and six months have not expired since such declaration was made: PROVIDED FURTHER, That the superintendent of public instruction may grant to an alien whose qualifications have been approved by the state board of education a temporary permit to teach as an exchange teacher in the common schools of this state, irrespective of requirements respecting citizenship and oath of allegiance. Before such alien shall be granted a temporary permit he shall be required to subscribe to an oath or affirmation in writing that he is not a member of or affiliated with a communist or communist-sponsored organization or a fascist or fascist-sponsored organization. The form of such oath or affirmation shall be prepared by the superintendent of public instruction. All oaths or affirmations subscribed as herein provided shall be filed in the office of the superintendent of public instruction and shall be there retained for a period of five years. Such permits shall at all times be subject to revocation by the superintendent of public instruction.

NEW SECTION. Sec. 28A.67.030 DISQUALIFICATION FOR FAILURE TO EMPHASIZE PATRIOTISM. No person, whose certificate or permit authorizing him to teach in the common schools of this state has been revoked due to his failure to endeavor to impress on the minds of his pupils the principles of patriotism, or to train them up to the true comprehension of the rights, duty and dignity of American citizenship, shall be permitted to teach in any common school in this state.

NEW SECTION. Sec. 28A.67.035 NONCOMPLIANCE WITH RCW 28A.67-.020 AND 28A.67.030--PENALTIES. Any person teaching in any school in violation of RCW 28A.67.020 or 28A.67.030, and any school director knowingly permitting any person to teach in any school in violation of RCW 28A.67.020 or 28A.67.030, shall be guilty of a misdemeanor.

NEW SECTION. Sec. 28A.67.040 ANNUAL REPORT--REPORT AS PRE-REQUISITE FOR SALARY. Every teacher who shall be teaching at the close of the school year, or who shall teach the last term of any school year, in any school district, shall make a report to the county or intermediate district superintendent encompassing such information pertinent to school purposes as said official requires immediately upon the close of such school year or term for the entire time taught in said school district since the beginning of the school year, if any such report be so requested by the county or intermediate district superintendent. Copies of all reports made by teachers shall be furnished to their school district superintendent, to be by him filed in his office. No board of directors shall draw any order or warrant for the salary of any teacher for the last month of his service, until such reports, if required, shall have been made, and the same approved by the county or intermediate district superintendent.

NEW SECTION. Sec. 28A.67.050 REGISTER TO BE KEPT--PROPER REGISTER AS PREREQUISITE FOR SALARY. Every teacher shall keep a school register in such manner as the local school district, acting under regulations of the superintendent of public instruction, so directs, and no board of directors shall draw any order or warrant for the salary of any teacher for the last month of his service in the school at the end of any term or year, until the board has received said teacher's register and found the same in conformity with district requirements.

NEW SECTION. Sec. 28A.67.060 COURSE OF STUDY AND REGULATIONS --ENFORCEMENT--WITHHOLDING SALARY WARRANT FOR FAILURE. Certificated employees shall faithfully enforce in the common schools the course of study and regulations prescribed, whether regulations of the district, the superintendent of public instruction, or the state board of education, and shall furnish promptly all information relating to the common schools which may be requested by the county or intermediate district superintendent.

Any certificated employee who wilfully refuses or neglects to enforce the course of study or the rules and regulations as above in this section required, shall not be allowed by the directors any warrant for salary due until said person shall have complied with said requirements.

NEW SECTION. Sec. 28A.67.070 CONDITIONS AND CONTRACTS OF EMPLOYMENT--NONRENEWAL OF CONTRACTS. No teacher shall be employed except by written order of a majority of the directors of the district at a regular or special meeting thereof, nor unless he is the holder of an effective teacher's certificate.

The board shall make with each teacher employed by it a written contract, which shall be in conformity with the laws of this state, and limited to a term of not more than one year. Every such contract shall be made in triplicate, one copy to be retained by the school district superintendent or secretary, one copy to be retained, after having been approved and registered, by the county or intermediate district superintendent, and one copy to be delivered to the teacher thereafter.

Every teacher, principal, supervisor, or superintendent holding a position as such with a school district, hereinafter referred to as "employee", whose employment contract is not to be renewed by the district for the next ensuing term shall be notified in writing on or before April 15th preceding the commencement of such term of the decision of the board of directors not to renew his employment which notification shall specify sufficient cause or causes for non-renewal of contract. Such notice shall be served upon the employee by certified or registered mail, or to the teacher personally, or by leaving a copy of the notice at the house of his usual abode with some person of suitable age and discretion then resident therein. Every such employee so notified, at his or her request made in writing and filed with the chairman or secretary of the board of directors of the district within ten days after receiving such notice, shall be granted opportunity for hearing before the board of

directors of the district, to determine whether or not the facts constitute sufficient cause for nonrenewal of contract. Such board upon receipt of such request shall call the hearing to be held within ten days following the receipt of such request, and at least three days prior to the date fixed for the hearing shall notify the employee in writing of the date, time and place of the hearing. The employee may engage such counsel and produce such witnesses as he or she may desire. The board of directors, within five days following the conclusion of such hearing, shall notify the employee in writing of its final decision either to renew or not to renew the employment of the employee for the next ensuing term. Any decision not to renew such employment contract shall be based solely upon the cause or causes for nonrenewal specified in the notice to the employee and proved and established at the hearing. If such notification and opportunity for hearing is not timely given by the district, the employee entitled thereto shall be conclusively presumed to have been reemployed by the district for the next ensuing term upon contractual terms identical with those which would have prevailed if his employment had actually been renewed by the board of directors for such ensuing term.

NEW SECTION. Sec. 28A.67.100 POWERS RELATIVE TO BEHAVIOR OF PUPILS. Every teacher shall have the power to hold every pupil to a strict accountability for any disorderly or anti-social conduct on the way to and from school or while under his supervision and to make recommendations to the proper school authority for the suspension of any pupil upon probable cause therefor.

NEW SECTION. Sec. 28A.67.110 MUST TEACH PATRIOTISM. It shall be the duty of all teachers to endeavor to impress on the minds of their pupils the principles of morality, truth, justice, temperance, humanity and patriotism; to teach them to avoid idleness, profanity and falsehood; to instruct them in the principles of free government, and to train them up to the true comprehension of the rights, duty and dignity of American citizenship.

Chapter 28A.70

TEACHERS' CERTIFICATION

NEW SECTION. Sec. 28A.70.005 TEACHERS' CERTIFICATION--STATE

BOARD DUTY--RULES AND REGULATIONS---SUPERINTENDENT OF PUBLIC INSTRUCTION AS ADMINISTRATOR. The state board of education shall establish, publish and enforce rules and regulations determining eligibility for and certification of teachers in the common schools of this state, including certification for emergency or temporary, substitute or provisional duty and under such certificates or permits as the board shall deem proper or as otherwise prescribed by law. The superintendent of public instruction shall act as the administrator of any such rules and regulations and have the power to issue any certificates or permits and revoke the same in accordance with board rules and regulations.

NEW SECTION. Sec. 28A.70.110 FEES FOR CERTIFICATION--DISPOSITION. The fee for any teaching certificate, or any renewal thereof, issued by the authority of the state of Washington, and authorizing the holder to teach in the public schools of the state shall be not less than one dollar or such reasonable fee therefor as the state board of education by rule or regulation shall deem necessary therefor. The fee must accompany the application and cannot be refunded unless the application is withdrawn before it is finally considered. The county superintendent, intermediate district superintendent, or other official authorized to receive such fee, shall within thirty days transmit the same to the treasurer of the county wherein such applicant is to teach or resides, or to the treasurer of the county in which the office of the intermediate district superintendent is located, to be by him placed to the credit of the institute fund of said school district or county, or in the case of an intermediate district, to be placed in the intermediate institute fund which shall be created by the intermediate district board: PROVIDED, That if any school district collecting fees for the certification of teachers does not hold an institute separate from the county, then all such moneys shall be placed to the credit of the county institute fund or intermediate district institute fund, as the case may be.

NEW SECTION. Sec. 28A.70.130 REGISTRATION OF CERTIFICATES.

All certificates issued by the superintendent of public instruction shall be valid and entitle the holder thereof to teach in any county of the state upon being registered by the county or intermediate district superintendent thereof, which fact shall be evidenced by him on the certificate in the words, "Registered for use in county," together with the date of registry, and his official signature: PROVIDED, That a copy of the original certificate duly certified by the superintendent of public instruction may be used for the purpose of registry and endorsement in lieu of the original.

NEW SECTION. Sec. 28A.70.140 EVIDENCE OF MORAL CHARACTER

PREREQUISITE TO REGISTRATION--APPEAL FROM REFUSAL TO REGISTER. Before registering any certificate, the county or intermediate district superintendent of the county in which application is made for certificate shall satisfy himself that the applicant is a person of good moral character and personal fitness. In the event of a refusal to register a certificate for whatsoever reason, the county or intermediate district superintendent shall immediately notify the superintendent of public instruction of his action and shall fully and clearly state his reasons therefor, and the person aggrieved shall have the right of appeal to the superintendent of public instruction, and shall have the further right of appeal to the state board of education.

NEW SECTION. Sec. 28A.70.160 REVOCATION OF AUTHORITY TO

TEACH. Any certificate to teach authorized under the provisions of this chapter or rules and regulations promulgated thereunder may be revoked by the authority authorized to grant the same upon complaint of any school district superintendent, or county or intermediate district superintendent for immorality, violation of written contract, intemperance, crime against the law of the state, or any unprofessional conduct, after the person whose certificate is in question has been given an opportunity to be heard.

NEW SECTION. Sec. 28A.70.170 -----HEARINGS AND APPEALS.

Any teacher whose certificate to teach has been questioned by the filing of a complaint by a school district superintendent or a county or intermediate district superintendent under RCW 28A.70.160 shall have a right to be heard by the issuing authority before his certificate is revoked. Any teacher whose certificate to teach has been revoked shall have a right of appeal to the state board of education if notice of appeal is given by written affidavit to the board within thirty days after the certificate is revoked.

An appeal to the state board of education within the time specified shall operate as a stay of revocation proceedings until the next regular or special meeting of said board and until the board's decision has been rendered.

NEW SECTION. Sec. 28A.70.180 REINSTATEMENT AFTER REVOCATION. In case any certificate is revoked, the holder shall not be eligible to receive another teacher's certificate for a period of twelve months after the date of revocation.

Chapter 28A.71

TEACHERS' INSTITUTES, WORKSHOPS AND

OTHER IN-SERVICE TRAINING

NEW SECTION. Sec. 28A.71.100 AUTHORIZED--SUPPORT--ACCOUNTING. The county superintendent or intermediate district superintendent must arrange each year for the holding of one or more teachers' institutes and/or workshops for in-service training, in such manner and at such time as he believes will be of benefit to the teachers of the county or the intermediate district. He may provide such additional means of teacher in-service training as he may deem necessary or appropriate and there shall be a proper charge against the county or intermediate district institute fund when approved by the county or intermediate district board.

County superintendents of contiguous counties and/or intermediate districts, by mutual arrangements, may hold joint institutes and/or workshops, the expenses to be shared in proportion to the numbers of certificated personnel as shown by the last annual reports

of the county superintendents and/or intermediate district superintendents holding such joint institutes or workshops.

In districts employing more than one hundred teachers, the school district superintendent, in his discretion, may hold a teachers' institute of two, three, four or five days in such district, said institute when so held by the school district superintendent to be in all respects governed by the provisions of this code relating to teachers' institutes held by county or intermediate district superintendents.

Each county or intermediate district superintendent or school district superintendent, prior to the holding of the annual teachers' institute, shall make an estimate of the necessary expenses thereof; and the county commissioners, thereupon, and prior to the date of holding said institute, must place at the disposal of the proper superintendent out of the county current expense fund such an amount, not to exceed two hundred dollars, as in addition to the amount then in the hands of the county treasurer in the institute fund, will meet the superintendent's estimate.

The county, intermediate or school district superintendent must keep an accurate account of the actual expenses of institutes and/or workshops with vouchers for same and make a complete report to the county auditor, which shall be placed on file in his office as a part of the regular files.

Chapter 28A.72

NEGOTIATIONS BY CERTIFICATED PERSONNEL

NEW SECTION. Sec. 28A.72.010 DECLARATION OF PURPOSE. It is the purpose of this chapter to strengthen methods of administering employer-employee relations through the establishment of orderly methods of communication between certificated employees and the school districts by which they are employed.

NEW SECTION. Sec. 28A.72.020 DEFINITIONS. As used in this chapter:

"Employee organization" means any organization which includes

as members certificated employees of a school district and which has as one of its purposes the representation of the employees in their employment relations with the school district.

"Certificated employee" means any employee holding a regular teaching certificate of the state and who is employed by any school district with the exception of the chief administrative officer of each local district.

NEW SECTION. Sec. 28A.72.030 NEGOTIATION BY REPRESENTATIVES OF EMPLOYEE ORGANIZATION--AUTHORIZED--SUBJECT MATTER. Representatives of an employee organization, which organization shall by secret ballot have won a majority in an election to represent the certificated employees within its school district, shall have the right, after using established administrative channels, to meet, confer and negotiate with the board of directors of the school district or a committee thereof to communicate the considered professional judgment of the certificated staff prior to the final adoption by the board of proposed school policies relating to, but not limited to, curriculum, textbook selection, in-service training, student teaching programs, personnel, hiring and assignment practices, leaves of absence, salaries and salary schedules and noninstructional duties.

NEW SECTION. Sec. 28A.72.040 -----SEPARATE EMPLOYEE ORGANIZATION OF EMPLOYEES OF COMMUNITY COLLEGE. If in any school district there is a separate employee organization of certificated employees of a community college, which organization shall, by secret ballot, have won a majority in an election to represent the certificated employees of the community college, the representatives of the separate aggregation shall have the right, after using established administrative channels, to meet, confer, and negotiate with the board of directors of the school district or a committee thereof to communicate the considered professional judgment of the certificated staff prior to the final adoption by the board of proposed school policies related to, but not limited to, curriculum, textbook selection, in-service training, student teaching programs, personnel, hiring

and assignment practices, leaves of absence, salaries and salary schedules, and noninstructional duties.

NEW SECTION. Sec. 28A.72.050 CERTIFICATED EMPLOYEE MAY APPEAR IN OWN BEHALF. Nothing in this chapter shall prohibit any certificated employee from appearing in his own behalf on matters relating to his employment relations with the school district.

NEW SECTION. Sec. 28A.72.060 ADVISORY COMMITTEE--COMPOSITION --REPORT--RECOMMENDATIONS, EFFECT. In the event that any matter being jointly considered by the employee organization and the board of directors of the school district is not settled by the means provided in this chapter, either party may request the assistance and advice of a committee composed of educators and school directors appointed by the state superintendent of public instruction. This committee shall make a written report with recommendations to both parties within fifteen days of receipt of the request for assistance. Any recommendations of the committee shall be advisory only and not binding upon the board of directors or the employee organization.

NEW SECTION. Sec. 28A.72.070 DISCRIMINATION PROHIBITED. Boards of directors of school districts or any administrative officer thereof shall not discriminate against certificated employees because of their exercise of rights under this chapter.

NEW SECTION. Sec. 28A.72.080 DISTRICT DIRECTORS TO ADOPT RULES AND REGULATIONS. Boards of directors of school districts shall adopt reasonable rules and regulations for the administration of employer-employee relations under this chapter.

NEW SECTION. Sec. 28A.72.090 PRIOR AGREEMENTS. Nothing in this chapter shall be construed to annul or modify, or to preclude the renewal or continuation of, any lawful agreement heretofore entered into between any school districts and any representative of its employees.

Chapter 28A.87

OFFENSES RELATING TO SCHOOLS, SCHOOL PERSONNEL--PENALTIES

NEW SECTION. Sec. 28A.87.010 ABUSING OR INSULTING TEACHERS, LIABILITY FOR--PENALTY--DISPOSITION OF FINE. Any person who shall insult or abuse a teacher anywhere on the school premises while such teacher is carrying out his official duties, shall be guilty of a misdemeanor, the penalty for which shall be a fine of not less than ten dollars nor more than one hundred dollars; said fine shall be turned over to the county treasurer and by him remitted to the state treasurer who shall place the same to the credit of the current school fund of the state.

NEW SECTION. Sec. 28A.87.020 ATTENDANCE, FALSE REPORTS OF--PENALTY--PUPILS EXCUSED FROM EXAMINATIONS MAY BE REPORTED. Any teacher, principal or school district superintendent who shall knowingly either report, cause to be reported, or permit to be reported the presence of any pupil or pupils at school, when such pupil or pupils were absent, or when school was not in session, shall forfeit his teacher's certificate or subject it to revocation, and the same shall not be restored or a new one granted within one year after such forfeiture or revocation: PROVIDED, That pupils who are excused from attendance at examinations, having completed their work in accordance with rules of the school district board of directors, shall be accredited with attendance during said days of examination.

NEW SECTION. Sec. 28A.87.030 SUPERINTENDENTS OF SCHOOL BOARDS--DEFAULTS OF, LIABILITY FOR--ACTION TO RECOVER PENALTIES--DISPOSITION. In case any school district superintendent fails to make reports as by law or rule or regulation promulgated thereunder provided, at the proper time and in the proper manner, he shall forfeit and pay to the district the sum of twenty-five dollars for each and every such failure. He shall also be liable, if, through such neglect, the district fails to receive its just apportionment of school moneys, for the full amount so lost. Each and all of said forfeitures shall be recovered in a suit brought by the county or intermediate district superintendent or by any citizen of such district, in the name of and for the benefit of such district, and all

moneys so collected shall be paid over to the county treasurer and shall be by him placed to the credit of the general fund of the district to which it belongs.

NEW SECTION. Sec. 28A.87.050 COUNTY OR INTERMEDIATE DISTRICT SUPERINTENDENT'S REPORTS, DEFAULT IN MAKING--PENALTY. If any county or intermediate district superintendent fails to make any full and correct report to the superintendent of public instruction of statements required by him or if he shall fail to file with the superintendent of public instruction a full and correct annual report within ten days after the time prescribed by law for filing said report, if any be required, the sum of fifty dollars shall be forfeited from his salary for each such unsatisfactory report, and the proper county officials are hereby authorized and required to deduct therefrom the sum aforesaid upon information from the superintendent of public instruction that such reports have not been made.

NEW SECTION. Sec. 28A.87.060 DISTURBING SCHOOL, SCHOOL ACTIVITIES OR MEETINGS--PENALTY--DISPOSITION OF FINES. Any person who shall wilfully create a disturbance on school premises during school hours or at school activities or school meetings shall be guilty of a misdemeanor, the penalty for which shall be a fine in any sum not more than fifty dollars. Said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state.

NEW SECTION. Sec. 28A.87.070 EXAMINATION QUESTIONS--DISCLOSING--PENALTY--DISPOSITION OF FINES. Any person having access to any question or questions prepared for the examination of teachers or common school pupils, who shall directly or indirectly disclose the same before the time appointed for the use of the questions in the examination of such teachers or pupils, or who shall directly or indirectly assist any person to answer any question submitted, shall be guilty of a misdemeanor, the penalty for which shall be a fine in any sum not less than one hundred nor more than five hundred dollars.

Said fine shall be turned over to the county treasurer of the county in which it is collected and shall be by him transmitted to the state treasurer who shall place the same to the credit of the current school fund of the state.

NEW SECTION. Sec. 28A.87.080 FUNDS, FINES, FORFEITURES, FAILURE TO PAY OVER--PENALTY--DISPOSITION OF FINES. Any person collecting or receiving any fines, forfeitures or other moneys belonging to the schools of the state of Washington, or belonging to the school fund of any county or school district in this state, and refusing or failing to pay over the same as required by law, shall be liable for double the amount so withheld, and in addition thereto, interest thereon at the rate of five percent per month during the time of so withholding the same; and it shall be a special duty of the county or intermediate district superintendent of schools to supervise and see that the provisions of this section are fully complied with, including the initiation of court actions therefor, and report thereon to the appropriate county commissioners at least semiannually. Fines and penalties, exclusive of any moneys recovered belonging to the school fund of any county or school district in this state, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer who shall place the same to the credit of the current school fund of the state.

NEW SECTION. Sec. 28A.87.090 CERTAIN CORRUPT PRACTICES OF SCHOOL OFFICIALS--PENALTY. Except as otherwise provided in chapter 42.23 RCW, it shall be unlawful for any member of the state board of education, the superintendent of public instruction or any employee of his office, any county or intermediate district superintendent of schools, any school district superintendent or principal, or any director of any school district, to request or receive, directly or indirectly, any thing of value for or on account of his influence with respect to any act or proceeding of the state board of education, the office of the superintendent of public instruction, any office of county or intermediate district superintendent or any school

district, or any of these, when such act or proceeding shall inure to the benefit of those offering or giving the thing of value.

Any wilful violation of the provisions of this section shall be a misdemeanor and punished as such.

NEW SECTION. Sec. 28A.87.100 HYGIENE, FAILURE OF DIRECTORS TO PROVIDE FOR TEACHING--WITHHOLDING WARRANTS OF BOARD. Upon complaint in writing being made to any county or intermediate district superintendent by any registered voter of the school district complained against that the board of directors of the district have failed to make provision for the teaching of hygiene, with special reference to the effects of alcoholic drink, stimulants and narcotics upon the human system, or have failed to require students to take such course, it shall be the duty of such county or intermediate district superintendent to investigate at once the matter of such complaint, and if found to be true, he shall immediately notify the proper county officials of the county in which such school district is located thereof, and after the receipt of such notice, it shall be the duty of such officials to refuse to issue or register any warrants drawn upon such district subsequent to the date of such notice and until they shall be notified to do so by such county or intermediate district superintendent. Whenever it shall be made to appear to the said county or intermediate district superintendent, and he shall be satisfied that the board of directors of such district are complying with the requirements of this section relating to the teaching of physiology and hygiene, he shall notify said county officials, and said officials shall thereupon issue and register the warrants of said district.

NEW SECTION. Sec. 28A.87.110 -----FAILURE OF SUPERINTENDENT TO ENFORCE REQUIREMENT TO TEACH--PENALTY--DISPOSITION OF FINE--DUTY OF PROSECUTING ATTORNEY. Any county or intermediate district superintendent who shall fail or refuse to comply with the provisions of RCW 28A.87.100 shall be liable to a penalty of one hundred dollars, to be recovered in a civil action in the name of the state in any

court of competent jurisdiction, and the sum recovered shall go into the state current school fund; and it shall be the duty of the prosecuting attorneys of the several counties of the state to see that the provisions of this section are enforced.

NEW SECTION. Sec. 28A.87.120 DEFACING OR INJURING SCHOOL PROPERTY--LIABILITY OF PARENT OR GUARDIAN. Any pupil who shall deface or otherwise injure any school property, shall be liable to suspension and punishment. The parent or guardian of such pupil shall be liable for damages as otherwise provided by law.

NEW SECTION. Sec. 28A.87.130 PROPERTY, FAILURE OF OFFICERS OR EMPLOYEES TO ACCOUNT FOR--MUTILATION BY--PENALTIES. Any school district official or employee who shall refuse or fail to deliver to his qualified successor all books, papers, and records pertaining to his position, or who shall wilfully mutilate or destroy any such property, or any part thereof, shall be guilty of a misdemeanor, the penalty for which shall be a fine not to exceed one hundred dollars: PROVIDED, That for each day there is a refusal or failure to deliver to a successor books, papers and records, a separate offense shall be deemed to have occurred; said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state.

NEW SECTION. Sec. 28A.87.135 DIRECTOR'S CONNIVANCE TO EMPLOY UNCERTIFIED TEACHERS--LIABILITY. Any school district director who shall aid in or give his consent to the employment of a teacher who is not the holder of a valid teacher's certificate issued under authority of chapter 28A.70 RCW authorizing him to teach in the school district by which employed shall be personally liable to his district for any loss which it may sustain by reason of the employment of such person.

NEW SECTION. Sec. 28A.87.140 TEACHER'S ABUSE OF PUPIL--PENALTY--DISPOSITION OF FINES. Any teacher who shall maltreat or abuse any pupil by administering any unreasonable punishment, or who shall

inflict punishment on the head of a pupil, upon conviction thereof shall be guilty of a misdemeanor, the penalty for which shall be a fine in any sum not exceeding one hundred dollars. Said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer who shall place the same to the credit of the current school fund of the state.

NEW SECTION. Sec. 28A.87.170 DISTRICTS USING UNAUTHORIZED TEXTBOOKS, DEVIATING FROM STUDY COURSES, HIRING UNQUALIFIED TEACHERS --FUNDS WITHHELD. Any school district using textbooks other than those prescribed by lawful authority, or any district failing to comply with the course of study prescribed by the state board of education or by other lawful authority, or any district in which warrants are issued to a teacher not legally qualified to teach in the common schools of the said district, shall have withheld twenty-five percent of their school fund for that or the subsequent year, and it is hereby made the duty of the county or intermediate district superintendent to deduct said amount from the apportionment to be made to any district failing in either or all of the above requirements, and the amounts thus deducted shall be withheld until the county or intermediate district superintendent shall ascertain such situation no longer exists.

Chapter 28A.88

APPEALS FROM ACTION OR NONACTION OF SCHOOL

OFFICIALS AND SCHOOL BOARDS

NEW SECTION. Sec. 28A.88.010 APPEALS- SCOPE--TIME LIMITATION. Any person, or persons, other than teachers, principals, supervisors and superintendents, either severally or collectively, aggrieved by any decision or order of any school official or school board, within thirty days after the rendition of such decision or order, or of the failure to act upon the same when properly presented, may appeal the same to the proper officer or board as hereinafter in this chapter provided. Appeals by teachers, principals, supervisors or superintendents from the actions of school boards shall be governed by the

appeal provisions of chapter 28A.58 RCW therefor.

NEW SECTION. Sec. 28A.88.020 APPEALS TO AND FROM COUNTY OR INTERMEDIATE DISTRICT SUPERINTENDENT--APPEALS TO SUPERIOR COURT. Appeals from the decision or order, or from the failure to decide or order, by a board of school directors shall be taken to the county or intermediate district superintendent of schools having jurisdiction over such school district: PROVIDED, That should such superintendent disqualify himself, such appeal shall be to the superior court. Appeals from the decision or order, or the failure to decide or order, of a county or intermediate district superintendent of schools, when relating to the operation or management of schools or to the relation with teachers, shall be taken to the superintendent of public instruction. In all other cases appeal shall be taken to the superior court of the county in which the district is situated.

NEW SECTION. Sec. 28A.88.040 SUPERINTENDENT OF PUBLIC INSTRUCTION'S DECISION FINAL, WHEN--COURT REVIEW. In decisions of appeal by the superintendent of public instruction the decision or order shall be final unless set aside by a court of competent jurisdiction in an action brought therein to review such order or decision.

NEW SECTION. Sec. 28A.88.050 BASIS OF APPEAL. The basis of appeal shall be an affidavit or affidavits of the party aggrieved, filed within the time for the taking of such appeal, setting forth in a clear and concise manner the errors complained of.

NEW SECTION. Sec. 28A.88.060 NOTICE OF APPEAL--TRANSCRIPT--NOTICE OF HEARING. Having received the basis of appeal, as set forth in RCW 28A.88.050, the officer to whom the appeal is taken within ten days shall notify in writing the party from whose action the appeal is taken of the taking of such appeal and of its nature and scope. Within twenty days after such notice the said party shall file a complete transcript, properly certified to be correct, of the record and papers and proceedings relating to the decision complained of. Upon the filing of such transcript notice shall be duly given to all interested parties and attorneys of record by the officer to

whom the appeal is taken of the time and place where the matter of the appeal shall be heard and determined.

NEW SECTION. Sec. 28A.88.070 PROCEDURE AT HEARINGS ON APPEALS. At the hearing of an appeal, properly initiated in accordance with this chapter, the county or intermediate district superintendent shall hear testimony of all parties interested, and for that purpose may administer oaths if necessary, may summon witnesses or demand records or certified copies of the same. In the case of a hearing on appeal by the superintendent of public instruction no new evidence may be admitted but in case of an appeal to the superior court, the court may hear the case de novo.

NEW SECTION. Sec. 28A.88.080 RECORD OF DECISIONS AND NOTICE. Decisions of appeal shall be made a matter of record in full, and certified copies of the same shall be made if asked for by the interested parties and attorneys of record within ten days of such decision. Notice of such decision of appeal shall be made by the officer to whom such appeal is taken in writing to interested parties and attorneys of record within five days of their rendition.

NEW SECTION. Sec. 28A.88.090 CERTIFIED COPY OF DECISION TO COUNTY ASSESSOR WHEN SCHOOL DISTRICT BOUNDARIES CHANGED. In cases of appeal resulting in the change of any school district boundaries the decision shall within five days thereafter be also certified by the proper officer to the county assessor of the county, or to the county assessors of the counties, wherein the territory may lie.

Chapter 28A.91

WASHINGTON STATE EDUCATIONAL TELEVISION COMMISSION

NEW SECTION. Sec. 28A.91.010 COMMISSION CREATED. There is created the "Washington state educational television commission", hereinafter in this chapter referred to as "the commission."

NEW SECTION. Sec. 28A.91.020 MEMBERS--APPOINTMENT--QUALIFICATIONS. The commission shall consist of sixteen members who shall be appointed by the governor from a list of nominees submitted by the state superintendent of public instruction, such nominees to be

selected from categories which shall include but shall not be limited to representatives of the television industry, public and private colleges, community colleges, universities, the common schools, the office of the superintendent of public instruction and the general public.

NEW SECTION. Sec. 28A.91.030 MEMBERS--TERMS. After appointment, the length of the terms of such members shall be decided by lot. Four members shall serve for one year, four members shall serve for two years, four members shall serve for three years, and the remaining four members shall serve for four years. Thereafter all terms shall be for four years.

NEW SECTION. Sec. 28A.91.040 VACANCIES, FILLING OF. In case of a vacancy on the commission for any reason, the governor shall appoint a member to fill such vacancy, such appointed member to serve until the expiration of the term which was vacated.

NEW SECTION. Sec. 28A.91.050 COMMISSION OFFICES--REIMBURSEMENT OF EXPENSES OF MEMBERS. The commission shall be housed in the office of the state superintendent of public instruction. Members of the commission shall not receive compensation for their service, but shall be reimbursed for their expenses while attending meetings and other activities of the commission in the same manner as state officials and employees generally under chapter 43.03 RCW.

NEW SECTION. Sec. 28A.91.060 COMMISSION DUTIES. The duties of the commission shall be to promote the study and effective development of educational television in the state of Washington, making such recommendations to the superintendent of public instruction and to the legislature during the month of November of each even-numbered year, as shall be consistent with the public interest and the rules and regulations promulgated by the United States office of health, education and welfare.

Chapter 28A.92

COMPACT FOR EDUCATION

NEW SECTION. Sec. 28A.92.010 COMPACT ENTERED INTO--TERMS.

The Compact for education is hereby entered into with all jurisdictions joining therein, in the form as follows:

COMPACT FOR EDUCATION

ARTICLE I--PURPOSE AND POLICY

A. It is the purpose of this compact to:

1. Establish and maintain close cooperation and understanding among executive, legislative, professional educational and lay leadership on a nationwide basis at the State and local levels.

2. Provide a forum for the discussion, development, crystallization and recommendation of public policy alternatives in the field of education.

3. Provide a clearing house of information on matters relating to educational problems and how they are being met in different places throughout the Nation, so that the executive and legislative branches of State Government and of local communities may have ready access to the experience and record of the entire country, and so that both lay and professional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education.

4. Facilitate the improvement of State and local educational systems so that all of them will be able to meet adequate and desirable goals in a society which requires continuous qualitative and quantitative advance in educational opportunities, methods and facilities.

B. It is the policy of this compact to encourage and promote local and State initiative in the development, maintenance, improvement and administration of educational systems and institutions in a manner which will accord with the needs and advantages of diversity among localities and States.

C. The party States recognize that each of them has an interest in the quality and quantity of education furnished in each of the other States, as well as in the excellence of its own educational

systems and institutions, because of the highly mobile character of individuals within the Nation, and because the products and services contributing to the health, welfare and economic advancement of each State are supplied in significant part by persons educated in other States.

ARTICLE II--STATE DEFINED

As used in this Compact, "State" means a State, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

ARTICLE III--THE COMMISSION

- A. The Education Commission of the States, hereinafter called "the Commission", is hereby established. The Commission shall consist of seven members representing each party State. One of such members shall be the Governor; two shall be members of the State legislature selected by its respective houses and serving in such manner as the legislature may determine; and four shall be appointed by and serve at the pleasure of the Governor, unless the laws of the State otherwise provide. If the laws of a State prevent legislators from serving on the Commission, six members shall be appointed and serve at the pleasure of the Governor, unless the laws of the State otherwise provide. In addition to any other principles or requirements which a State may establish for the appointment and service of its members of the Commission, the guiding principle for the composition of the membership on the Commission from each party State shall be that the members representing such State shall, by virtue of their training, experience, knowledge or affiliations be in a position collectively to reflect broadly the interests of the State Government, higher education, the state education system, local education, lay and professional, public and non-public educational leadership. Of those appointees, one shall be the head of a state agency or institution, designated by the Governor, having responsibility for one or more programs of public education. In addition to the

members of the Commission representing the party States, there may be not to exceed ten non-voting commissioners selected by the steering committee for terms of one year. Such commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

- B. The members of the Commission shall be entitled to one vote each on the Commission. No action of the Commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the Commission are cast in favor thereof. Action of the Commission shall be only at a meeting at which a majority of the Commissioners are present. The Commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the Commission may delegate the exercise of any of its powers to the steering committee or the Executive Director, except for the power to approve budgets or request for appropriations, the power to make policy recommendations pursuant to Article IV and adoption of the annual report pursuant to Article III(J).
- C. The Commission shall have a seal.
- D. The Commission shall elect annually, from among its members, a chairman, who shall be a Governor, a vice chairman and a treasurer. The Commission shall provide for the appointment of an executive director. Such executive director shall serve at the pleasure of the Commission, and together with the treasurer and such other personnel as the Commission may deem appropriate shall be bonded in such amount as the Commission shall determine. The executive director shall be secretary.
- E. Irrespective of the civil service, personnel or other merit system laws of any of the party States, the executive director subject to the approval of the steering committee shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the Commission, and shall fix the duties and compensation of such personnel. The Commission in its

bylaws shall provide for the personnel policies and programs of the Commission.

- F. The Commission may borrow, accept or contract for the services of personnel from any party jurisdiction, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party jurisdictions or their subdivisions.
- G. The Commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any State, the United States, or any other governmental agency, or from any person, firm, association, foundation, or corporation, and may receive, utilize and dispose of the same. Any donation or grant accepted by the Commission pursuant to this paragraph or services borrowed pursuant to paragraph (F) of this Article shall be reported in the annual report of the Commission. Such report shall include the nature, amount and conditions, if any, of the donation, grant, or services borrowed, and the identity of the donor or lender.
- H. The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.
- I. The Commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The Commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party States.
- J. The Commission annually shall make to the Governor and legislature of each party State a report covering the activities of the Commission for the preceding year. The Commission may make such additional reports as it may deem desirable.

ARTICLE IV-- POWERS

In addition to authority conferred on the Commission by other provisions of the compact, the commission shall have authority to:

1. Collect, correlate, analyze and interpret information and data concerning educational needs and resources.
2. Encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public educational systems.
3. Develop proposals for adequate financing of education as a whole and at each of its many levels.
4. Conduct or participate in research of the types referred to in this Article in any instance where the Commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education, and other agencies and institutions, both public and private.
5. Formulate suggested policies and plans for the improvement of public education as a whole, or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials.
6. Do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.

ARTICLE V--COOPERATION WITH FEDERAL GOVERNMENT

- A. If the laws of the United States specifically so provide, or if administrative provision is made therefor within the Federal Government, the United States may be represented on the Commission by not to exceed ten representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to Federal law,

and may be drawn from any one or more branches of the Federal Government, but no such representative shall have a vote on the Commission.

- B. The Commission may provide information and make recommendations to any executive or legislative agency or officer of the Federal Government concerning the common educational policies of the States, and may advise with any such agencies or officers concerning any matter of mutual interest.

ARTICLE VI--COMMITTEES

- A. To assist in the expeditious conduct of its business when the full Commission is not meeting, the Commission shall elect a steering committee of thirty-two members which, subject to the provisions of this compact and consistent with the policies of the Commission, shall be constituted and function as provided in the bylaws of the Commission. One-fourth of the voting membership of the steering committee shall consist of Governors, one-fourth shall consist of Legislators, and the remainder shall consist of other members of the Commission. A Federal representative on the Commission may serve with the steering committee, but without vote. The voting members of the steering committee shall serve for terms of two years, except that members elected to the first steering committee of the Commission shall be elected as follows: sixteen for one year and sixteen for two years. The chairman, vice chairman, and treasurer of the Commission shall be members of the steering committee and, anything in this paragraph to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the steering committee shall not affect its authority to act, but the Commission at its next regularly ensuing meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than two terms as a member of the steering committee; provided that service for a partial term of one year or less shall not be counted toward the two term limitation.

- B. The Commission may establish advisory and technical committees composed of State, local, and Federal officials, and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the States concerned, be established to consider any matter of special concern to two or more of the party States.
- C. The Commission may establish such additional committees as its bylaws may provide.

ARTICLE VII--FINANCE

- A. The Commission shall advise the Governor or designated officer or officers of each party State of its budget and estimated expenditures for such period as may be required by the laws of that party State. Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party States.
- B. The total amount of appropriation requests under any budget shall be apportioned among the party states. In making such apportionment, the Commission shall devise and employ a formula which takes equitable account of the populations and per capita income levels of the party States.
- C. The Commission shall not pledge the credit of any party States. The Commission may meet any of its obligations in whole or in part with funds available to it pursuant to Article III(G) of this compact, provided that the Commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except where the Commission makes use of funds available to it pursuant to Article III(G) thereof, the Commission shall not incur any obligation prior to the allotment of funds by the party States adequate to meet the same.
- D. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures

established by its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the Commission.

- E. The accounts of the Commission shall be open at any reasonable time for inspection by duly constituted officers of the party States and by any persons authorized by the Commission.
- F. Nothing contained herein shall be construed to prevent Commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the Commission.

ARTICLE VIII--ELIGIBLE PARTIES;

ENTRY INTO AND WITHDRAWAL

- A. This compact shall have as eligible parties all States, Territories, and Possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not having a Governor, the term "Governor", as used in this compact, shall mean the closest equivalent official of such jurisdiction.
- B. Any State or other eligible jurisdiction may enter into this compact and it shall become binding thereon when it has adopted the same: provided that in order to enter into initial effect, adoption by at least ten eligible party jurisdictions shall be required.
- C. Adoption of the compact may be either by enactment thereof or by adherence thereto by the Governor; provided that in the absence of enactment, adherence by the Governor shall be sufficient to make his State a party only until December 31, 1967. During any period when a state is participating in this compact through gubernatorial action, the Governor shall appoint those persons who, in addition to himself, shall serve as the members of the Commission from his State, and shall provide to the Commission

an equitable share of the financial support of the Commission from any source available to him.

- D. Except for a withdrawal effective on December 31, 1967 in accordance with paragraph C of this Article, any party State may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the Governor of the withdrawing State has given notice in writing of the withdrawal to the Governors of all other party States. No withdrawal shall affect any liability already incurred by or chargeable to a party State prior to the time of such withdrawal.

ARTICLE IX--CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any State or of the United States, or the application thereof to any Government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any Government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any State participating therein, the compact shall remain in full force and effect as to the State affected as to all severable matters.

NEW SECTION. Sec. 28A.92.020 STATE REPRESENTATION ON EDUCATION COMMISSION. The seven members of the education commission of the states representing the state of Washington are designated or shall be appointed as follows: (1) The governor; (2) a member of the senate appointed by the president; (3) a member of the house of representatives appointed by the speaker; and (4) four members appointed by the governor. Appointments shall be made in accordance with the guiding principles set forth in Article III(A) of the compact.

NEW SECTION. Sec. 28A.92.030 -----TERMS OF APPOINTED MEMBERS. The term of the members appointed by the president and the

speaker shall be dependent upon continued membership in the house from which appointed and shall expire upon the adjournment sine die of the regular session of the legislature next succeeding the appointment of such member. Vacancies occurring during the term shall be filled for the unexpired term by the appointment of a successor in the same manner as for the vacating member. Members appointed by the governor shall serve at his pleasure.

NEW SECTION. Sec. 28A.92.040 -----CHAIRMAN--COOPERATION WITH OTHER ENTITIES--EMPLOYEES. The governor or a member designated by him shall be chairman of the members of the commission representing this state.

The commissioners shall cooperate with all public and private entities having an interest in educational matters.

The commissioners may employ such professional, technical and clerical assistance as may be required to aid them in carrying out their functions in this chapter prescribed.

NEW SECTION. Sec. 28A.92.050 -----PER DIEM AND EXPENSES FOR COMMISSIONERS--LIMITATIONS. Each member of the commission from the state of Washington shall be paid, from funds appropriated by the legislature of the state of Washington for that purpose, the sum of twenty-five dollars per day for each day or major part thereof devoted to the business of the commission, together with his traveling and other necessary expenses. In no event shall such commissioner's per diem payments exceed fifteen dollars in any one year. Such member may, regardless of any charter or statutory provision to the contrary, be an officer or employee holding another public position, and if he be such other public officer or employee, his per diem payment as hereinabove in this section provided shall only be such an amount as would, together with the compensation for such other public position, not exceed the sum of twenty-five dollars per day.

NEW SECTION. Sec. 28A.92.060 -----GRANT OF POWERS TO COMMISSIONERS. There is hereby granted to the commissioners representing-----

this state all the powers provided for in said compact and all powers necessary or incidental to the carrying out of said compact in every particular.

NEW SECTION. Sec. 28A.92.070 STATE OFFICERS TO AID IN IMPLEMENTATION OF COMPACT. All officers of this state are hereby authorized and directed to do all things, falling within their respective provinces and jurisdiction, necessary to or incidental to the carrying out of the compact for education in every particular. All officers, bureaus, departments and persons of and in the government or administration of this state are hereby authorized and directed, at convenient times and upon the request of the commissioners representing this state, to furnish the education commission with information and data possessed by them or any of them, and to aid the commission by any means lying within their legal powers respectively.

NEW SECTION. Sec. 28A.92.080 BYLAWS TO BE FILED WITH SECRETARY OF STATE. Pursuant to Article III(I) of the compact, the commission shall file a copy of its bylaws and any amendment thereto with the secretary of state.

Chapter 28A.98

CONSTRUCTION

NEW SECTION. Sec. 28A.98.010 REPEALS AND SAVINGS. The following acts or parts of acts are hereby repealed:

- (1) Chapter 12, Laws of 1967;
- (2) Chapter 29, Laws of 1967;
- (3) Chapter 64, Laws of 1967;
- (4) Chapter 83, Laws of 1967;
- (5) Sections 1 and 2, 4 through 10, 12 and 13, chapter 118, Laws of 1967;
- (6) Sections 1 through 4, and 6, chapter 158, Laws of 1967;
- (7) Chapter 220, Laws of 1967;
- (8) Sections 27 through 29, 41 through 43, 45, 46 and 76, chapter 8, Laws of 1967 extraordinary session;
- (9) Chapter 17, Laws of 1967 extraordinary session;

- (10) Chapter 21, Laws of 1967 extraordinary session;
- (11) Section 1, chapter 29, Laws of 1967 extraordinary session;
- (12) Chapter 56, Laws of 1967 extraordinary session;
- (13) Chapter 67, Laws of 1967 extraordinary session;
- (14) Chapter 69, Laws of 1967 extraordinary session;
- (15) Chapter 92, Laws of 1967 extraordinary session;
- (16) Chapter 140, Laws of 1967 extraordinary session;
- (17) Sections 1 through 3, and 61, chapter 149, Laws of 1967 extraordinary session;
- (18) Chapter 18, Laws of 1965;
- (19) Section 1, chapter 54, Laws of 1965;
- (20) Chapter 62, Laws of 1965;
- (21) Chapter 103, Laws of 1965;
- (22) Section 1, chapter 111, Laws of 1965;
- (23) Section 8, chapter 123, Laws of 1965;
- (24) Sections 1 through 22, and 25, chapter 139, Laws of 1965;
- (25) Chapter 143, Laws of 1965;
- (26) Chapter 49, Laws of 1965 extraordinary session;
- (27) Chapter 86, Laws of 1965 extraordinary session;
- (28) Chapter 87, Laws of 1965 extraordinary session;
- (29) Chapter 108, Laws of 1965 extraordinary session;
- (30) Sections 1 through 19, chapter 124, Laws of 1965 extraordinary session;
- (31) Chapter 129, Laws of 1965 extraordinary session;
- (32) Sections 1 through 11, and 13, chapter 154, Laws of 1965 extraordinary session;
- (33) Chapter 158, Laws of 1965 extraordinary session;
- (34) Chapter 162, Laws of 1965 extraordinary session;
- (35) Sections 1 through 3, and 5, chapter 171, Laws of 1965 extraordinary session;
- (36) Chapter 5, Laws of 1963;
- (37) Chapter 30, Laws of 1963;

- (38) Chapter 31, Laws of 1963;
- (39) Chapter 32, Laws of 1963;
- (40) Chapter 41, Laws of 1963;
- (41) Chapter 47, Laws of 1963;
- (42) Chapter 61, Laws of 1963;
- (43) Chapter 67, Laws of 1963;
- (44) Chapter 104, Laws of 1963;
- (45) Chapter 135, Laws of 1963;
- (46) Chapter 208, Laws of 1963;
- (47) Chapter 223, Laws of 1963;
- (48) Chapter 235, Laws of 1963;
- (49) Chapter 26, Laws of 1963 extraordinary session;
- (50) Chapter 47, Laws of 1961;
- (51) Section 1, chapter 66, Laws of 1961;
- (52) Chapter 98, Laws of 1961;
- (53) Chapter 116, Laws of 1961;
- (54) Chapter 123, Laws of 1961;
- (55) Section 23, chapter 130, Laws of 1961;
- (56) Section 1, chapter 224, Laws of 1961;
- (57) Chapter 237, Laws of 1961;
- (58) Chapter 238, Laws of 1961;
- (59) Chapter 241, Laws of 1961;
- (60) Section 15, chapter 268, Laws of 1961;
- (61) Chapter 305, Laws of 1961;
- (62) Chapter 3, Laws of 1961 extraordinary session;
- (63) Chapter 122, Laws of 1959;
- (64) Sections 1 and 2, chapter 169, Laws of 1959;
- (65) Chapter 208, Laws of 1959;
- (66) Sections 1, 4 through 14, and 16 through 31, chapter 216, Laws of 1959;
- (67) Sections 1 through 9, and 11, chapter 262, Laws of 1959;
- (68) Chapter 264, Laws of 1959;
- (69) Chapter 268, Laws of 1959;

- (70) Chapter 271, Laws of 1959;
- (71) Sections 1 and 3, chapter 276, Laws of 1959;
- (72) Chapter 8, Laws of 1959 extraordinary session;
- (73) Chapter 67, Laws of 1957;
- (74) Chapter 129, Laws of 1957;
- (75) Chapter 155, Laws of 1957;
- (76) Chapter 223, Laws of 1957;
- (77) Chapter 234, Laws of 1957;
- (78) Chapter 281, Laws of 1957;
- (79) Chapter 296, Laws of 1957;
- (80) Chapter 8, Laws of 1955;
- (81) Sections 2 and 3, chapter 20, Laws of 1955;
- (82) Section 11, chapter 55, Laws of 1955;
- (83) Chapter 68, Laws of 1955;
- (84) Chapter 132, Laws of 1955;
- (85) Sections 2 through 4, and 12 through 33, chapter 157,

Laws of 1955;

- (86) Sections 2 and 9, chapter 187, Laws of 1955;
- (87) Sections 1 through 8, chapter 218, Laws of 1955;
- (88) Chapter 256, Laws of 1955;
- (89) Chapter 344, Laws of 1955;
- (90) Chapter 350, Laws of 1955;
- (91) Chapter 371, Laws of 1955;
- (92) Chapter 395, Laws of 1955;
- (93) Chapter 3, Laws of 1955 extraordinary session;
- (94) Chapter 49, Laws of 1953;
- (95) Chapter 94, Laws of 1953;
- (96) Sections 1, 2, 5 and 6, chapter 111, Laws of 1953;
- (97) Chapter 135, Laws of 1953;
- (98) Chapter 158, Laws of 1953;
- (99) Section 1, chapter 163, Laws of 1953;
- (100) Sections 1 and 3, chapter 225, Laws of 1953;
- (101) Chapter 226, Laws of 1953;

- (102) Chapter 229, Laws of 1953;
- (103) Section 1, chapter 282, Laws of 1953;
- (104) Chapter 7, Laws of 1953 extraordinary session;
- (105) Chapter 27, Laws of 1951;
- (106) Chapter 87, Laws of 1951;
- (107) Chapter 88, Laws of 1951;
- (108) Chapter 92, Laws of 1951;
- (109) Chapter 147, Laws of 1951;
- (110) Section 2, chapter 257, Laws of 1951;
- (111) Sections 1 and 2, and 5 through 12, chapter 11, Laws of 1951 first extraordinary session;
- (112) Chapter 5, Laws of 1951 second extraordinary session;
- (113) Chapter 19, Laws of 1951 second extraordinary session;
- (114) Chapter 32, Laws of 1949;
- (115) Chapter 54, Laws of 1949;
- (116) Chapter 108, Laws of 1949;
- (117) Chapter 186, Laws of 1949;
- (118) Chapter 209, Laws of 1949;
- (119) Chapter 212, Laws of 1949;
- (120) Chapter 229, Laws of 1949;
- (121) Chapter 31, Laws of 1947;
- (122) Chapter 169, Laws of 1947;
- (123) Chapter 258, Laws of 1947;
- (124) Sections 1 through 40, 42 and 43, chapter 266, Laws of 1947;
- (125) Sections 1 through 9, 11 and 12, chapter 278, Laws of 1947;
- (126) Chapter 29, Laws of 1945;
- (127) Chapter 32, Laws of 1945;
- (128) Sections 1 through 14, and 17, chapter 141, Laws of 1945;
- (129) Sections 1 and 3 through 10, chapter 247, Laws of 1945;
- (130) Sections 1, 2 and 4, chapter 51, Laws of 1943;

- (131) Chapter 120, Laws of 1943;
- (132) Chapter 220, Laws of 1943;
- (133) Chapter 12, Laws of 1941;
- (134) Chapter 102, Laws of 1941;
- (135) Chapter 187, Laws of 1941;
- (136) Chapter 202, Laws of 1941;
- (137) Section 1, chapter 203, Laws of 1941;
- (138) Chapter 251, Laws of 1941;
- (139) Chapter 160, Laws of 1939;
- (140) Sections 1 through 4, and 6, chapter 183, Laws of 1939;
- (141) Chapter 52, Laws of 1937;
- (142) Chapter 60, Laws of 1937;
- (143) Chapter 198, Laws of 1937;
- (144) Chapter 226, Laws of 1937;
- (145) Chapter 15, Laws of 1935;
- (146) Chapter 19, Laws of 1935;
- (147) Chapter 99, Laws of 1935;
- (148) Sections 1 through 15, chapter 28, Laws of 1933;
- (149) Chapter 80, Laws of 1933;
- (150) Chapter 176, Laws of 1933;
- (151) Chapter 103, Laws of 1931;
- (152) Chapter 77, Laws of 1929;
- (153) Chapter 99, Laws of 1927;
- (154) Chapter 102, Laws of 1927;
- (155) Chapter 181, Laws of 1927;
- (156) Chapter 65, Laws of 1925 extraordinary session;
- (157) Chapter 93, Laws of 1925 extraordinary session;
- (158) Chapter 134, Laws of 1925 extraordinary session;
- (159) Chapter 139, Laws of 1925 extraordinary session;
- (160) Chapter 76, Laws of 1923;
- (161) Chapter 96, Laws of 1923;
- (162) Chapter 103, Laws of 1923;
- (163) Chapter 152, Laws of 1923;

- (164) Sections 1 through 5, and 7, chapter 175, Laws of 1923;
- (165) Chapter 147, Laws of 1921;
- (166) Chapter 190, Laws of 1921;
- (167) Chapter 27, Laws of 1919;
- (168) Chapter 38, Laws of 1919;
- (169) Chapter 89, Laws of 1919;
- (170) Sections 1 through 23, chapter 91, Laws of 1919;
- (171) Sections 1 through 13, chapter 151, Laws of 1919;
- (172) Chapter 156, Laws of 1919;
- (173) Chapter 160, Laws of 1919;
- (174) Chapter 21, Laws of 1917;
- (175) Chapter 48, Laws of 1917;
- (176) Chapter 126, Laws of 1917;
- (177) Chapter 127, Laws of 1917;
- (178) Chapter 71, Laws of 1915;
- (179) Chapter 162, Laws of 1915;
- (180) Chapter 129, Laws of 1913;
- (181) Chapter 136, Laws of 1913;
- (182) Chapter 158, Laws of 1913;
- (183) Chapter 16, Laws of 1911;
- (184) Chapter 78, Laws of 1911;
- (185) Chapter 79, Laws of 1911;
- (186) Chapter 82, Laws of 1911;
- (187) Chapter 85, Laws of 1911;
- (188) Chapter 88, Laws of 1911;
- (189) Chapter 118, Laws of 1911;
- (190) Chapter 97, Title I, subchapters 1, 2 and 3, Title III, subchapters 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, and Title IV, subchapter 1, sections 1 and 2, Laws of 1909;
- (191) Chapter 106, Laws of 1909;
- (192) Chapter 15, Laws of 1909 extraordinary session;
- (193) Sections 1 through 17, chapter 240, Laws of 1907;

- (194) Sections 1 through 5, chapter 77, Laws of 1903;
- (195) Sections 1 through 176, 180 and 181, Laws of 1897;
- (196) Chapter 109, Laws of 1893;
- (197) Sections 1 through 28, chapter 127, Laws of 1891;
- (198) Sections 1 through 91, and 93, chapter XII, pages 348 through 385, Laws of 1889-90;
- (199) Sections 1 through 32, chapter XII, pages 386 through 395, Laws of 1889-90;
- (200) Sections 1 through 93, and 95, pages 3 through 28, Laws of 1886; and
- (201) Sections 3154 through 3241, chapter CCXLV, Code of 1881.

Such repeals shall not be construed as affecting any existing right acquired under the statutes repealed, nor as affecting any proceeding instituted thereunder, nor any rule, regulation or order promulgated thereunder, nor any administrative action taken thereunder, nor any criminal or civil proceeding instituted thereunder, nor the term of office or election or appointment or employment of any person elected, appointed or employed thereunder.

NEW SECTION. Sec. 28A.98.020 INTERMEDIATE DISTRICT BOARD MEMBER ELECTIONS. Notwithstanding the provisions of section 28A.98.010 above, at the time of the next regular school election at which any intermediate district board members are to be elected, the members from intermediate board-member districts 1, 2 and 3 shall be elected for terms of two years and until their respective successors are elected and qualified and the members from intermediate board-member districts 4 and 5 shall be elected for terms of four years and until their respective successors are elected and qualified. Thereafter the term of office for all members shall be for four years.

NEW SECTION. Sec. 28A.98.030 CONTINUATION OF EXISTING LAW. The provisions of this title, Title 28A RCW, insofar as they are substantially the same as statutory provisions repealed by this chapter, and relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments. Nothing in this 1969

code revision of Title 28 RCW shall be construed as authorizing any new bond issues or new or additional appropriations of moneys but the bond issue authorizations herein contained shall be construed only as continuations of bond issues authorized by prior laws herein repealed and reenacted, and the appropriations of moneys herein contained are continued herein for historical purposes only and this 1969 act shall not be construed as a reappropriation thereof and no appropriation contained herein shall be deemed to be extended or revived hereby and such appropriation shall lapse or shall have lapsed in accordance with the original enactment: PROVIDED, That this 1969 act shall not operate to terminate, extend, or otherwise affect any appropriation for the biennium commencing July 1, 1967 and ending June 30, 1969.

NEW SECTION. Sec. 28A.98.040 PROVISIONS TO BE CONSTRUED IN PARI MATERIA. The provisions of this title, Title 28A RCW, shall be construed in pari materia even though as a matter of prior legislative history they were not originally enacted in the same statute. The provisions of this title shall also be construed in pari materia with the provisions of Title 28B RCW, and with other laws relating to education. This section shall not operate retroactively.

NEW SECTION. Sec. 28A.98.050 TITLE, CHAPTER, SECTION HEADINGS NOT PART OF LAW. Title headings, chapter headings, and section or subsection headings, as used in this title, Title 28A RCW, do not constitute any part of the law.

NEW SECTION. Sec. 28A.98.060 INVALIDITY OF PART OF TITLE NOT TO AFFECT REMAINDER. If any provision of this title, Title 28A RCW, or its application to any person or circumstance is held invalid, the remainder of the title, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 28A.98.070 THIS CODE DEFINED. As used in this title, Title 28A, "this code" means Titles 28A and 28B of this 1969 act.

NEW SECTION. Sec. 28A.98.080. EFFECTIVE DATE. This act shall be effective July 1, 1970.

TITLE 28B

HIGHER EDUCATION

Chapter 28B.10

COLLEGES AND UNIVERSITIES GENERALLY

NEW SECTION. Sec. 28B.10.015 "STATE COLLEGES" AND "INSTITUTIONS OF HIGHER EDUCATION" DEFINED FOR CERTAIN PURPOSES. For the purposes of this chapter and chapter 28B.15 RCW, "state colleges" shall mean Central Washington State College at Ellensburg, Eastern Washington State College at Cheney, Western Washington State College at Bellingham and The Evergreen State College in Thurston county, and "institutions of higher education" shall mean the state universities, state colleges and community colleges.

NEW SECTION. Sec. 28B.10.020 ACQUISITION OF PROPERTY BY UNIVERSITIES AND STATE COLLEGES. The boards of regents of the University of Washington and Washington State University, respectively, and the boards of trustees of Central Washington State College, Eastern Washington State College, Western Washington State College and The Evergreen State College, respectively, shall have the power and authority to acquire by exchange, gift, purchase, lease, or condemnation in the manner provided by chapter 8.04 RCW for condemnation of property for public use, such lands, real estate and other property, and interests therein as they may deem necessary for the use of said institutions respectively.

NEW SECTION. Sec. 28B.10.030 DISPLAY OF UNITED STATES FLAG. Every board of trustees or board of regents shall cause a United States flag being in good condition to be displayed on the campus of their respective state institution of higher education during the hours of nine o'clock a.m. and four o'clock p.m. on school days, except during inclement weather.

NEW SECTION. Sec. 28B.10.040 HIGHER EDUCATIONAL INSTITUTIONS TO BE NONSECTARIAN. All institutions of higher education supported wholly or in part by state funds, and by whatsoever name so designated, shall be forever free from religious or sectarian control or

influence.

NEW SECTION. Sec. 28B.10.050 ENTRANCE REQUIREMENTS. Except as the legislature shall otherwise specifically direct, the boards of regents and the boards of trustees for the state universities and state colleges shall determine entrance requirements for their respective institutions of higher education.

NEW SECTION. Sec. 28B.10.100 "MAJOR LINE" DEFINED. The term "major line," whenever used in this code, shall be held and construed to mean the development of the work or courses of study in certain subjects to their fullest extent, leading to a degree or degrees in that subject.

NEW SECTION. Sec. 28B.10.115 MAJOR LINES COMMON TO UNIVERSITY OF WASHINGTON AND WASHINGTON STATE UNIVERSITY. The courses of instruction of both the University of Washington and Washington State University shall embrace as major lines, liberal arts, pure science, pharmacy, mining, architecture, civil engineering, electrical engineering, mechanical engineering, chemical engineering, home economics, and forest management as distinguished from forest products and logging engineering which are exclusive to the University of Washington. These major lines shall be offered and taught at said institutions only.

NEW SECTION. Sec. 28B.10.120 GRADUATE WORK. Whenever a course is authorized to be offered and taught by this code, in any of the institutions herein mentioned, as a major line, it shall carry with it the right to offer, and teach graduate work in such major lines.

NEW SECTION. Sec. 28B.10.140 TEACHERS', PRINCIPALS' AND SUPERINTENDENTS' TRAINING COURSES. The University of Washington, Washington State University, Central Washington State College, Eastern Washington State College, Western Washington State College and The Evergreen State College are each authorized to train teachers and other personnel for whom teaching certificates or special credentials prescribed by the state board of education are required, for any

grade, level, department or position of the public schools of the state, except that the training for superintendents, over and above that required for teaching certificates and principals' credentials, shall be given by the University of Washington and Washington State University only.

NEW SECTION. Sec. 28B.10.200 SCHOLARSHIPS FOR FOREIGN STUDENTS AT STATE UNIVERSITIES. The state universities shall each have the authority to award, during each academic year, not to exceed one hundred scholarships to students or graduates of universities or colleges of friendly foreign nations, and to exempt the recipients thereof from the payment of tuition, library and incidental fees for the scholarship period.

NEW SECTION. Sec. 28B.10.210 BLIND STUDENTS' ASSISTANCE AT INSTITUTIONS OF HIGHER EDUCATION--"BLIND STUDENT" DEFINED. A blind student is defined for the purpose of RCW 28B.10.210 through 28B.10.220 to be a person who (a) is unable to read because of defective eyesight and (b) is qualified for admission to an institution of higher education within the state by reason of studies previously pursued. Such blind student must have been a resident of the state of Washington for one year next preceding the date upon which he received any benefits under RCW 28B.10.210 through 28B.10.220, and must make a reasonable showing that he does not have resources with which to finance his education. Inability to read because of defective eyesight may be established for the purposes hereof by a letter from a practicing physician specializing in treatment of the eye.

NEW SECTION. Sec. 28B.10.215 -----ALLOCATION OF FUNDS. There is allocated to each and every blind student attending any institution of higher education within the state a sum not to exceed two hundred dollars per quarter, or so much thereof as may be necessary in the opinion of the state board of education, to provide said blind student with readers, books, recordings, recorders, or other means of reproducing and imparting ideas, while attending said institution of higher education: PROVIDED, That no blind student shall

be charged any tuition or laboratory fee while attending any such state institution and said institution shall notify the state board of education that it will waive tuition and laboratory fees for said blind student. The said allocation shall be made out of any moneys in the general fund not otherwise appropriated.

NEW SECTION. Sec. 28B.10.220 -----ADMINISTRATION OF FUNDS. All blind student assistance shall be distributed under the supervision of the state board of education. The moneys or any part thereof allocated in the manner referred to in RCW 28B.10.215 shall, for furnishing said books or equipment or supplying said services, be paid by said state board of education directly to the state institution of higher education, directly to such blind student, heretofore mentioned, or to his parents, guardian, or some adult person, if the blind student is a minor, designated by said blind student to act as trustee of said funds, as shall be determined by the state board of education.

The state board of education shall have power to prescribe and enforce all rules and regulations necessary to carry out the provisions of this section and RCW 28B.10.215.

NEW SECTION. Sec. 28B.10.250 BENEFITS TO CHILDREN OF DECEASED OR TOTALLY INCAPACITATED VETERANS WHEN ATTENDING INSTITUTIONS OF HIGHER EDUCATION. Matriculation fees and other incidental and special fees other than tuition, and board and room, rent and books and supplies to the extent of the appropriation therefor shall be paid for the use and benefit of persons attending a state institution of higher education who are not under sixteen and not over twenty-two years of age, and have for twelve months had their domicile in the state of Washington, and whose parents or one of them was killed or totally incapacitated from engaging in any normal employment by reason of service in the armed forces of the United States. No tuition fee shall be charged to any such person by any state institution of higher education.

NEW SECTION. Sec. 28B.10.255 -----ELIGIBILITY AND NEED--

PAYMENT OF CHARGES. The amounts due to any state institution of higher education under the provisions of RCW 28B.10.250 through 28B.10.260 shall be payable to the institution after approval by the state board of education. Said board shall determine the eligibility and need of the persons who may make application for the benefits; satisfy itself of the attendance of the persons at any such institution and of the accuracy of the charge or charges submitted to said board by the authorities of any such institution, on account of the attendance thereat of any such person. No fees shall be received for any such service.

NEW SECTION. Sec. 28B.10.260 -----LIMITATION OF ANNUAL BENEFITS. Not more than two hundred fifty dollars shall be paid under the provisions of RCW 28B.10.250 through 28B.10.260 for any one person for any one year. Any unexpended balance remaining at the end of any fiscal biennium shall revert to the general fund of the state.

NEW SECTION. Sec. 28B.10.280 STUDENT LOANS--NATIONAL DEFENSE EDUCATION ACT--UNIVERSITIES AND STATE COLLEGES. The boards of regents of the state universities and the boards of trustees of the state colleges may each create a student loan fund, and qualify and participate in the National Defense Education Act of 1958, and to that end may comply with all of the laws of the United States, and all of the rules, regulations and requirements promulgated pursuant thereto.

NEW SECTION. Sec. 28B.10.300 ACQUISITION, CONSTRUCTION, EQUIPPING AND BETTERMENT OF LANDS, BUILDINGS AND FACILITIES AT UNIVERSITIES AND STATE COLLEGES. The boards of regents of the state universities and the boards of trustees of the state colleges are severally authorized to:

(1) Enter into contracts with persons, firms or corporations for the construction, installation, equipping, repairing, renovating and betterment of buildings and facilities for the following:

- (a) dormitories
- (b) hospitals

- (c) infirmaries
 - (d) dining halls
 - (e) student activities
 - (f) services of every kind for students, including, but not limited to, housing, employment, registration, financial aid, counseling, testing and offices of the dean of students
 - (g) vehicular parking
 - (h) student, faculty and employee housing and boarding;
- (2) Purchase or lease lands and other appurtenances necessary for the construction and installation of such buildings and facilities and to purchase or lease lands with buildings and facilities constructed or installed thereon suitable for the purposes aforesaid;
- (3) Lease to any persons, firms, or corporations such portions of the campus of their respective institutions as may be necessary for the construction and installation of buildings and facilities for the purposes aforesaid and the reasonable use thereof;
- (4) Borrow money to pay the cost of the acquisition of such lands and of the construction, installation, equipping, repairing, renovating, and betterment of such buildings and facilities, including interest during construction and other incidental costs, and to issue revenue bonds or other evidence of indebtedness therefor, and to refinance the same before or at maturity and to provide for the amortization of such indebtedness from special student fees or from the rentals, fees, charges, and other income derived through the ownership, operation and use of such lands, buildings, and facilities and any other dormitory, hospital, infirmary, dining, student activities, student services, vehicular parking, housing or boarding building or facility at the institution;
- (5) Contract to pay as rental or otherwise the cost of the acquisition of such lands and of the construction and installation of such buildings and facilities on the amortization plan; the contract not to run over forty years;
- (6) Expend on the amortization plan special student fees

and/or any part of all of the fees, charges, rentals, and other income derived from any or all revenue-producing lands, buildings, and facilities of their respective institutions, heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land or the appurtenances thereon, and to pledge such special student fees and/or the net income derived through the ownership, operation and use of any lands, buildings or facilities of the nature described in subsection (1) hereof for the payment of part or all of the rental, acquisition, construction, and installation, and the betterment, repair, and renovation or other contract charges, bonds or other evidence of indebtedness agreed to be paid on account of the acquisition, construction, installation or rental of, or the betterment, repair or renovation of, lands, buildings, facilities and equipment of the nature authorized by this section.

NEW SECTION. Sec. 28B.10.305 -----USE OF LANDS, BUILDINGS, AND FACILITIES. The lands, buildings, facilities, and equipment acquired, constructed or installed for those purposes shall be used in the respective institutions primarily for:

- (1) dormitories
- (2) hospitals
- (3) infirmaries
- (4) dining halls
- (5) student activities
- (6) services of every kind for students, including, but not limited to housing, employment, registration, financial aid, counseling, testing and offices of the dean of students
- (7) vehicular parking
- (8) student, faculty and employee housing and boarding.

NEW SECTION. Sec. 28B.10.310 -----BONDS--SALE, INTEREST, FORM, PAYMENT, TERM, EXECUTION, NEGOTIABILITY, ETC. Each issue or series of such bonds: Shall be sold at a price which will result in

a net interest cost over the life thereof of not to exceed seven percent per annum, and no single interest or coupon rate shall be greater than seven percent per annum; may be serial or term bonds; may mature at such time or times in not to exceed forty years from date of issue; may be sold at public or private sale; may be payable both principal and interest at such place or places; may be subject to redemption prior to any fixed maturities; may be in such denominations; may be payable to bearer or to the purchaser or purchasers thereof or may be registrable as to principal or principal and interest at the option of the holder; may be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon, which may include the creation and maintenance of a reserve fund or account to secure the payment of such principal and interest and a provision that additional bonds payable out of the same source or sources may later be issued on a parity therewith, and such other terms, conditions, covenants and protective provisions safeguarding such payment, all as determined and found necessary and desirable by said boards of regents or trustees. If found reasonably necessary and advisable, such boards of regents or trustees may select a trustee for the owners and holders of each such issue or series of bonds and/or for the safeguarding and disbursements of the proceeds of their sale for the uses and purposes for which they were issued and, if such trustee or trustees are so selected, shall fix its or their rights, duties, powers, and obligations. The bonds of each such issue or series: Shall be executed on behalf of such universities or colleges by the president of the board of regents or the chairman of the board of trustees, and shall be attested by the secretary of such board, one of which signatures may be a facsimile signature; and shall have the seal of such university or college impressed, printed, or lithographed thereon, and the interest coupons attached thereto shall be executed with the facsimile signatures of said officials. The bonds of each such issue or series and each of the coupons attached thereto shall be negotiable

instruments within the provisions and intent of the negotiable instruments law of this state even though they shall be payable solely from any special fund or funds.

NEW SECTION. Sec. 28B.10.315 -----FUNDING, REFUNDING BONDS.

Such boards of regents or trustees may from time to time provide for the issuance of funding or refunding revenue bonds to fund or refund at or prior to maturity any or all bonds of other indebtedness, including any premiums or penalties required to be paid to effect such funding or refunding, heretofore or hereafter issued or incurred to pay all or part of the cost of acquiring, constructing, or installing any lands, buildings, or facilities of the nature described in RCW 28B.10.300.

Such funding or refunding bonds and each of the coupons attached thereto shall be negotiable instruments within the provisions and intent of the negotiable instruments law of this state. The net interest cost over the life of such funding or refunding bonds shall not exceed seven percent per annum, and the amount of any premium or penalty paid to effect such funding or refunding shall not be considered in determining such net interest cost.

Such funding or refunding bonds may be exchanged for or applied to the payment of the bonds or other indebtedness being funded or refunded or may be sold in such manner and at such price as the boards of regents or trustees deem advisable, either at public or private sale.

The provisions of this chapter relating to the maturities, terms, conditions, covenants, interest rate, issuance, and sale of revenue bonds shall be applicable to such funding or refunding bonds except as may be otherwise specifically provided in this section.

NEW SECTION. Sec. 28B.10.320 -----AUTHORITY TO BE LIBERALLY CONSTRUED--FUTURE ACQUISITIONS AND INSTALLATIONS MAY BE PLEDGED FOR PAYMENT. The authority granted in RCW 28B.10.300 through 28B.10.330 and 28B.15.220 shall be liberally construed and shall apply to all lands, buildings, and facilities of the nature described in RCW

28B.10.300 heretofore or hereafter acquired, constructed, or installed and to any rentals, contract obligations, bonds or other indebtedness heretofore or hereafter issued or incurred to pay part or all of the cost thereof, and shall include authority to pledge for the amortization plan the net income from any and all existing and future lands, buildings and facilities of the nature described in RCW 28B.10.300 whether or not the same were originally financed hereunder or under predecessor statutes.

NEW SECTION. Sec. 28B.10.325 -----RATE OF INTEREST ON OBLIGATIONS. The rate of interest on the principal of any obligation made or incurred under the authority granted in RCW 28B.10.300 shall not exceed seven percent per annum.

NEW SECTION. Sec. 28B.10.330 -----NONLIABILITY OF STATE. The state shall incur no liability by reason of the exercise of the authority granted in RCW 28B.10.300.

NEW SECTION. Sec. 28B.10.400 ANNUITIES AND RETIREMENT INCOME PLANS FOR UNIVERSITY FACULTY MEMBERS. The boards of regents of the state universities are authorized and empowered:

(1) To assist the faculties and such other employees of their respective institutions as the board of regents may designate in the purchase of old age annuities or retirement income plans under such rules and regulations as the regents of said institutions may prescribe. County agricultural agents, home demonstration agents, 4-H club agents, and assistant county agricultural agents paid jointly by the Washington State University and the several counties shall be deemed to be full time employees of the Washington State University for the purposes hereof;

(2) To provide, under such rules and regulations as any such board may prescribe for the institution under its supervision, for the retirement of any such faculty member or employee on account of age or condition of health, retirement on account of age to be not earlier than the sixty-fifth birthday;

(3) To pay to any such retired person, each year after his

retirement, an amount which, when added to the amount of such annuity or retirement income plan received by him in such year, will not exceed fifty percent of the average annual salary paid to such person for his last ten years of full time service at such institution.

NEW SECTION. Sec. 28B.10.405 -----CONTRIBUTIONS BY FACULTY MEMBERS. Members of the faculties and such other employees as are now designated by the regents shall be required after January 1, 1948, to contribute not less than five percent of their salaries during each year of full time service after the first two years of such service toward the purchase of such annuity or retirement income plan.

NEW SECTION. Sec. 28B.10.410 -----LIMITATION ON INSTITUTION'S CONTRIBUTION. In no case shall the regents pay in any one year towards the purchase of such annuity or retirement income plan more than half of the annual premium of any faculty member or other employee, nor an amount exceeding ten percent of such person's salary, whichever is less.

NEW SECTION. Sec. 28B.10.415 -----LIMITATION ON ANNUITY OR RETIREMENT INCOME PLAN PAYMENT. The regents shall not pay any amount to be added to the annuity or retirement income plan of any retired person who has served for less than eleven years in one of the state universities. In the case of persons who have served more than ten years but less than twenty-five years no amount shall be paid in excess of four percent of the amount authorized in subdivision (3) of RCW 28B.10.400, multiplied by the number of years of full time service rendered by such person.

NEW SECTION. Sec. 28B.10.420 -----RETIREMENT AT AGE SEVENTY. University teaching faculty members shall be retired from teaching not later than the end of the academic year next following their seventieth birthday.

NEW SECTION. Sec. 28B.10.450 ANNUITIES AND RETIREMENT INCOME PLANS FOR STATE COLLEGE FACULTY MEMBERS. The board of trustees of each of the state colleges are authorized and empowered:

(1) To assist the faculties of their respective institutions in the purchase of old age annuities or retirement income plans under such rules and regulations as the trustees of said institutions may prescribe.

(2) To provide, under such rules and regulations as any such board may prescribe for the institution under its supervision, for the retirement of any such faculty member on account of length of service, age, or condition of health: PROVIDED, That retirement on account of age shall not be earlier than the sixty-fifth birthday.

(3) In addition to, and in supplementation of such old age annuity or retirement income plans, to provide for federal old age and survivors insurance and such coverage shall be provided in accordance with the provisions of chapter 41.48 RCW: PROVIDED, That prior approval by the state legislature of the proposed plan, costs and necessary structural adjustment to an existing system to conform to the proposed plan shall not be necessary.

NEW SECTION. Sec. 28B.10.455 -----CONTRIBUTIONS BY FACULTY MEMBERS. Members of the faculties of the respective state colleges providing for a retirement program under authority of RCW 28B.10.450 through 28B.10.465 shall be required to contribute not less than five percent of their salaries during each year of full time service after the first two years of such service toward the purchase of such annuity and retirement income plans and, in the event old age and survivors insurance is provided, shall pay such additional amounts as may be required of them as employees under the federal social security laws.

NEW SECTION. Sec. 28B.10.460 -----LIMITATION ON INSTITUTION'S CONTRIBUTION. In no case shall the trustees pay in any one year towards the purchase of such annuity and retirement income plans more than half of the annual premium of any faculty member, nor an amount exceeding seven and one-half percent of such person's salary, whichever is less: PROVIDED, That the seven and one-half percent factor shall, among other things, be based upon the old age and survivors

insurance employer's contributions rates as they exist on January 1, 1961 and as such contribution rates are increased by the federal government, the seven and one-half percent factor shall be increased to such percentage as will permit a continuance of the payment of the old age and survivors contributions without derogating from other retirement contributions.

NEW SECTION. Sec. 28B.10.465 -----RIGHTS AND DUTIES OF MEMBERS OF STATE TEACHERS' RETIREMENT SYSTEM. (1) A faculty member designated by the trustees of his respective state college as being subject to such annuity plan and who, at the time of such designation, is a member of the Washington state teachers' retirement system shall retain credit for such service in the Washington state teachers' retirement system and shall leave his accumulated contributions in the teachers' retirement fund (except as provided in subsection 2), and upon his attaining eligibility for retirement under the Washington state teachers' retirement system, such faculty member shall receive from the Washington state teachers' retirement system a retirement allowance consisting of an annuity which shall be the actuarial equivalent of his accumulated contributions at his age when becoming eligible for such retirement and a pension of four dollars per month for each year of creditable service established and retained at the time of said designation. Effective July 1, 1967, anyone then receiving pension payments from the teachers' retirement system based on thirty-five years of creditable service shall thereafter receive a pension based on the total years of creditable service established with the retirement system: PROVIDED, HOWEVER, That such faculty member who, upon attainment of eligibility for retirement under the Washington state teachers' retirement system, is still engaged in public educational employment, shall not be eligible to receive benefits under the Washington state teachers' retirement system until he ceases such public educational employment. Any retired faculty member who enters service in any public educational institution shall cease to receive pension payments while engaged in such service: PROVIDED, That

service may be rendered up to seventy-five days in a school year without reduction of pension.

(2) A faculty member designated by the trustees of his respective state college as being subject to the annuity plan and who, at the time of such designation, is a member of the Washington state teachers' retirement system may, at his election and at any time on and after midnight, June 10, 1959, terminate his membership in the Washington state teachers' retirement system and withdraw his accumulated contributions and interest in the teachers' retirement fund upon written application to the board of trustees of the Washington state teachers' retirement system. Faculty members who withdraw their accumulated contributions, on and after the date of withdrawal of contributions, shall no longer be members of the Washington state teachers' retirement system and shall forfeit all rights of membership, including pension benefits, theretofore acquired under the Washington state teachers' retirement system.

NEW SECTION. Sec. 28B.10.480 TAX DEFERRED ANNUITIES FOR EMPLOYEES OF INSTITUTIONS OF HIGHER EDUCATION. The regents or trustees of any of the state's institutions of higher education are authorized to provide and pay for tax deferred annuities for their respective employees in lieu of a portion of salary or wages as authorized under the provisions of 26 U.S.C., section 403(b), as amended by Public Law 87-370, 75 Stat. 796 as now or hereafter amended.

NEW SECTION. Sec. 28B.10.500 REMOVAL OF REGENTS OR TRUSTEES FROM UNIVERSITIES AND STATE COLLEGES. No regent of the state universities, or trustee of the state colleges shall be removed during the term of office for which appointed, excepting only for misconduct or malfeasance in office, and then only in the manner hereinafter provided. Before any regent or trustee may be removed for such misconduct or malfeasance, a petition for removal, stating the nature of the misconduct or malfeasance of such regent or trustee with reasonable particularity, shall be signed and verified by the governor and served upon such regent or trustee. Said petition, together with

proof of service of same upon such regent or trustee, shall forthwith be filed with the clerk of the supreme court. The chief justice of the supreme court shall thereupon designate a tribunal composed of three judges of the superior court to hear and adjudicate the charges. Such tribunal shall fix the time of hearing, which shall be public, and the procedure for the hearing, and the decision of such tribunal shall be final and not subject to review by the supreme court. Removal of any member of the board by the tribunal shall disqualify such member for reappointment.

NEW SECTION. Sec. 28B.10.510 ATTORNEY GENERAL AS ADVISOR.

The attorney general of the state shall be the legal advisor to the presidents and the boards of regents and trustees of the state's colleges and universities and he shall institute and prosecute or defend all suits in behalf of the same.

NEW SECTION. Sec. 28B.10.520 REGENTS AND TRUSTEES FOR INSTITUTIONS OF HIGHER EDUCATION. OATHS. Each member of a university board of regents or college board of trustees of a state institution of higher education, before entering upon his duties, shall take and subscribe an oath to discharge faithfully and honestly his duties and to perform strictly and impartially the same to the best of his ability, such oath to be filed with the secretary of state.

NEW SECTION. Sec. 28B.10.525 -----EXPENSES. Each member of a university board of regents or college board of trustees of a state institution of higher education, shall be entitled to receive, in lieu of per diem or any other payment, for each day or major portion thereof in which he is actually engaged in business of the board, notwithstanding any laws to the contrary, twenty-five dollars per day, plus mileage allowance at the rate of ten cents per mile.

NEW SECTION. Sec. 28B.10.550 POLICE FORCES FOR STATE COLLEGES AND UNIVERSITIES. AUTHORIZED. The boards of regents of the state universities, and the boards of trustees of the state colleges, acting independently and each on behalf of its own institution:

- (1) May each establish a police force for its own

institution, which force shall function under such conditions and regulations as the board prescribes; and

(2) May supply appropriate badges and uniforms indicating the positions and authority of the members of such police force.

NEW SECTION. Sec. 28B.10.555 -----POWERS. The members of a police force established under authority of RCW 28B.10.550, when appointed and duly sworn:

(1) Shall be peace officers of the state and have such police powers as are vested in sheriffs and peace officers generally under the laws of this state; and

(2) May exercise such powers upon state lands devoted mainly to the educational or research activities of the institution to which they were appointed; and

(3) Shall have power to pursue and arrest beyond the limits of such state lands, if necessary, all or any violators of the rules or regulations herein provided for.

NEW SECTION. Sec. 28B.10.560 -----ESTABLISHMENT OF TRAFFIC REGULATIONS. The boards of regents of the state universities, and the boards of trustees of the state colleges, acting independently and each on behalf of its own institution, may each establish and promulgate rule and regulations governing pedestrian traffic and vehicular traffic and parking upon state lands devoted mainly to the educational or research activities of its own institution.

NEW SECTION. Sec. 28B.10.565 -----PENALTY. Any person violating a rule or regulation promulgated in conformity with the provisions of RCW 28B.10.560, shall be guilty of a misdemeanor and the courts of justice of the peace in the county in which the offense is committed shall have jurisdiction over such offense.

NEW SECTION. Sec. 28B.10.600 DISTRICT SCHOOLS MAY BE USED FOR TEACHER TRAINING BY UNIVERSITIES AND STATE COLLEGES. The boards of regents of the state universities are each authorized to enter into agreements with the board of directors of any school district in this state whereby one or more of the public schools operated by such

district may be used by the university for the purpose of training students at said university as teachers, supervisors, principals, or superintendents. The boards of trustees of the state colleges are authorized to enter into similar agreements for the purpose of training students at the state colleges as teachers, supervisors or principals.

NEW SECTION. Sec. 28B.10.605 -----AGREEMENT FOR FINANCING, ORGANIZATION, ETC. The financing and the method of organization and administration of such a training program operated by agreement between a university board of regents or state college board of trustees and the board of directors of any school district shall be determined by agreement between them.

NEW SECTION. Sec. 28B.10.620 AGREEMENTS FOR RESEARCH WORK BY PRIVATE NONPROFIT CORPORATIONS AT UNIVERSITIES. The boards of regents of the state universities are hereby empowered to enter into agreements with corporations organized under chapters 24.08, 24.16 or 24.20 RCW, whereby such corporations may be permitted to conduct on university property devoted mainly to medical, educational or research activities, under such conditions as the boards of regents shall prescribe, any educational, hospital, research or related activity which the boards of regents shall find will further the objects of the university.

NEW SECTION. Sec. 28B.10.625 -----FUNDS MAY BE EXPENDED IN COOPERATIVE EFFORT. The boards of regents of the state universities may expend funds available to said institutions in any cooperative effort with such corporations which will further the objects of the particular university and may permit any such corporation or corporations to use any property of the university in carrying on said functions.

NEW SECTION. Sec. 28B.10.640 STUDENT ASSOCIATIONS TO CONTRACT FOR CERTAIN PURCHASES, CONCESSIONS, PRINTING, ETC.--PROCEDURE. The associated students of the University of Washington, the associated students of Washington State University, the student associations

of the state community colleges and the student associations of the state colleges shall contract for all purchases for printing of athletic programs, athletic tickets, athletic press brochures, year-books, magazines, newspapers and letting of concessions, exceeding one thousand dollars, notice of call for bid on the same to be published in at least two newspapers of general circulation in the county wherein the institution is located two weeks prior to the award being made. The contract shall be awarded to the lowest responsible bidder, if the price bid is fair and reasonable and not greater than the market value and price, and if the bid satisfactorily covers the quality, design, performance, convenience and reliability of service of the manufacturer and/or dealer. The aforesaid student associations may require such security as they deem proper to accompany the bids submitted, and they shall also fix the amount of the bond or other security that shall be furnished by the person to whom the contract is awarded. Such student associations may reject any or all bids submitted, if for any reason it is deemed for the best interest of their organizations to do so and readvertise in accordance with the provisions of this section. The student associations may reject the bid of any person who has had a prior contract, and who did not, in its opinion, faithfully comply with its terms: PROVIDED, That nothing in this section shall apply to printing done on presses owned and operated by the associated students of the University of Washington, the associated students of Washington State University or the student associations of the state colleges or community colleges, or to printing done on presses owned or operated by their respective institutions.

NEW SECTION. Sec. 28B.10.650 SABBATICALS AND OTHER LEAVES FOR FACULTY MEMBERS OF UNIVERSITIES AND STATE COLLEGES. The boards of regents of the state universities and the boards of trustees of the state colleges may grant sabbatical and other leaves to faculty members in accordance with regulations adopted by the respective governing boards and with such remunerations as the respective boards

may prescribe.

NEW SECTION. Sec. 28B.10.660 LIABILITY, LIFE, HEALTH, ACCIDENT, DISABILITY, AND SALARY INSURANCE AUTHORIZED--PREMIUMS--INSTITUTIONS OF HIGHER EDUCATION. The regents or trustees of any of the state's institutions of higher education may make available liability, life, health, accident, disability and salary insurance or any one of, or a combination of, the enumerated types of insurance for the regents or trustees, students and employees of the institution, and their dependents. Whenever funds shall be available for these purposes, the regents or trustees of any of the state's institutions of higher education may contribute toward the cost of such life, health, accident, disability and salary insurance, including hospitalization and medical aid, for the employees of their respective institutions and their dependents in an amount not to exceed fifty percent of the premiums therefor, or ten dollars per month per employee covered, whichever is the lesser. The premiums due on such liability insurance shall be borne by the university or college. The premiums due on such life, health, accident, or disability and salary insurance shall be borne by the assenting regent, trustee or student.

NEW SECTION. Sec. 28B.10.700 PHYSICAL EDUCATION IN CURRICULUM OF INSTITUTIONS OF HIGHER EDUCATION. The state board for community college education, the boards of trustees of the state colleges, and the boards of regents of the state universities, with appreciation of the legislature's desire to emphasize physical education courses in their respective institutions, shall provide for the same, being cognizant of legislative guide lines put forth in RCW 28A.05.040 relating to physical education courses in high schools.

NEW SECTION. Sec. 28B.10.710 WASHINGTON STATE OR PACIFIC NORTHWEST HISTORY IN CURRICULUM OF INSTITUTIONS OF HIGHER EDUCATION. There shall be a one quarter or semester course in either Washington state history and government, or Pacific Northwest history and government in the curriculum of all teachers' colleges and teachers' courses in all institutions of higher education. No person shall be

graduated from any of said schools without completing said course of study, unless otherwise determined by the state board of education.

Chapter 28B.15

COLLEGE AND UNIVERSITY FEES

NEW SECTION. Sec. 28B.15.010 "RESIDENT STUDENTS" AND "NON-RESIDENT STUDENTS" DEFINED. The term "resident students" when used in this chapter shall mean students who have been domiciled in this state at least one year prior to the commencement of the quarter for which they register, federal employees and military personnel, the children and spouses of federal employees and military personnel residing within the state, and staff members of the state's colleges and universities and their children and spouses. The term "nonresident students" shall mean all students other than resident students.

NEW SECTION. Sec. 28B.15.020 "GENERAL TUITION FEES" DEFINED. The term "general tuition fees" as used in this chapter shall mean the general tuition fees charged students registering at the state's colleges and universities for quarters or semesters other than the summer session, which fees are to be used as follows: At the University of Washington, solely for the purposes provided in RCW 28B.15.210; at Washington State University, solely for the purposes provided in RCW 28B.15.310; at each of the state colleges, solely for the purposes provided in RCW 28B.40.370; and at the community colleges, for the purposes provided in RCW 28A.50.320, 28A.50.360 and 28A.50.370.

NEW SECTION. Sec. 28B.15.030 "INCIDENTAL FEES" AT UNIVERSITIES DEFINED. The term "incidental fees" as used in this chapter with respect to the state's universities shall include the fees, other than general tuition fees, charged all students registering at any of the state's universities for quarters or semesters other than summer sessions but shall not include fees for short courses, marine station work, experimental station work, correspondence or extension courses, and individual instruction and student deposits or rentals, disciplinary and library fines, which universities shall have the

right to impose, laboratory, gymnasium, health and student activity fees, or fees, charges, rentals and other income derived from any or all revenue-producing lands, buildings and facilities of the universities heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land or the appurtenances thereon, or such other special fees as may be established by any university board of regents from time to time. Incidental fees shall be used as otherwise provided by law or by rule or regulation of the board of regents of each of the state's universities for their particular institution.

NEW SECTION. Sec. 28B.15.040 "INCIDENTAL FEES" AT STATE COLLEGES DEFINED. The term "incidental fees" as used in RCW 28B.15-.400, without limiting the generality thereof, should be deemed to include all building fees (except general tuition fees), student activity fees, laboratory, library, gymnasium, and health fees charged all students registering at each college.

NEW SECTION. Sec. 28B.15.050 "INCIDENTAL FEES" AT COMMUNITY COLLEGES DEFINED. The term "incidental fees" as used in RCW 28B.15-.500 shall include the fees other than general tuition fees, charged all students registering at the college for quarters other than summer sessions but shall not include fees for correspondence or extension courses, and individual instruction and student deposits or rentals, disciplinary and library fines, laboratory, gymnasium, health fees, or fee charges, rentals and other income derived from any or all revenue-producing lands, buildings and facilities of the colleges heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land, or the appurtenances thereon or such other special fees as may be established by the board of trustees from time to time.

NEW SECTION. Sec. 28B.15.100 FEES SET BY INDIVIDUAL

INSTITUTIONS--MINIMUM. The board of regents and board of trustees at each of the state's colleges and universities shall charge to and collect from each of the students registering at the particular institution such general tuition fees, incidental fees and other fees as such board shall in its discretion determine: PROVIDED, That such general tuition fees and incidental fees for quarters other than summer session shall be in at least the amounts for the respective institutions as set forth in RCW 28B.15.200, 28B.15.300, 28B.15.400 and 28B.15.500: PROVIDED FURTHER, That the fees charged by boards of trustees of community college districts shall be consistent with RCW 28B.15.500.

NEW SECTION. Sec. 28B.15.200 FEES--UNIVERSITY OF WASHINGTON. MINIMUM. Minimum general tuition fees and incidental fees at the University of Washington other than at summer quarters shall be as follows:

- (1) For schools and departments other than the schools of medicine and dentistry, for
 - (a) Full time resident students
 - (i) General tuition fee, thirty-five dollars; and
 - (ii) Incidental fees, an amount which, together with such general tuition fees, will be not less than seventy dollars: PROVIDED, That the total of the general tuition fees together with incidental fees shall not exceed an amount of three hundred dollars in any one academic year exclusive of the summer session.
 - (b) Full time nonresident students
 - (i) General tuition fee, not less than one hundred five dollars; and
 - (ii) Incidental fees, an amount which, together with such general tuition fee, will be not less than one hundred fifty dollars.
- (2) For schools of medicine and dentistry, for
 - (a) Full time resident students except physical and occupational therapy students
 - (i) General tuition fee, not less than one hundred dollars;

and

(ii) Incidental fees, an amount which, together with such general tuition fee, will be not less than one hundred fifty dollars.

(b) Full time nonresident students except physical and occupational therapy students

(i) General tuition fee, not less than one hundred sixty-five dollars; and

(ii) Incidental fees, an amount which, together with such general tuition fee, will be not less than two hundred fifty dollars.

(c) Full time resident physical and occupational therapy students

(i) General tuition fee, not less than sixty-five dollars; and

(ii) Incidental fees, an amount which, together with such general tuition fee, will be not less than one hundred ten dollars.

(d) Full time nonresident physical and occupational therapy students

(i) General tuition fee, not less than one hundred twenty-five dollars; and

(ii) Incidental fees, an amount which, together with such general tuition fee, will be not less than two hundred ten dollars.

NEW SECTION. Sec. 28B.15.210 -----DISPOSITION OF GENERAL TUITION FEES. Within thirty-five days from the date of collection thereof, all general tuition fees at the University of Washington, including general tuition fees to be charged students registering in the schools of medicine and dentistry, shall be paid into the state treasury and credited as follows:

One-half of the general tuition fees, or such larger portion as may be necessary to prevent a default in the payments required to be made out of the bond retirement fund, and in no event shall such one-half be less than twelve dollars and fifty cents per each resident student per quarter, and thirty-seven dollars and fifty cents per each nonresident student per quarter to the "University of Washington bond retirement fund" and the remainder thereof to the

"University of Washington building account." The sum so credited to the University of Washington building account shall be used exclusively for the purpose of erecting, altering, maintaining, equipping, or furnishing buildings except for any sums transferred as authorized in RCW 28B.20.725(3). The sum so credited to the University of Washington bond retirement fund shall be used for the payment of principal of and interest on bonds outstanding as provided by chapter 28B.20 RCW except for any sums transferred as authorized in RCW 28B.20.725(5).

NEW SECTION. Sec. 28B.15.220 -----DISPOSITION OF SPECIAL FEES. All fees except general tuition fees shall be held by the board of regents as a revolving fund and expended for the purposes for which collected and be accounted for in accordance with law: PROVIDED, That the board of regents shall have authority to place in a separate fund or funds any or all fees or rentals exacted for the use of facilities of any dormitory, hospital, or infirmary building, and the board of regents shall have authority to pledge any or all such fees for the retirement of any bonds that may be issued for the construction of such dormitory, hospital, or infirmary building.

NEW SECTION. Sec. 28B.15.300 FEES--WASHINGTON STATE UNIVERSITY. MINIMUM. Minimum general tuition fees and incidental fees at Washington State University other than at summer semesters shall be as follows:

A. For schools, colleges and departments other than the college of veterinary medicine, for

(1) Full time resident students:

(a) General tuition fee, fifty-two dollars and fifty cents;

and

(b) Incidental fees, an amount which, together with such general tuition fees, will be not less than one hundred five dollars:

PROVIDED, That the total of the general tuition fees together with incidental fees shall not exceed an amount of three hundred dollars in any one academic year exclusive of the summer session.

(2) Full time nonresident students:

(a) General tuition fee, one hundred fifty-seven dollars and fifty cents; and

(b) Incidental fees, an amount which, together with such general tuition fee, will be not less than two hundred twenty-five dollars.

B. For the college of veterinary medicine, for

(1) Full time resident students:

(a) General tuition fee, not less than fifty-two dollars and fifty cents; and

(b) Incidental fees, an amount which, together with such general tuition fee, will be not less than one hundred fifty-five dollars.

(2) Full time nonresident students:

(a) General tuition fee, not less than one hundred fifty-seven dollars and fifty cents; and

(b) Incidental fees, an amount which, together with such general tuition fee, will be not less than three hundred twenty-five dollars.

NEW SECTION. Sec. 28B.15.310 -----DISPOSITION OF GENERAL TUITION FEES. Within thirty-five days from the date of collection thereof, all such general tuition fees shall be paid into the state treasury and credited to the Washington State University bond retirement fund, one-half of such general tuition fees or such larger portion as may be necessary to prevent a default in the payments required to be made out of such bond retirement fund; the remainder thereof to the Washington State University building account.

The sum so credited to the Washington State University building account shall be expended by the board of regents for buildings, equipment, or maintenance on the campus of Washington State University as may be deemed most advisable and for the best interests of the university, except for any sums transferred as authorized by law. Expenditures so made shall be accounted for in accordance with existing

law and shall not be expended until appropriated by the legislature.

The sum so credited to the Washington State University bond retirement fund shall be used to pay and secure the payment of the principal of and interest on tuition fee bonds issued by the university, except for any sums which may be transferred out of such fund as authorized by law.

NEW SECTION. Sec. 28B.15.380 EXEMPTION FROM PAYMENT OF FEES AT UNIVERSITIES. In addition to any other exemptions as may be provided by law, the board of regents at the universities may exempt the following classes of persons from the payment of general tuition fees or incidental fees except for individual instruction fees: (1) All honorably discharged service men or women who served in the armed forces of the United States during World War I and those who so served in World War II at any time after the sixth day of December, 1941, and prior to the first day of January, 1947, and who are no longer entitled to vocational rehabilitation under Public Law 16, 78th Congress, 1st session, approved March 24, 1943, as amended, or to education and training under section 400 of Public Law 346, 78th Congress, 2nd session, approved June 22, 1944, as amended; and all honorably discharged service men who served in the military or naval services of any of the governments associated with the United States during the said World War I and those who so served in World War II at any time after the sixth day of December, 1941, and prior to the first day of January, 1947 and who are no longer entitled to vocational rehabilitation under Public Law 16, 78th Congress, 1st session, approved March 24, 1943, as amended, or to education and training under section 400 of Public Law 346, 78th Congress, 2nd session, approved June 22, 1944, as amended, provided they were citizens of the United States at the time of their enlistment and who are again citizens at the time of their registration in the university. If any such service men have not been resident in this state for one year prior to registration said board may exempt them up to one-half of the fee payable by other nonresident students. (2) Members of the

staffs of the University of Washington and Washington State University. (3) Teachers in the public schools of the state who supervise the cadet teachers from the University of Washington.

NEW SECTION. Sec. 28B.15.390 GIVING NOTE FOR FEES AT UNIVERSITIES. In case of deserving students resident in this state or the state of Alaska who, after a quarter in residence at either of such universities have shown a marked capacity for the work done by them, the board of regents at such university, in lieu of collecting general tuition fees or incidental fees, may extend credit to said students in the amount of said fees, taking therefor the promissory note of the student, with interest at a rate the board of regents deems conscionable.

NEW SECTION. Sec. 28B.15.400 FEES--STATE COLLEGES. The boards of trustees of Eastern Washington State College, Central Washington State College, Western Washington State College and The Evergreen State College shall, each quarter other than summer session charge to and collect from each of the full time students registered at the respective colleges general tuition fee and incidental fees as follows:

- (1) Full time resident students:
 - (a) General tuition fee, not less than fifteen dollars; and
 - (b) Incidental fees, an amount which, together with such general tuition fee, will be not more than eighty-eight dollars.
- (2) Full time nonresident students:
 - (a) General tuition fee, not less than forty-five dollars;
 - (b) Incidental fees, an amount which, together with such general tuition fee, will be not more than one hundred fifty-seven dollars.

NEW SECTION. Sec. 28B.15.410 -----ADDITIONAL CHARGES. In addition to those fees set forth in RCW 28B.15.400, the boards of trustees of Central Washington State College, Eastern Washington State College, Western Washington State College, and The Evergreen State College are authorized to make such charges as each board shall in its

discretion determine, for application for admission, part time instruction, summer session, short courses, correspondence courses, extension courses, noncredit instruction, deposits, breakage, disciplinary infractions, late registration, change of program, diplomas, special individual instruction or examination or service; material, textbooks, yearbooks, equipment rental, or transportation, and to make and establish such charges and rentals as they may in their discretion determine for the use of all revenue-producing lands, buildings, and facilities of each college, heretofore or hereafter acquired, constructed, or installed, including but not limited to income from rooms, dormitories, dining rooms, hospital, infirmaries, housing, or student activity buildings or facilities, vehicular parking facilities, lands, or the appurtenances thereon.

NEW SECTION. Sec. 28B.15.500 FEES--COMMUNITY COLLEGES. FEES FOR REGULAR, SUMMER SCHOOL, AND PART TIME STUDENTS. General tuition fees and incidental fees charged students registered at each community college other than at summer quarters shall be as follows:

(1) Full time resident students:

- (a) General tuition fees, fifty dollars per quarter; and
- (b) Incidental fees not more than twenty dollars per quarter.

(2) Full time nonresident students:

- (a) General tuition fees, one hundred fifty dollars per quarter; and
- (b) Incidental fees, not more than twenty dollars per quarter.

Tuition and incidental fees consistent with the above schedule will be fixed by the state board for community colleges for summer school students.

The board of trustees shall charge such fees for part time students, ungraded courses, noncredit courses, and short courses as it, in its discretion, may determine, not inconsistent with the rules and regulations of the state board for community college education.

NEW SECTION. Sec. 28B.15.600 REFUNDS OF FEES AT UNIVERSITIES AND STATE COLLEGES. The boards of regents of the state's universities

and the boards of trustees of the state colleges may refund in full general tuition fees and incidental fees if the student withdraws from the university or college prior to the sixth day of instruction of the quarter or semester for which said fees have been paid. If the student withdraws on or after the sixth day of instruction, said boards of regents and trustees may refund up to one-half of said fees, provided such withdrawal occurs within the first thirty calendar days following the beginning of instruction. Said boards of regents and trustees may extend the refund period for students called into the military service of the United States.

Said boards of regents and trustees may refund other fees pursuant to such rules as they may prescribe.

NEW SECTION. Sec. 28B.15.610 VOLUNTARY FEES OF STUDENTS. The provisions of this chapter shall not apply to or affect any student fee or charge which the students voluntarily maintain upon themselves for student purposes only.

Chapter 28B.20

UNIVERSITY OF WASHINGTON

NEW SECTION. Sec. 28B.20.010 DESIGNATION. The state university located and established in Seattle, King county, shall be designated the University of Washington.

NEW SECTION. Sec. 28B.20.020 PURPOSE. The aim and purpose of the University of Washington shall be to provide a liberal education in literature, science, art, law, medicine, military science and such other fields as may be established therein from time to time by the board of regents or by law.

NEW SECTION. Sec. 28B.20.060 COURSES EXCLUSIVE TO UNIVERSITY OF WASHINGTON. The courses of instruction of the University of Washington shall embrace as exclusive major lines, law, medicine, forest products, logging engineering, commerce, journalism, library economy, marine and aeronautic engineering, and fisheries.

NEW SECTION. Sec. 28B.20.100 REGENTS. APPOINTMENT--TERMS--VACANCIES--QUORUM. The government of the University of Washington

shall be vested in a board of regents to consist of seven members who shall be appointed by the governor of the state, by and with the advice and consent of the senate, and who shall hold their offices respectively for a term of six years from the second Monday in March next succeeding their appointment and until their successors shall be appointed and shall qualify by filing their oath with the secretary of state: PROVIDED, That regents now serving upon such board shall continue as such during the terms for which they were respectively appointed. Four members of said board shall constitute a quorum for the transaction of business. Whenever there shall be a vacancy in the said board of regents, from any cause whatever, it shall be the duty of the governor to fill such office by appointment for the unexpired term of the incumbent whose position has become vacant.

NEW SECTION. Sec. 28B.20.105 -----ORGANIZATION AND CONDUCT OF BUSINESS--BYLAWS, RULES AND REGULATIONS--MEETINGS. The board shall organize by electing from its membership a president and an executive committee, of which committee the president shall be ex officio chairman. The board may adopt bylaws or rules and regulations for its own government. The board shall hold regular quarterly meetings, and during the interim between such meetings the executive committee may transact business for the whole board: PROVIDED, That the executive committee may call special meetings of the whole board when such action is deemed necessary.

NEW SECTION. Sec. 28B.20.110 -----SECRETARY--TREASURER--DUTIES--TREASURER'S BOND. The board shall appoint a secretary and a treasurer who shall hold their respective offices during the pleasure of the board and carry out such respective duties as the board shall prescribe. In addition to such other duties as the board prescribes, the secretary shall record all proceedings of the board and carefully preserve the same. The treasurer shall give bond for the faithful performance of the duties of his office in such amount as the regents may require: PROVIDED, That the university shall pay the fee for such bond.

NEW SECTION. Sec. 28B.20.130 GENERAL POWERS AND DUTIES OF REGENTS. General powers and duties of the board of regents are as follows:

(1) To have full control of the university and its property of various kinds.

(2) To employ the president of the university, his assistants, members of the faculty, and employees of the institution, who except as otherwise provided by law, shall hold their positions during the pleasure of said board of regents.

(3) Establish entrance requirements for students seeking admission to the university. Completion of examinations satisfactory to the university may be a prerequisite for entrance by any applicant at the university's discretion. Evidence of completion of public high schools and other educational institutions whose courses of study meet the approval of the university may be acceptable for entrance.

(4) Establish such colleges, schools or departments necessary to carry out the purpose of the university and not otherwise proscribed by law.

(5) With the assistance of the faculty of the university, prescribe the course of study in the various colleges, schools and departments of the institution and publish the necessary catalogues thereof.

(6) Grant to students such certificates or degrees as recommended for such students by the faculty. The board, upon recommendation of the faculty, may also confer honorary degrees upon persons other than graduates of this university in recognition of their learning or devotion to literature, art or science: PROVIDED, That no degree shall ever be conferred in consideration of the payment of money or the giving of property of whatsoever kind.

(7) Accept such gifts, grants, conveyances, bequests and devises, whether real or personal property, or both, in trust or otherwise, for the use or benefit of the university, its colleges, schools,

departments, or agencies; and sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms of said gifts, grants, conveyances, bequests and devises. The board shall adopt proper rules to govern and protect the receipt and expenditure of the proceeds of all fees, and the proceeds, rents, profits and income of all gifts, grants, conveyances, bequests and devises above mentioned, and shall make full report of the same in the customary biennial report to the governor and members of the legislature, or more frequently if required by law: PROVIDED, HOWEVER, That nothing herein contained shall be construed to repeal, amend or in any way modify any of the provisions of RCW 28B.20.380.

(8) Except as otherwise provided by law, to enter into such contracts as the regents deem essential to university purposes.

(9) To transmit prior to the first day of January, preceding each regular session of the legislature, to the governor and members of the legislature, a printed report giving information of the receipt and expenditure of money subsequent to the last such report, furnishing an estimate of the needs of the institution, and giving such additional information as will be helpful to the state authorities in providing for the institution.

NEW SECTION. Sec. 28B.20.135 -----EMPLOYMENT OF ARCHITECTS, ENGINEERS, FOR CONSTRUCTION OF BUILDINGS AND FACILITIES. The board shall have power to employ or contract for the services of skilled architects and engineers to prepare plans and specifications, and supervise the construction of university buildings and facilities and to fix the compensation for such employees or for such services.

NEW SECTION. Sec. 28B.20.140 -----CONTRACTS FOR ERECTION OF BUILDINGS OR IMPROVEMENTS. The board of regents shall enter into such contracts with one or more contractors for the erection and construction of university buildings or improvements thereto as in their judgment shall be deemed for the best interest of the university; such contract or contracts shall be let after public notice and under

such regulations as shall be established by said board or as otherwise provided by law to the person or persons able to perform the same on the most advantageous terms: PROVIDED, That in all cases said board shall require from contractors a good and sufficient bond for the faithful performance of the work, and the full protection of the state against mechanics' and other liens: AND PROVIDED FURTHER, That the board shall not have the power to enter into any contract for the erection of any buildings or improvements which shall bind said board to pay out any sum of money in excess of the amount provided for said purpose.

NEW SECTION. Sec. 28B.20.145 -----REGENTS' SPENDING LIMITED BY INCOME. The board of regents are hereby prohibited from creating any debt or in any manner encumbering the university beyond its capacity for payment thereof from the biennial income of the university for the then current biennium.

NEW SECTION. Sec. 28B.20.200 FACULTY--COMPOSITION--GENERAL POWERS. The faculty of the University of Washington shall consist of the president of the university and the professors and the said faculty shall have charge of the immediate government of the institution under such rules as may be prescribed by the board of regents.

NEW SECTION. Sec. 28B.20.300 SCHOOLS OF MEDICINE, DENTISTRY, AND RELATED HEALTH SERVICES. AUTHORIZATION. The board of regents of the University of Washington is hereby authorized and directed forthwith to establish, operate and maintain schools of medicine, dentistry, and related health sciences at the university.

NEW SECTION. Sec. 28B.20.305 -----PURPOSE. The aim and purpose of the schools of medicine, dentistry and related health sciences shall be to provide for students of both sexes, on equal terms, all and every type of instruction in the various branches of medicine, dentistry, and related health sciences and to grant such degrees as are commonly granted by similar institutions.

NEW SECTION. Sec. 28B.20.320 MARINE BIOLOGICAL PRESERVE. ESTABLISHED AND DESCRIBED. There is hereby created an area of

preserve of marine biological materials useful for scientific purposes, except when gathered for human food, and except, also, the plant nereocystis, commonly called "kelp." Said area of preserve shall consist of the salt waters and the beds and shores of the islands constituting San Juan county and of Cypress Island in Skagit county.

NEW SECTION. Sec. 28B.20.322 -----GATHERING PERMIT. No person shall gather said marine biological materials from said area of preserve, except upon permission first granted by the director of the Friday Harbor Laboratories of the University of Washington.

NEW SECTION. Sec. 28B.20.324 -----PENALTY FOR UNLAWFUL GATHERING. Any person gathering said marine biological materials contrary to the terms of RCW 28B.20.320 and 28B.20.322 shall be guilty of a misdemeanor.

NEW SECTION. Sec. 28B.20.330 RIGHTS-OF-WAY TO RAILROADS AND STREET CAR RAILWAYS. Any railroad company now having in operation a line of railroad, or branches, sidings, or spurs thereof, upon any property in this state in use by the University of Washington for university purposes, or as a part of the grounds set aside or devoted to university purposes, may have such right-of-way confirmed to it, its successors and assigns, upon the following terms and conditions: Such railroad company shall file with the board of regents of said university a plat showing the right-of-way desired, and shall file a duplicate thereof with the commissioner of public lands; and any railroad company or street car company desiring hereafter to construct a railroad or street car line, or extensions thereof, with branches, sidings, or spurs, upon any property in this state in use by the University of Washington for university purposes, or as a part of the ground set aside or devoted to university purposes, may have such right-of-way confirmed to it, its successors and assigns, upon the following terms and conditions: Such railroad company or street car company shall file with the board of regents of said university a plat showing the right-of-way desired, and shall file a duplicate

thereof with the commissioner of public lands.

NEW SECTION. Sec. 28B.20.332 -----REGENTS TO MAKE AGREEMENT. The board of regents of said University of Washington are authorized, upon the filing of such plat with it, to agree in writing with any such railroad company or street car company, upon the boundaries and the extent of such right-of-way, the manner in which the same shall be maintained and fenced and occupied, and prescribe the number, character, and maintenance of crossings, cross-overs, and subways, and as to what sum said railroad company or street car company shall pay for the right-of-way granted.

NEW SECTION. Sec. 28B.20.334 -----FORM OF DEED--CERTIFIED COPY FILED. If such agreement is entered into, said board of regents shall transmit a certified copy thereof to the commissioner of public lands, who shall, after the full amount of money provided in such agreement shall be paid by said railroad company or street car company to the state treasurer, issue to such railroad company or street car company, in the name of the state of Washington, a deed for the right-of-way described in such agreement, which said deed shall recite and be subject to all the terms and conditions of such agreement, and certified copies of said deed shall be filed, one in the office of the commissioner of public lands, and the other with the secretary of said board of regents.

NEW SECTION. Sec. 28B.20.336 -----DEED CONVEYS CONDITIONAL EASEMENT. The conveyance herein provided for shall not be deemed to convey the fee to the land described, but an easement only thereover and for railroad or street car purposes only, and when the right-of-way granted as aforesaid shall not be used for the purposes for which it was granted, then and thereupon the easement right shall immediately become void.

NEW SECTION. Sec. 28B.20.340 UNIVERSITY SITE DEDICATED FOR STREET AND BOULEVARD PURPOSES. There is hereby dedicated to the public for street and boulevard purposes the following described lands situated in section 16, township 25 north, range 4 east, W.M., and

blocks 7 and 8 of Lake Washington shore lands, to wit: Beginning at the one-quarter ($\frac{1}{4}$) corner on the north line of said section sixteen (16); thence east along the north line thereof, a distance of three hundred forty-nine and thirty-four one-hundredths (349.34) feet; thence south at right angles to the said north line, a distance of thirty-five feet to the point of beginning of this description; thence south eighty-nine degrees fifty-seven minutes and forty-three seconds (89 57' 43") east a distance of six hundred seventy-three and seventeen one-hundredths (673.17) feet; thence southwesterly along the arc of a curve to the left, having a uniform radius of one thousand (1,000) feet, said curve being tangent to the last above described line, a distance of one thousand three hundred seventy-three and six one-hundredths (1,373.06) feet to a point of tangency; thence south eleven degrees twenty-two minutes and two seconds (11 22' 02") west, a distance of five hundred fifty-six and twenty-two one-hundredths (556.22) feet to a point of tangency on the easterly margin of Montlake Boulevard as laid off and established by Ordinance No. 26332; thence along said easterly margin northerly along the arc of a curve to the left, having a uniform radius of four hundred sixty (460) feet, a distance of one hundred forty-three and forty-one one-hundredths (143.41) feet to a point of a reverse curve; thence northerly along the arc of a curve to the right having a uniform radius of four hundred sixty (460) feet, a distance of one hundred twenty and ninety-four one-hundredths (120.94) feet to a point of reverse curve; thence northerly along the arc of a curve to the left, having a uniform radius of two thousand nine hundred seventy-four and ninety-three one-hundredths (2,974.93) feet, a distance of two hundred eighty-four (284) feet; thence departing from said easterly margin north eleven degrees twenty-two minutes and two seconds (11 22' 02") east, a distance of fourteen and seventy-four one-hundredths (14.74) feet to the beginning of a curve to the right, having a uniform radius of one thousand seventy (1,070) feet; thence northeasterly along the arc of said curve, a distance of seven hundred ninety-six and thirty-three one-hundredths (796.33) feet to a

point of reverse curve; thence northeasterly, northerly and northwesterly along the arc of a curve to the left, having a uniform radius of seventy-four and forty-six one-hundredths (74.46) feet, a distance of one hundred eighty-seven and ten one-hundredths (187.10) feet to the point of beginning.

Also the following described lands, to-wit: Beginning at a point on the east line of said section, said point being distant nine hundred eighty-nine and sixty one-hundredths (989.60) feet south from the northeast corner of said section; thence south along said east line a distance of four hundred seventy-nine and fifty-three one-hundredths (479.53) feet to a point on the government meander line along the shore of Lake Washington; thence along said meander line south seventy-eight degrees thirteen minutes thirty-three seconds (78 13' 33") west, a distance of sixty-six and fifty one-hundredths (66.50) feet; thence north twenty-nine degrees forty-six minutes twenty-seven seconds (29 46' 27") west, a distance of one hundred sixty-six and ninety-two one-hundredths (166.92) feet; thence departing from said meander line north no degrees fifty-three minutes seven seconds (0 53' 07") east, a distance of three hundred fifty-four and sixty-three one-hundredths (354.63) feet; thence northwesterly along the arc of a curve to the right having a uniform radius of one hundred eighty-five (185) feet, a distance of twenty-two and two one-hundredths (22.02) feet to a point of tangency on a line which bears north twenty-nine degrees six minutes fifty-three seconds (29 06' 53") west; thence northwesterly along said line, a distance of nine hundred eighteen and sixty-five one-hundredths (918.65) feet to the beginning of a curve to the left, having a uniform radius of two hundred fifty (250) feet; thence northwesterly along the arc of said curve, a distance of two hundred sixty-five and fifty one-hundredths (265.50) feet to a point of tangency on the south margin of East Forty-fifth Street; thence east along said south margin, a distance of three hundred twenty-nine and fourteen one-hundredths (329.14) feet to a point which is distant five hundred ten and seventy-nine

one-hundredths (510.79) feet west from the east line of said section sixteen (16); thence southwesterly, southerly and southeasterly along the arc of a curve to the left having a uniform radius of sixty (60) feet a distance of one hundred twenty-four and seventy-eight one-hundredths (124.78) feet to a point of tangency; thence south twenty-nine degrees six minutes fifty-three seconds (29 06' 53") east, a distance of nine hundred twenty-four and twenty-four one-hundredths (924.24) feet to the beginning of a curve to the left having a uniform radius of one hundred fifteen (115) feet; thence southeasterly along the arc of said curve, a distance of one hundred twenty and fifty-one one-hundredths (120.51) feet to the point of beginning.

NEW SECTION. Sec. 28B.20.342 -----LOCAL ASSESSMENTS BARRED AGAINST SITE. No assessments for the opening, improvement or maintenance of any public street upon the tracts of land described in RCW 28B.20.340 shall ever be levied, assessed or collected upon any portion of section 16, township 25 north, range 4 east, W.M., or upon any portion of blocks 7 and 8 Lake Washington shore lands.

NEW SECTION. Sec. 28B.20.344 -----EMINENT DOMAIN MAY NOT BE EXERCISED AGAINST SITE. The power of eminent domain of any municipal or other corporation whatever is hereby declared not to extend to any portion of said section 16, township 25 north, range 4 east, W.M., and blocks 7 and 8 of Lake Washington shore lands.

NEW SECTION. Sec. 28B.20.350 1947 CONVEYANCE FOR ARBORETUM AND BOTANICAL GARDEN PURPOSES. There is hereby granted to the University of Washington the following described land, to wit:

Lots two (2) and three (3), Block eleven-A (11-A) of the supplemental map of Lake Washington shorelands, filed September 5, 1916 in the office of the commissioner of public lands, to be used for arboretum and botanical garden purposes and for no other purposes, except as provided in RCW 28B.20.354.

NEW SECTION. Sec. 28B.20.352 -----DEED OF CONVEYANCE. The commissioner of public lands is hereby authorized and directed to certify the lands described in RCW 28B.20.350 to the governor, and

the governor is hereby authorized and directed to execute, and the secretary of state to attest, a deed of said shorelands to the university.

NEW SECTION. Sec. 28B.20.354 -----PART MAY BE CONVEYED BY REGENTS TO CITY OF SEATTLE. (1) The board of regents of the University of Washington is hereby authorized to convey to the city of Seattle that portion of said lot three (3) of the shorelands described in RCW 28B.20.350 which is within the following described tract, to wit:

 A rectangular tract of land one hundred twenty (120) feet in north-south width, and four hundred (400) feet in east-west length, with the north boundary coincident with the north boundary of the old canal right of way, and the west boundary on the southerly extension of the west line of Lot eleven (11), Block four (4), Montlake Park, according to the recorded plat thereof, approximately five hundred sixty (560) feet east of the east line of Montlake Boulevard.

 (2) The board of regents is authorized to convey to the city of Seattle free of all restrictions or limitations, or to incorporate in the conveyance to the city of Seattle such provisions for reverter of said land to the university as the board deems appropriate. Should any portion of the land so conveyed to the city of Seattle again vest in the university by reason of the operation of any provisions incorporated by the board in the conveyance to the city of Seattle, the University of Washington shall hold such reverted portion subject to the reverter provisions of RCW 28B.20.356.

NEW SECTION. Sec. 28B.20.356 -----REVERSION FOR UNAUTHORIZED USE--RECONVEYANCE FOR HIGHWAY PURPOSES. In case the University of Washington should attempt to use or permit the use of such shorelands or any portion thereof for any other purpose than for arboretum and botanical garden purposes, except as provided in RCW 28B.20.354, the same shall forthwith revert to the state of Washington without suit, action or any proceedings whatsoever or the judgment of any court forfeiting the same: PROVIDED, That the board of regents of

the University of Washington is hereby authorized and directed to reconvey to the state of Washington block eleven-A (11-A) of the supplemental map of Lake Washington shorelands, filed September 5, 1916 in the office of the commissioner of public lands, or such portion thereof as may be required by the state of Washington or any agency thereof for state highway purposes. The state of Washington or any agency thereof requiring said land shall pay to the University of Washington the fair market value thereof and such moneys paid shall be used solely for arboretum purposes. Such reconveyance shall be made at such time as the state or such agency has agreed to pay the same.

NEW SECTION. Sec. 28B.20.360 1939 CONVEYANCE OF SHORELANDS TO UNIVERSITY. The commissioner of public lands of the state of Washington is hereby authorized and directed to certify in the manner now provided by law to the governor for deeding to the University of Washington all of the following described Lake Washington shorelands, to wit: Blocks sixteen (16) and seventeen (17), Lake Washington Shorelands, as shown on the map of said shorelands on file in the office of the commissioner of public lands.

NEW SECTION. Sec. 28B.20.362 -----DEED OF CONVEYANCE. The governor is hereby authorized and directed to execute, and the secretary of state to attest, a deed conveying to the University of Washington all of said shorelands.

NEW SECTION. Sec. 28B.20.364 -----GRANT FOR ARBORETUM AND BOTANICAL GARDEN PURPOSES--REVERSION FOR UNAUTHORIZED USE--RECONVEYANCE FOR HIGHWAY PURPOSES. All of the shorelands described in RCW 28B.20.360 are hereby granted to the University of Washington to be used for arboretum and botanical garden purposes and for no other purposes. In case the said University of Washington should attempt to use or permit the use of said shorelands or any portion thereof for any other purpose, the same shall forthwith revert to the state of Washington without suit, action or any proceedings whatsoever or the judgment of any court forfeiting the same: PROVIDED, That the

board of regents of the University of Washington is hereby authorized and directed to reconvey to the state of Washington blocks 16 and 17 of Lake Washington shorelands, or such portions thereof as may be required by the state of Washington or any agency thereof for state highway purposes. The state of Washington or any agency thereof requiring said land shall pay to the University of Washington the fair market value thereof and such moneys paid shall be used solely for arboretum purposes. Such reconveyance shall be made at such time as the state or such agency has agreed to pay the same.

NEW SECTION. Sec. 28B.20.370 TRANSFER OF CERTAIN LAKE UNION SHORE LANDS TO UNIVERSITY. Block 18-A, Second Supplemental Maps of Lake Union Shore Lands, as shown on the official maps thereof on file in the office of the commissioner of public lands, is hereby transferred to the University of Washington and shall be held and used for university purposes only.

NEW SECTION. Sec. 28B.20.380 DISPOSITION OF OLD UNIVERSITY GROUNDS--LIMIT OF TERM. The board of regents of the university shall not sell, renew the present lease, lease for a term in excess of sixty years, or make any other disposition for a period in excess of sixty years of that certain tract of land in the city of Seattle, commonly known as the "old university grounds," or any part thereof, until authorized and empowered to do so by statute of the legislature, and any contract of sale, renewal of the present lease, lease for a term in excess of sixty years, or any other disposition for a period in excess of sixty years, made or attempted to be made by the board of regents shall be null and void unless and until the same has been approved, ratified and confirmed by legislative act.

The board of regents shall have power to lease or demise the property or any part thereof without authorization or confirmation by the legislature when the interest so created is for a term not exceeding sixty years: PROVIDED, That the board of regents shall make a full detailed report of all leases and transactions pertaining to the metropolitan building tract to each session of the legislature.

NEW SECTION. Sec. 28B.20.390 ADDITIONAL POWERS OF REGENTS AS TO OLD UNIVERSITY GROUNDS. DEFINITIONS. For the purposes of RCW 28B.20.392, 28B.20.396 and 28B.20.398--(1) the word "board" means the board of regents of the University of Washington;

(2) the word "leasehold" and the term "leasehold interest" mean the interest of the lessee in the university tract under the lease entered into on the first day of February, 1907, between the state of Washington, as lessor, and James A. Moore, as lessee, and thereafter assigned by said lessee to the Metropolitan Building Company, a corporation;

(3) the verb "to lease" includes the power to let for a term the whole or any portions of the land or of any building or buildings or other improvements thereon or appurtenances thereto, at rentals determined upon the basis of either--

(a) an agreed amount either with or without provision for periodic adjustment therein for the term, or

(b) a percentage of sales, receipts or income for the term, or

(c) a percentage of sales, receipts or income with a guaranteed minimum rental for the term, either with or without duty on the part of the lessee or lessor to construct new buildings or other improvements or to reconstruct, alter, remodel or add to existing buildings; and

(4) the term "university tract" means the tract of land in the city of Seattle, consisting of approximately ten acres, originally known as the "old university grounds" and more recently referred to as the "Metropolitan tract," together with all buildings, improvements and facilities thereon and appurtenances thereto.

NEW SECTION. Sec. 28B.20.392 -----ENUMERATION OF. In addition to the powers conferred under the deeds of conveyance and under existing law the board is authorized, and shall have the power subject to RCW 28B.20.380,--

(1) to acquire by purchase, to sublease or to otherwise acquire, from the lessees of the university tract the unexpired portion

of the leasehold interest in said tract prior to the date of its stipulated expiration and to pay, or make provision for payment, to the holder of the leasehold such amount as may be agreed upon between the board and the holder of such leasehold interest, and

(2) upon and after either such acquisition or the expiration of the leasehold--

(a) to operate and manage or lease, in whole or in part, the university tract, such operation and management or leasing to be accomplished, at the discretion of the board, either--

(i) directly by the board, or

(ii) through an agent or agents appointed for that purpose, or

(iii) through the medium of a corporation or coporations created for that purpose; and

(b) either directly or by contract, at fixed price or upon cost-plus-a-fixed-fee basis,--

(i) to construct new buildings on, or

(ii) to raze, reconstruct, alter, remodel or add to existing buildings on, or

(iii) to otherwise improve,

the university tract, and to lease or to acquire, by purchase or gift, land and rights necessary or convenient for the maximum utilization and development of the said tract; and

(3) if the unexpired portion of the leasehold interest in the university tract is not acquired prior to the date of its stipulated expiration, in the meantime--

(a) to enter into agreements to lease the university tract, in whole or in part, for any period beginning on or after November 1, 1954, either with or without concurrent action by the holder of the unexpired portion of the leasehold interest in said tract; and

(b) to exercise any of the powers enumerated in subdivision

(2) (b) of this section, upon agreement with the holder of the unexpired portion of the leasehold interest in the university tract for its improvement prior to the expiration of such leasehold term; and

(4) to borrow money required for the accomplishment of any object or purpose specified in subdivisions (1), (2) or (3) of this section and to issue warrants or bonds therefor, to provide for amortization thereof and to pay said warrants or bonds, at or prior to maturity, out of the income derived from operating, managing and leasing the university tract; and

(5) (a) to receive all rental and other income from the university tract, and

(b) to designate depositaries thereof, and

(c) to hold and invest and to pay or discharge out of the same (i) all expenses of operation, management, maintenance, repair and upkeep of said tract and (ii) any obligations incurred in conformity with the powers granted under the provisions of subdivision (4) of this section; and

(d) to apply the net proceeds therefrom to the use of the University of Washington: PROVIDED, That until the acquisition or expiration of the leasehold interest in the said tract the rental therefrom shall be applied as provided in RCW 43.79.090.

NEW SECTION. Sec. 28B.20.394 -----AGREEMENTS TO PAY CITY FOR GOVERNMENTAL SERVICES. In addition to the powers conferred upon the board of regents of the University of Washington by RCW 28B.20.392 and 28B.20.380, said board is authorized and shall have the power to enter into an agreement or agreements with the city of Seattle, Washington, to pay to said city a sum not exceeding sixty thousand dollars per annum for governmental services rendered to the university tract, as defined in RCW 28B.20.390, in connection with the leasing thereof; and any such sum so agreed upon shall be paid from the proceeds and other income from said tract as an item of expense of operation and upkeep thereof; and any provision of RCW 28B.20.392 in conflict herewith is superseded.

NEW SECTION. Sec. 28B.20.396 -----BONDS MAY BE ISSUED--FORM, TERMS, ETC. Bonds issued pursuant to the authority granted under subdivision (4) of RCW 28B.20.392--

(1) shall not constitute (a) an obligation, either general or special, of the state or (b) a general obligation of the University of Washington or of the board;

(2) shall be--

(a) either registered or in coupon form, and

(b) issued in denominations of not less than one hundred dollars;

(3) shall state--

(a) the date of issue, and

(b) the series of the issue and be consecutively numbered within the series, and

(c) that the bond is payable only out of a special fund established for the purpose, and designate the fund;

(4) shall bear interest, payable either annually, or semi-annually as the board may determine, at a rate not to exceed six percent per annum;

(5) shall be payable solely out of--

(a) revenue derived from operating, managing and leasing the university tract, and

(b) a special fund, created by the board for the purpose, consisting either of (i) a fixed proportion, or (ii) a fixed amount out of and not exceeding a fixed proportion, or (iii) a fixed amount without regard to any fixed proportion, of the revenue so derived;

(6) may contain covenants by the board in conformity with the provisions of RCW 28B.20.398(2);

(7) shall be payable at such times over a period of not to exceed thirty years, in such manner and at such place or places as the board determines;

(8) shall be executed in such manner as the board by resolution determine;

(9) shall be sold in such manner as the board deems for the best interest of the University of Washington.

NEW SECTION. Sec. 28B.20.398 ----- COVENANTS OF BONDS--

SPECIAL FUND--CONTRACTUAL NATURE OF LAW--REDEMPTION--ACTION TO COMPEL PAYMENT INTO FUND--TEMPORARY BONDS. (1) Any resolution of the board pursuant to the provisions of subdivision (4) of RCW 28B.20.392 shall provide for the creation of a special fund, in conformity with the provisions of subdivision (5) (b) of RCW 28B.20.396.

(2) Any resolution authorizing the issuance of bonds pursuant to the provisions of RCW 28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398 may contain covenants of the board to protect and safeguard the security and rights of the holders of any such bonds such as are then customary in connection with similar bonds and considered advisable in order to assure the maximum marketability for said bonds. Without limiting the generality of the foregoing, any such resolution may contain covenants as to--

(a) the creation of a special fund into which the proceeds of all bonds issued pursuant to the provisions of such resolution shall be deposited, the terms and conditions upon which payments may be made from such special fund, and for the payment of interest on bonds issued pursuant to such resolution from the moneys in said fund;

(b) maintaining rental and leasehold rates and other charges at a level sufficient at all times to provide revenue (i) to pay the interest on and principal of all bonds and other obligations payable from said revenue, (ii) to make all other payments from said revenues required under the provisions of any resolution adopted in connection with the issuance of warrants or bonds under RCW 28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398 and (iii) to pay the operating, management, maintenance, repair and upkeep costs of the university tract;

(c) collection, deposit, custody and disbursement of the revenues from the university tract or any portions thereof including (i) a specification of the depositories to be designated, and (ii) authorization of such depositories, or other banks or trust companies, to act as fiscal agent of the board for the custody of the proceeds of bonds and the moneys held in any funds created pursuant to RCW

28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398, or any resolution authorizing such bonds, and to represent bondholders in the event of a default on such bonds or in the event of a default in the performance of any duty or obligation of the board in connection therewith, with such power and duty as such resolution may provide;

(d) creation and administration of reserve and other funds for the payment, at or prior to maturity, of any indebtedness chargeable against the revenues from the university tract and for creation of working funds, depreciation funds, replacement funds, reserves for extraordinary repairs and any other fund deemed necessary or desirable to insure the continued profitable operation of the said university tract;

(e) deposit of collateral security or indemnity bonds to secure the proceeds (i) of bonds issued pursuant to the provisions of such resolution and (ii) of all revenues which are pledged to secure the repayment of bonds issued pursuant to the provisions of such resolution and (iii) of all moneys deposited in any special fund created under the authority of RCW 28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398 or any covenant thereunder;

(f) the obligation of the board to maintain the building or buildings in good condition and to operate and manage the same in an economical and efficient manner;

(g) the amount and kind of insurance to be carried by the board in connection with the building or buildings, the companies in which such insurance shall be carried, the term thereof, the application of the proceeds of any such insurance, and adjustments of losses under any such policy of insurance;

(h) limitations upon the amount of additional bonds, warrants and other obligations payable out of the revenues from the building or buildings which may be thereafter issued and the terms and conditions upon which such additional bonds, warrants or other obligations may be issued;

(i) limitations upon the creation of additional liens or

encumbrances on the building or buildings or the personal property used in connection therewith;

(j) the terms and conditions upon which the building or buildings, or any part thereof, may be sold, mortgaged, leased or otherwise disposed of, and the use or other disposition of the proceeds of any such sale, mortgage or lease;

(k) the methods of operation, management and maintenance of the building or buildings;

(l) accounting and auditing and the keeping of records, reports and audits with respect to the building or buildings;

(m) the amendment or modification of any resolution authorizing the issuance of bonds pursuant to the provisions of RCW 28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398, including the terms and conditions upon which such amendment or modification may be effected and the number, amount or percentage of assenting bonds necessary to effectuate the same;

(n) limitations upon the use of space or facilities in the building or buildings without payment therefor; and

(o) such other matters as may be necessary or desirable to insure a successful and profitable operation of the building or buildings.

(3) The term "building or buildings" as used in subdivision (2) of this section means the building or buildings or improvements upon the university tract with respect to which the revenues are pledged, under the terms of the resolution, to secure the payment of bonds issued under such resolution.

(4) The provisions of RCW 28B.20.390, 28B.20.392, 28B.20.396 and 28B.20.398 and of any resolution adopted in conformity with the provisions of this section shall constitute a contract with the holders of warrants or bonds issued pursuant thereto, and the provisions thereof shall be enforceable in any court of competent jurisdiction by any owner or holder of such warrants or bonds by mandamus or any other appropriate suit, action or proceeding at law or in equity.

(5) Bonds issued pursuant to the provisions of RCW 28B.20-.390, 28B.20.392, 28B.20.396 and 28B.20.398 may be redeemed, at the option of the board, at such time or times, upon such terms and conditions, and at such premiums as the board specifies in the resolution.

(6) If the board fails to pay the required amounts into the special fund, established in conformity with subdivision (2) of this section, the holder of any bond or bonds affected thereby may maintain an action against the board to compel compliance with the terms of the resolution in this respect.

(7) Pending the preparation and execution of any bonds the issuance of which is authorized under the provisions of subdivision (2), temporary bonds may be issued in such form as the board determines.

SPECIAL RESEARCH PROJECTS AND HOSPITAL

NEW SECTION. Sec. 28B.20.400 INSTITUTE OF CHILD DEVELOPMENT RESEARCH AND SERVICE. ESTABLISHED--PURPOSE. There shall be created, established and maintained at the University of Washington, a state institute of child development research and service having as its objects the best scientific methods of serving and developing the child, the dissemination of the information acquired by such investigation, and the training of students for work in such fields.

NEW SECTION. Sec. 28B.20.402 -----DIRECTOR AND ADVISORY BOARD. The management and control of such institute shall be vested in a director appointed by the board of regents of the University of Washington, and an advisory board of not more than seven members to be appointed by the president of the university from the faculty thereof.

NEW SECTION. Sec. 28B.20.410 CHILDREN'S CENTER FOR RESEARCH AND TRAINING IN MENTAL RETARDATION. ESTABLISHED. There is hereby established at the University of Washington a children's center for research and training in mental retardation and other handicapping conditions.

NEW SECTION. Sec. 28B.20.412 -----ADMINISTRATION--ADVISORY COMMITTEE. The center shall be administered by the board of regents of the University of Washington with the assistance of a nonsalaried advisory committee consisting of the dean of the school of medicine of the University of Washington; the directors of the state department of health, department of institutions, and department of public assistance; the superintendent of public instruction; the director of the division of vocational rehabilitation of the coordinating council for occupational education; and three other members approved by the president of the University of Washington.

NEW SECTION. Sec. 28B.20.414 -----PURPOSE. The general purposes of the center shall be:

(1) To provide clinical and laboratory facilities for research on the causes, diagnosis, prevention, and treatment of mental retardation and other handicapping conditions in children;

(2) To develop improved professional and in-service training programs in the various disciplines concerned with handicapped children;

(3) To provide diagnostic and consultative services to various state programs and to regional and local centers, to an extent compatible with the primary research and teaching objectives of the center.

NEW SECTION. Sec. 28B.20.420 GRADUATE SCHOLARSHIPS FOR ENGINEERING RESEARCH. In order to further the development of advance studies in engineering there shall be established in the engineering laboratories of the University of Washington, ten graduate scholarships and/or fellowships to the amount of one thousand dollars and tuition each, per academic year. These scholarships shall be in the field of engineering which can best be used to aid the industrial development of the state of Washington and its resources. This graduate work shall be done in the laboratories of the university and shall be directed along the lines of professional research and testing.

NEW SECTION. Sec. 28B.20.422 -----STUDIES PUBLISHED--

DIRECTION OF PROGRAM--QUALIFICATIONS FOR CANDIDATES. The studies and results of such scholarships shall be published as bulletins or engineering reports of the college of engineering of the university and a reasonable number of copies thereof shall be available to the public without cost. The provisions of RCW 28B.20.420 and this section shall include the cost of individual scholarships, the cost of necessary supplies and materials to be utilized, and the cost of printing and distribution of the bulletins or engineering reports. The direction of this research program shall rest in the proper department or departments and schools of the engineering college of the university and the candidates must meet the qualifications of the graduate school of the university for graduate students.

NEW SECTION. Sec. 28B.20.440 UNIVERSITY HOSPITAL. The board of regents of the University of Washington is hereby authorized to operate a hospital upon university grounds to be used in conjunction with the university's medical and dental schools, including equipping and additional construction to the same.

NEW SECTION. Sec. 28B.20.450 OCCUPATIONAL AND ENVIRONMENTAL RESEARCH FACILITY. CONSTRUCTION AND MAINTENANCE AUTHORIZED--PURPOSE. There shall be constructed and maintained at the University of Washington an occupational and environmental research facility in the school of medicine having as its objects and purposes testing, research, training, teaching, consulting and service in the fields of industrial and occupational medicine and health, the prevention of industrial and occupational disease among workmen, the promotion and protection of safer working environments and dissemination of the knowledge and information acquired from such objects and purposes.

NEW SECTION. Sec. 28B.20.454 -----SUBMISSION OF INDUSTRIAL AND OCCUPATIONAL HEALTH PROBLEMS TO FACILITY--AVAILABILITY OF INFORMATION. Any matter or problem relating to the industrial and occupational health of workmen may be submitted to the environmental research facility by any public agency or interested party. All research data and pertinent information available or compiled at such

facility related to the industrial and occupational health of workmen shall be made available and supplied without cost to any public agency or interested party.

NEW SECTION. Sec. 28B.20.456 -----ADVISORY COMMITTEE. There is hereby created an advisory committee to the environmental research facility consisting of eight members. Membership on the committee shall consist of directors of the departments of labor and industries and health, the president of Washington state labor council, president of the association of Washington industries, dean of the school of medicine of the University of Washington, dean of the school of engineering of the University of Washington, president of the Washington state medical association, or their representatives, and the chairman of the department of preventive medicine of the University of Washington, who shall be ex officio chairman of the committee without vote. Such committee shall meet at least semi-annually at the call of the chairman. Members shall serve without compensation. It shall consult, review and evaluate policies, budgets, activities and programs of the facility relating to industrial and occupational health to the end that the facility will serve in the broadest sense the health of the workman as it may be related to his employment.

NEW SECTION. Sec. 28B.20.458 -----ACCEPTANCE OF LOANS, GIFTS, ETC.--PRESENTMENT OF VOUCHERS FOR PAYMENTS FROM ACCIDENT AND MEDICAL AID FUNDS. The University of Washington may accept and administer loans, grants, funds, or gifts, conditional or otherwise, in furtherance of the objects and purposes of RCW 28B.20.450 through 28B.20.458, from the federal government and from other sources public or private. For the purpose of securing payment from the accident fund and medical aid fund as funds are required, vouchers shall be presented to the department of labor and industries.

FINANCING BUILDINGS AND FACILITIES--1957 ACT

NEW SECTION. Sec. 28B.20.700 CONSTRUCTION, REMODELING, IMPROVEMENT, FINANCING, ETC., AUTHORIZED. The board of regents of the University of Washington is empowered, in accordance with the provisions

of this chapter, to provide for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of buildings and facilities authorized by the legislature for the use of the university and to finance the payment thereof by bonds payable out of a special fund from revenues hereafter derived from the payment of general tuition fees, gifts, bequests or grants, and such additional funds as the legislature may provide.

NEW SECTION. Sec. 28B.20.705 DEFINITIONS. The following terms, whenever used or referred to in this chapter, shall have the following meaning, excepting in those instances where the context clearly indicates otherwise:

(1) The word "board" means the board of regents of the University of Washington.

(2) The words "general tuition fees" mean the general tuition fee charged students registering at the university.

(3) The words "bond retirement fund" mean the special fund created by chapter 254, Laws of 1957, to be known as the University of Washington bond retirement fund.

(4) The word "bonds" means the bonds payable out of the bond retirement fund.

(5) The word "projects" means the construction, completion, reconstruction, remodeling, rehabilitation, or improvement of any building or other facility of the university authorized by the legislature at any time and to be financed by the issuance and sale of bonds.

NEW SECTION. Sec. 28B.20.710 CONTRACTS, ISSUANCE OF EVIDENCES OF INDEBTEDNESS, ACCEPTANCE OF GRANTS. In addition to the powers conferred under existing law, the board is authorized and shall have the power:

(1) To contract for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of such buildings or other facilities of the university as are and which may hereafter be authorized by the legislature.

(2) To finance the same by the issuance of bonds secured by the pledge of any or all of the revenues and receipts of the bond retirement fund.

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or any public or private corporation, association, or person to aid in defraying the costs of any such projects.

NEW SECTION. Sec. 28B.20.715 BONDS--ISSUANCE, SALE, FORM, TERM, INTEREST, ETC.--COVENANTS--DEPOSIT OF PROCEEDS. For the purpose of financing the cost of any projects, the board is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable. Said bonds:

(1) Shall not constitute

(a) An obligation, either general or special, of the state; or

(b) A general obligation of the University of Washington or of the board;

(2) Shall be

(a) Either registered or in coupon form; and

(b) Issued in denominations of not less than one hundred dollars; and

(c) Fully negotiable instruments under the laws of this state; and

(d) Signed on behalf of the university by the president of the board, attested by the secretary of the board, have the seal of the university impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such president and secretary;

(3) Shall state

(a) The date of issue; and

(b) The series of the issue and be consecutively numbered

within the series; and

(c) That the bond is payable both principal and interest solely out of the bond retirement fund;

(4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine at an effective rate not to exceed six percent per annum over the life thereof, and no single interest or coupon rate shall exceed six percent per annum;

(5) Shall be payable both principal and interest out of the bond retirement fund;

(6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;

(7) Shall be sold in such manner as the board may prescribe; but never at a price at which the net interest cost over the life thereof shall exceed six percent per annum;

(8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon and such other terms, conditions, covenants and protective provisions safeguarding such payment, not inconsistent with this chapter, and as found to be necessary by the board for the most advantageous sale thereof, which may include but not be limited to:

(a) A covenant that the general tuition fees shall be established, maintained and collected in such amounts that will provide money sufficient to pay the principal of and interest on all bonds payable out of the bond retirement fund, to set aside and maintain the reserves required to secure the payment of such principal and interest, and to maintain any coverage which may be required over such principal and interest;

(b) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain amounts

be set aside and maintained therein;

(c) A covenant that sufficient moneys may be transferred from the University of Washington building account to the bond retirement fund when ordered by the board of regents in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(d) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall be deposited in the state treasury to the credit of the University of Washington building account and shall be used solely for paying the costs of the projects.

NEW SECTION. Sec. 28B.20.720 UNIVERSITY OF WASHINGTON BOND RETIREMENT FUND--COMPOSITION--PLEDGE OF GENERAL TUITION FEES. For the purpose of paying and securing the payment of the principal of and interest on the bonds as the same shall become due, there shall be paid into the state treasury and credited to a special trust fund to be known as the University of Washington bond retirement fund, the following:

(1) One-half of such general tuition fees as the board may from time to time determine, or such larger portion as may be necessary to prevent default in the payments required to be made out of the bond retirement fund, and in no event shall such one-half be less than twelve dollars and fifty cents per each resident student per quarter and less than thirty-seven dollars and fifty cents per each nonresident student per quarter;

(2) Any gifts, bequests, or grants which may be made, or may become available, for the purpose of furthering the construction of any authorized projects, or for the repayment of the costs thereof;

(3) Such additional funds as the legislature may provide.

Said bond retirement fund shall be kept segregated from all

moneys in the state treasury and shall, while any of such bonds or any interest thereon remains unpaid, be available solely for the payment thereof except as provided in RCW 28B.20.725(5). As a part of the contract of sale of such bonds, the board undertakes to charge and collect general tuition fees and to deposit the portion of such fees in the bond retirement fund in amounts which will be sufficient to pay the principal of, and interest on all such bonds outstanding.

NEW SECTION. Sec. 28B.20.721 REVENUES DERIVED FROM CERTAIN UNIVERSITY LANDS DEPOSITED IN UNIVERSITY OF WASHINGTON BOND RETIREMENT FUND. All moneys received from the lease or rental of lands set apart by the enabling act for university purposes; all interest or income arising from the proceeds of the sale of such lands or of the timber, fallen timber, stone, gravel, or other valuable material thereon; and all moneys received as interest on deferred payments on contracts for the sale of such lands shall be deposited in the "University of Washington bond retirement fund" to be expended for the purposes set forth in RCW 28B.20.720.

NEW SECTION. Sec. 28B.20.725 ADDITIONAL POWERS OF BOARD--ISSUANCE OF BONDS, INVESTMENTS, TRANSFER OF FUNDS, ETC. The board is hereby empowered:

- (1) To reserve the right to issue bonds later on a parity with any bonds being issued;
- (2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;
- (3) To authorize the transfer of money from the University of Washington building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;
- (4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;
- (5) To authorize the transfer to the University of Washington building account of any money on deposit in the bond retirement fund

in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund.

NEW SECTION. Sec. 28B.20.730 REFUNDING BONDS. The board is hereby empowered to issue refunding bonds to provide funds to refund any or all outstanding bonds payable from the bond retirement fund and to pay any redemption premium payable on such outstanding bonds being refunded. Such refunding bonds may be issued in the manner and on terms and conditions and with the covenants permitted by this chapter for the issuance of bonds. The refunding bonds shall be payable out of the bond retirement fund and shall not constitute an obligation either general or special, of the state or a general obligation of the University of Washington or the board. The net interest cost to maturity on such refunding bonds shall not exceed six percent per annum nor shall any single interest or coupon rate exceed six percent per annum. The board may exchange the refunding bonds at par for the bonds which are being refunded or may sell them in such manner as it deems for the best interest of the university.

NEW SECTION. Sec. 28B.20.735 BONDS NOT GENERAL OBLIGATIONS--LEGISLATURE MAY PROVIDE ADDITIONAL MEANS OF PAYMENT. The bonds authorized to be issued pursuant to the provisions of RCW 28B.20.700 through 28B.20.740 shall not be general obligations of the state of Washington, but shall be limited obligation bonds payable only from the special fund created for their payment derived from the general tuition fees as herein provided. The legislature may provide additional means for raising money for the payment of interest and principal of said bonds. RCW 28B.20.700 through 28B.20.740 shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section to provide additional means for raising money is permissive, and shall not in any way be construed as a pledge of the general credit of the state of Washington.

NEW SECTION. Sec. 28B.20.740 RCW 28B.20.700 THROUGH 28B.20-.740 AS CONCURRENT WITH OTHER LAWS. RCW 28B.20.700 through 28B.20-.740 is to be construed as concurrent with other legislation with

reference to providing funds for the construction of buildings at the University of Washington, and is not to be construed as limiting any other provision of law with reference thereto.

NEW SECTION. Sec. 28B.20.745 VALIDATION--1959 ACT. Any covenants of the bonds issued by the University of Washington under the authority of chapter 254, Laws of 1957 not expressly authorized by said chapter but authorized in chapter 193, Laws of 1959 are hereby declared to be legal and binding in all respects.

NEW SECTION. Sec. 28B.20.800 REVENUES DERIVED FROM CERTAIN UNIVERSITY LANDS AND INCOME FROM UNIVERSITY PERMANENT FUND DEPOSITED IN UNIVERSITY OF WASHINGTON BOND RETIREMENT FUND--COVENANT. All moneys hereafter received from the lease or rental of lands set apart for the University of Washington by chapter 91, Laws of 1903 and section 9, chapter 122, Laws of 1893, and all interest or income arising from the proceeds of the sale of such land and all proceeds from the sale of timber, fallen timber, stone, gravel, or other valuable material and all other receipts therefrom shall be deposited to the credit of the "University of Washington bond retirement fund" to be expended for the purposes set forth in RCW 28B.20.720. All proceeds of sale of such lands, exclusive of interest, shall be deposited to the credit of the state university permanent fund, shall be retained therein and shall not be transferred to any other fund or account. All interest earned or income received from the investment of the money in the state university permanent fund shall be deposited to the credit of the University of Washington bond retirement fund.

As a part of the contract of sale of bonds payable out of the University of Washington bond retirement fund, the board of regents of the University of Washington may covenant that all moneys derived from the above provided sources, which are required to be paid into the bond retirement fund, shall continue to be paid into such bond retirement fund for as long as any of such bonds are outstanding.

NEW SECTION. Sec. 28B.20.805 -----RATIFICATION OF PREVIOUS TRANSFERS. The transfers heretofore made of all moneys from the

sources described in RCW 28B.20.800 and 43.79.201 into the University of Washington bond retirement fund and permanent fund are in all respects ratified and confirmed.

NEW SECTION. Sec. 28B.20.810 -----TRANSFERS OF CERTAIN FUNDS AND INVESTMENTS FROM UNIVERSITY PERMANENT FUND TO UNIVERSITY OF WASHINGTON BOND RETIREMENT FUND AND UNIVERSITY OF WASHINGTON BUILDING ACCOUNT. The board of regents of the University of Washington is empowered to authorize from time to time the transfer from the state university permanent fund to be held in reserve in the bond retirement fund created by RCW 28B.20.720 any unobligated funds and investments derived from lands set apart for the support of the university by chapter 91, Laws of 1903 and section 9, chapter 122, Laws of 1893, to the extent required to comply with bond covenants regarding principal and interest payments and reserve requirements for bonds payable out of the bond retirement fund up to a total amount of five million dollars, and to transfer any or all of said unobligated funds and investments in excess of five million dollars to the university building account created by RCW 43.79.330(22). Any funds transferred to the bond retirement fund pursuant to this section shall be replaced by moneys first available out of the moneys required to be deposited in such fund pursuant to RCW 28B.20.800. The board is further empowered to direct the state finance committee to convert any investments in such permanent fund acquired with funds derived from such lands into cash or obligations of or guaranteed by the United States of America prior to the transfer of such funds and investments to such reserve account or building account.

All interest earned on and profits derived from the sale of any investments of money in such University of Washington bond retirement fund shall be deposited in and become a part of such fund.

NEW SECTION. Sec. 28B.20.820 -----RCW 79.64.040 NOT AFFECTED. Nothing contained in RCW 28B.20.800 through 28B.20.820 and 43.79.201 is intended to amend or modify RCW 79.64.040 (section 4, chapter 178, Laws of 1961).

Chapter 28B.30

WASHINGTON STATE UNIVERSITY

NEW SECTION. Sec. 28B.30.010 DESIGNATION. The state university located and established in Pullman, Whitman county, shall be designated Washington State University.

NEW SECTION. Sec. 28B.30.015 PURPOSE. The aid and the purpose of Washington State University shall be to provide a higher education in such fields as may be established therein from time to time by the board of regents or by law, including instruction in agriculture or other industrial pursuits, mechanical arts and the natural sciences.

NEW SECTION. Sec. 28B.30.060 COURSES EXCLUSIVE TO WASHINGTON STATE UNIVERSITY. The courses of instruction of Washington State University shall embrace as exclusive major lines, agriculture in all its branches and subdivisions, veterinary medicine, and economic science in its application to agriculture and rural life.

NEW SECTION. Sec. 28B.30.065 EXCLUSIVE INSTRUCTION IN AGRICULTURE. Work and instruction in agriculture in all its branches and subdivisions shall be offered and taught in Washington State University exclusively.

NEW SECTION. Sec. 28B.30.095 MANAGEMENT. The management of Washington State University and its experiment stations, the care and preservation of all property of which the institution shall become possessed, the erection and construction of all buildings necessary for the use of said university and stations, and the disbursement and expenditure of all money provided for said university, shall be vested in the board of regents, constituted as provided in RCW 28B.30.100; said regents and their successors in office shall have the right to cause all things to be done necessary to carry out the provisions of this chapter or as otherwise provided by law.

NEW SECTION. Sec. 28B.30.100 REGENTS. APPOINTMENT--TERMS--BOND. The seven members of the board of regents of Washington State University shall be appointed by the governor, by and with the consent

of the senate: PROVIDED, That all appointments made to fill vacancies caused by death, resignation or otherwise, shall be for the unexpired term of the incumbent whose place shall have become vacant: AND PROVIDED FURTHER, That regents now serving upon such board shall continue as such during the term for which they were respectively appointed. Except as otherwise in this section provided, all appointments shall be for the term of six years and until the appointment and qualification by filing his oath with the secretary of state of a successor to each appointee.

Each regent shall, before entering upon the discharge of his respective duties as such, execute a good and sufficient bond to the state of Washington, with two or more sufficient sureties, residents of the state, or with a surety company licensed to do business within the state, in the penal sum of not less than five thousand dollars, conditioned for the faithful performance of his duties as such regent: PROVIDED, That the university shall pay any fees incurred for any such bonds for their board members.

NEW SECTION. Sec. 28B.30.105 -----GOVERNOR EX OFFICIO ADVISORY MEMBER. The governor of the state shall be ex officio advisory member of the board of Washington State University regents, but shall not have the right to vote, nor be eligible to office therein.

NEW SECTION. Sec. 28B.30.120 -----MEETINGS--QUORUM--VACANCY NOT TO AFFECT RIGHTS OF REMAINING MEMBERS. Meetings of the board of regents may be called in such manner as the board may prescribe, and a full meeting of the board shall be called at least once a year. A majority of said board shall constitute a quorum for the transaction of business but a less number may adjourn from time to time. No vacancy in said board shall impair the rights of the remaining members of the board.

NEW SECTION. Sec. 28B.30.125 -----BOARD ORGANIZATION--PRESIDENT--PRESIDENT'S DUTIES--BYLAWS, LAWS. The board of regents shall meet and organize by the election of a president from their own number on or as soon as practicable after the first Wednesday in April

of each year.

The board president shall be the chief executive officer of the board and shall preside at all meetings thereof, except that in his absence the board may appoint a chairman pro tempore. The board president shall sign all instruments required to be executed by said board other than those for the disbursement of funds.

The board may adopt bylaws for its own organizational purposes and enact laws for the government of the university and its properties.

NEW SECTION. Sec. 28B.30.130 -----TREASURER OF BOARD--BOND --DISBURSEMENT OF FUNDS BY. The board of regents shall appoint a treasurer who shall be the financial officer of the board and who shall hold office during the pleasure of the board. The treasurer shall render a true and faithful account of all moneys received and paid out by him, and shall give bond for the faithful performance of the duties of his office in such amount as the regents require: PROVIDED, That the university shall pay the fee for such bond.

The treasurer shall make disbursements of the funds in his hands on the order of the board, which order shall be countersigned by the secretary of the board, and shall state on what account the disbursement is made.

NEW SECTION. Sec. 28B.30.135 -----UNIVERSITY PRESIDENT AS SECRETARY OF BOARD--DUTIES--BOND. The president of the university shall be secretary of the board of regents but he shall not have the right to vote; as such he shall be the recording officer of said board, shall attest all instruments required to be signed by the board president, shall keep a true record of all the proceedings of the board, and shall perform all the duties pertaining to the office and do all other things required of him by the board. The secretary shall give a bond in the penal sum of not less than five thousand dollars conditioned for the faithful performance of his duties as such officer: PROVIDED, That the university shall pay the fee for such bond.

NEW SECTION. Sec. 28B.30.140 -----EMPLOYEES, BOARD MEMBERS, TO HAVE NO INTEREST IN CONTRACTS. No employee or member of the university board of regents shall be interested pecuniarily, either directly or indirectly, in any contract for any building or improvement at said university, or for the furnishing of supplies for the same.

NEW SECTION. Sec. 28B.30.150 -----GENERAL POWERS AND DUTIES OF REGENTS. The regents of Washington State University, in addition to other duties prescribed by law, shall:

- (1) Have full control of the university and its property of various kinds.
- (2) Employ the president of the university, his assistants, members of the faculty, and employees of the university, who, except as otherwise provided by law, shall hold their positions during the pleasure of said board of regents.
- (3) Establish entrance requirements for students seeking admission to the university. Completion of examinations satisfactory to the university may be a prerequisite for entrance by any applicant, at the university's discretion. Evidence of completion of public high schools and other educational institutions whose courses of study meet the approval of the university may be acceptable for entrance.
- (4) Establish such colleges, schools or departments necessary to carry out the purpose of the university and not otherwise prescribed by law.
- (5) With the assistance of the faculty of the university, prescribe the courses of instruction in the various colleges, schools and departments of the institution and publish the necessary catalogues thereof.
- (6) Collect such information as the board deems desirable as to the schemes of technical instruction adopted in other parts of the United States and foreign countries.
- (7) Provide for holding agricultural institutes including farm marketing forums.

(8) Provide that instruction given in the university, as far as practicable, be conveyed by means of laboratory work and provide in connection with the university one or more physical, chemical, and biological laboratories, and suitably furnish and equip the same.

(9) Provide training in military tactics for those male students electing to participate therein.

(10) Establish a department of elementary science and in connection therewith provide instruction in elementary mathematics, including elementary trigonometry, elementary mechanics, elementary and mechanical drawing and land surveying.

(11) Establish a department of agriculture and in connection therewith provide instruction in physics with special application of its principles to agriculture, chemistry with special application of its principles to agriculture, morphology and physiology of plants with special reference to common grown crops and fungus enemies, morphology and physiology of the lower forms of animal life, with special reference to insect pests, morphology and physiology of the higher forms of animal life and in particular of the horse, cow, sheep and swine, agriculture with special reference to the breeding and feeding of livestock and the best mode of cultivation of farm produce, and mining and metallurgy, appointing demonstrators in each of these subjects to superintend the equipment of a laboratory and to give practical instruction therein.

(12) Establish agricultural experiment stations in connection with the department of agriculture, including at least one in the western portion of the state, and appoint the officers and prescribe regulations for their management.

(13) Grant to students such certificates or degrees, as recommended for such students by the faculty.

(14) Confer honorary degrees upon persons other than graduates of the university in recognition of their learning or devotion to literature, art or science when recommended thereto by the faculty: PROVIDED, That no degree shall ever be conferred in consideration of

the payment of money or the giving of property of whatsoever kind.

(15) Adopt plans and specifications for university buildings and facilities or improvements thereto and employ skilled architects and engineers to prepare such plans and specifications and supervise the construction of buildings or facilities which the board is authorized to erect, and fix the compensation for such services. The board shall enter into contracts with one or more contractors for such suitable buildings, facilities or improvements as the available funds will warrant, upon the most advantageous terms offered at a public competitive letting, pursuant to public notice under regulations established by the board. The board shall require of all persons with whom they contract for construction and improvements a good and sufficient bond for the faithful performance of the work and full protection against all liens.

(16) Except as otherwise provided by law, direct the disposition of all money appropriated to or belonging to the state university.

(17) Receive and expend the money appropriated under the act of congress approved May 8, 1914, entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act of Congress approved July 2, 1862, and Acts supplemental thereto and the United States Department of Agriculture" and organize and conduct agricultural extension work in connection with the state university in accordance with the terms and conditions expressed in the acts of congress.

(18) Except as otherwise provided by law, to enter into such contracts as the regents deem essential to university purposes.

(19) Acquire by lease, gift, or otherwise, lands necessary to further the work of the university or for experimental or demonstrational purposes.

(20) Establish and maintain at least one agricultural experiment station in an irrigation district to conduct investigational work

upon the principles and practices of irrigational agriculture including the utilization of water and its relation to soil types, crops, climatic conditions, ditch and drain construction, fertility investigations, plant disease, insect pests, marketing, farm management, utilization of fruit byproducts and general development of agriculture under irrigation conditions.

(21) Supervise and control the agricultural experiment station at Puyallup.

(22) Establish and maintain at Wenatchee an agricultural experiment substation for the purpose of conducting investigational work upon the principles and practices of orchard culture, spraying, fertilization, pollenization, new fruit varieties, fruit diseases and pests, byproducts, marketing, management and general horticultural problems.

(23) Accept such gifts, grants, conveyances, devises and bequests, whether real or personal property, in trust or otherwise, for the use or benefit of the university, its colleges, schools or departments; and sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms of said gifts, grants, conveyances, bequests and devises; adopt proper rules to govern and protect the receipt and expenditure of the proceeds of all fees, and the proceeds, rents, profits and income of all gifts, grants, conveyances, bequests and devises, and make full report thereof in a biennial report to the governor and members of the legislature.

(24) Construct when the board so determines a new foundry and a mining, physical, technological building and fabrication shop at the university, or add to the present foundry and other buildings, in order that both instruction and research be expanded to include permanent molding and die casting with a section for new fabricating techniques, especially for light metals, including magnesium and aluminum; purchase equipment for the shops and laboratories in mechanical, electrical, and civil engineering; establish a pilot plant for

the extraction of alumina from native clays and other possible light metal research; purchase equipment for a research laboratory for technological research generally; and purchase equipment for research in electronics, instrumentation, energy sources, plastics, food technology, mechanics of materials, hydraulics and similar fields.

(25) Make and transmit to the governor and members of the legislature a printed report prior to the first day of January preceding each regular session of the legislature, including information on all receipts and disbursements of university moneys, an estimate of the needs of the institution, and such additional information as will be helpful to the state authorities in providing for the institution.

NEW SECTION. Sec. 28B.30.200 MORRILL ACT FUNDS ALLOTTED TO UNIVERSITY. All funds granted by the United States government under the Morrill act, passed by congress and approved July 2, 1892, together with all acts amendatory thereof and supplementary thereto, for the support and in aid of colleges of agriculture and mechanic arts, as well as experiment stations and farms and extension work in agriculture and home economics in connection with colleges of agriculture and mechanic arts are hereby allotted to Washington State University.

NEW SECTION. Sec. 28B.30.210 ACCEPTANCE OF FEDERAL AID--1907 ACT. The state of Washington hereby assents to the purposes, terms, provisions and conditions of the grant of money provided in an act of congress approved March 16, 1906, said act being entitled "An Act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," and having for its purpose the more complete endowment and maintenance of agricultural experiment stations theretofore or thereafter established under an act of congress approved March 2, 1887.

NEW SECTION. Sec. 28B.30.215 -----FEDERAL AID APPROPRIATED TO UNIVERSITY. Said annual sum appropriated and granted to the state of Washington in pursuance of said act of congress approved March 16,

1906, shall be paid as therein provided to the treasurer or other officer duly appointed by the board of regents of Washington State University at Pullman, Washington; and the board of regents of such university are hereby required to report to the secretary of agriculture on or before the first day of September of each year a detailed statement of the amount so received and of its disbursements on schedules prescribed by the secretary of agriculture.

NEW SECTION. Sec. 28B.30.220 ACCEPTANCE OF FEDERAL AID--1925 ACT. The assent of the legislature of the state of Washington to the provisions of the act of congress approved February 24, 1925, entitled "An Act to authorize the more complete endowment of agricultural experiment stations and for other purposes," is hereby given.

NEW SECTION. Sec. 28B.30.250 UNIVERSITY DESIGNATED AS RECIPIENT OF ALL FEDERAL AID TO AGRICULTURAL EXPERIMENT STATIONS. The agricultural experiment stations in connection with Washington State University shall be under the direction of said board of regents of said university for the purpose of conducting experiments in agriculture according to the terms of section one of an act of congress approved March 2, 1887, and entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several states, under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto." The said university and experiment stations shall be entitled to receive all the benefits and donations made and given to similar institutions of learning in other states and territories of the United States by the legislation of the congress of the United States now in force, or that may be enacted, and particularly to the benefits and donations given by the provisions of an act of congress entitled "An Act donating public lands to the several states and territories which may provide colleges for the benefit of agricultural and mechanic arts," approved July 2, 1862, and all acts supplementary thereto, including the acts entitled "An Act to establish agricultural experiment stations in connection with colleges established in the several states under the

provisions of an act approved July 2, 1862, and of the acts supplementary thereto," which said last entitled act was approved March 2, 1887; also, "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of congress approved July 2, 1862," which said last mentioned act was approved August 30, 1890.

NEW SECTION. Sec. 28B.30.255 -----ASSENT TO CONGRESSIONAL GRANTS TO UNIVERSITY. The assent of the legislature of the state of Washington is hereby given, in pursuance of the requirements of section nine of said act of congress, approved March 2, 1887, to the granting of money therein made to the establishment of experiment stations in accordance with section one of said last mentioned act, and assent is hereby given to carry out, within the state of Washington, every provision of said act.

NEW SECTION. Sec. 28B.30.270 STATE TREASURER RECEIVING AGENT OF CERTAIN FEDERAL AID. The state treasurer is designated as agent of the state of Washington to receive all federal appropriations for the land grant colleges in accordance with the following federal acts:

- (1) Second Morrill act, approved August 30, 1890 (26 Stat. L. 417).
- (2) Nelson amendment to the Morrill act making appropriations for the department of agriculture for the fiscal year ending June 30, 1908, approved March 4, 1907 (34 Stat. L. 1281).
- (3) Title II, section 22 of the Bankhead-Jones act, approved June 29, 1935 (49 Stat. L. 436).
- (4) Any subsequent federal act appropriating funds to the state of Washington or to Washington State University for a similar or related purpose.

NEW SECTION. Sec. 28B.30.275 -----MORRILL FUND. Upon receipt of the federal grant pursuant to federal statutes, the treasurer shall deposit the same in a special trust fund to be designated "Morrill Fund" which is hereby created for the use of the designated

land grant college in the teaching of agriculture and mechanic art.

NEW SECTION. Sec. 28B.30.280 -----WITHDRAWALS. The board of regents of Washington State University may authorize the treasurer or comptroller of Washington State University to withdraw such federal grants for the use of the university for the purposes of such grant and in accordance with state law.

NEW SECTION. Sec. 28B.30.285 -----TRUST FUNDS NOT SUBJECT TO APPROPRIATION. All federal grants received by the state treasurer pursuant to RCW 28B.30.270 shall be deemed trust funds under the control of the state treasurer and not subject to appropriation by the legislature.

NEW SECTION. Sec. 28B.30.300 STATE TREASURER TO REPORT ANNUALLY ON SECURITIES OF UNIVERSITY. It shall be the duty of the state treasurer to make a report to the board of regents of Washington State University on or as soon as practicable after the first Monday of April of each year, which shall contain a complete detailed statement:

(1) Of all stocks, bonds or other securities belonging to the agricultural college, the school of science, or other colleges of the university, which may have been deposited with said treasurer during the year next preceding said report, together with all other securities belonging to said university which may be in his custody, setting forth in separate statements those which have been derived from the sale or lease of agricultural college lands and those which have been derived from the sale or lease of the scientific school lands or other university lands.

(2) Of all interest received during the year next preceding said report, on all stocks, bonds or other securities belonging to the agricultural college, the school of science, or other colleges of the university which may be or may have been in the custody of said treasurer, and of all premiums which may have been received on securities sold or redeemed during the aforesaid period.

(3) Of all stocks, bonds or other securities belonging to the

agricultural college, the school of science, or other colleges of the university, which may have been paid, redeemed or sold during the year next preceding such report, together with the principal sum or sums remaining in the hands of said treasurer uninvested.

NEW SECTION. Sec. 28B.30.310 LAND COMMISSIONER TO REPORT ANNUALLY ON PUBLIC LANDS ASSIGNED TO UNIVERSITY. It shall be the duty of the state land commissioner to make a report to the board of regents of Washington State University on or as soon as practicable after the first Monday in April of each year, which shall contain a complete detailed statement:

(1) Of all lands which have been selected under an act of congress approved July 2, 1862, entitled "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts," and all acts supplementary thereto, and under the act of congress of February 22, 1889, entitled "An act to provide for the division of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments and to be admitted to the union on an equal footing with the original states, and to make donations of public lands to institutions," which said selections have been approved by the secretary of the interior, for the use and support of agricultural colleges and for a scientific school, which statement shall set forth the lands set apart for the agricultural college and for the school of science in distinct and separate lists: PROVIDED, That the land commissioner shall not be required to include in such annual report a statement of approved selections and locations made in any previous annual report: AND PROVIDED FURTHER, That when the entire amount of the one hundred and ninety thousand acres of land set apart for the use and support of the agricultural college and school of science shall have been selected, located, and approved by the secretary of the interior, and included in any annual report or reports to the said board of regents, that thereafter the land commissioner shall not be required to make

such annual report.

(2) Of all lands belonging to the agricultural college and likewise to the school of science, or other colleges of the university, sold prior to the first Monday in April during the year next preceding said report, which statement shall accurately describe the lands sold, the price received for the same and all moneys received from the sale or lease of said lands or from the sale of timber, stone, hay or other valuable material from said lands and the disposition thereof: PROVIDED, That the land commissioner shall not be required to include in such annual report a statement of lands sold or moneys received which shall have been included in any previous annual report.

NEW SECTION. Sec. 28B.30.320 REGENTS TO INSPECT LAND FORMING GRANT--REPORTS--EXPENSES. To the end that the endowments of the agricultural college, the school of science and other colleges of the university may be conserved and increased, the board of regents of Washington State University may inspect or cause to be inspected the lands set apart for the use and support of the agricultural college, the school of science, and other colleges of the university, and gather or cause to be gathered such information relative to the character, condition and true value of said lands as may be conducive to a wise and advantageous disposition of the same, and collect and distribute such information as shall facilitate the sale or lease of such lands, as provided by law, and furnish such information to the land commissioner when called for: PROVIDED, That the expense of collecting and distributing such information shall be paid from the maintenance fund of the college: PROVIDED FURTHER, That a report of the doings of the board of regents in the collecting and distributing of information and facilitating the sale or lease of said lands, together with the expenses incurred therein shall be included in the report of the board of regents to the governor and legislature.

NEW SECTION. Sec. 28B.30.350 MEDICAL, HEALTH AND HOSPITAL SERVICE. AUTHORIZED. The board of regents of Washington State

University is hereby granted authority to enter into such contracts, leases, or agreements as may be necessary to provide adequate medical, health, and hospital service for students of Washington State University and the people of the surrounding community and to provide adequate practice facilities for students enrolled in nursing courses.

NEW SECTION. Sec. 28B.30.355 -----LEASES, CONTRACTS AND AGREEMENTS. The board of regents may lease lands, buildings, or other facilities from or to nonprofit corporations or associations, and may enter into such contracts and agreements with such units, agencies, corporations, or associations as will promote the intents and purposes of RCW 28B.30.350.

NEW SECTION. Sec. 28B.30.370 FOREST TREE NURSERY. ESTABLISHMENT--PURPOSES. The board of regents of Washington State University is hereby authorized to establish and maintain at or near Pullman, Washington, a forest tree nursery for the production, distribution and exchange of forest planting stock and seeds for industrial reforestation, for experimental work and research, and for educational purposes.

NEW SECTION. Sec. 28B.30.375 -----LOCATION. The forest tree nursery may be located on the university farm or at such place in or near Pullman as the board of regents may determine.

NEW SECTION. Sec. 28B.30.380 -----DISPOSITION OF RECEIPTS --REVOLVING FUND. All receipts from the sale and exchange of such planting stock and seeds shall be deposited in a forest tree nursery revolving fund to be maintained by the board of regents, which is hereby authorized to use such fund for the maintenance of such forest tree nursery and for other purposes authorized by RCW 28B.30.370 through 28B.30.380.

NEW SECTION. Sec. 28B.30.400 ELECTRICAL RESEARCH EXPERIMENT STATION NEAR COLUMBIA RIVER. The board of regents of Washington State University is authorized to establish and maintain an electrical research experiment station at a suitable place at or near an existing hydroelectric facility along the Columbia river for the purpose of

conducting research and investigational work into all areas of the field of electricity, with special emphasis on the application, uses and phenomena connected with high voltages and high energy, and to cooperate with public and private agencies in the furtherance of such purposes.

FINANCING BUILDINGS AND FACILITIES--1961 ACT

NEW SECTION. Sec. 28B.30.700 CONSTRUCTION, REMODELING, IMPROVEMENT, FINANCING THROUGH BONDS, AUTHORIZED. The board of regents of Washington State University is empowered, in accordance with the provisions of RCW 28B.30.700 through 28B.30.780, to provide for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of buildings and facilities authorized by the legislature for the use of the university and to finance the payment thereof by bonds payable out of a special fund from revenues hereafter derived from the payment of general tuition fees, gifts, bequests or grants, and such additional funds as the legislature may provide.

NEW SECTION. Sec. 28B.30.710 DEFINITIONS. The following terms, whenever used or referred to in RCW 28B.30.700 through 28B.30.780, shall have the following meaning, excepting in those instances where the context clearly indicates otherwise:

(1) The word "board" means the board of regents of Washington State University.

(2) The words "general tuition fees" mean the general tuition fee charged students registering at the university, but shall not mean special tuition or other fees charged such students or fees, charges, rentals, and other income derived from any or all revenue-producing lands, buildings, and facilities of the university, heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land or the appurtenances thereon.

(3) The words "bond retirement fund" mean the special fund created by RCW 28B.30.700 through 28B.30.780, to be known as the

Washington State University bond retirement fund.

(4) The word "bonds" means the bonds payable out of the bond retirement fund.

(5) The word "projects" means the construction, completion, reconstruction, remodeling, rehabilitation, or improvement of any building or other facility of the university authorized by the legislature at any time and to be financed by the issuance and sale of bonds.

NEW SECTION. Sec. 28B.30.720 CONTRACTS, ISSUANCE OF EVIDENCES OF INDEBTEDNESS, BONDS, ACCEPTANCE OF GRANTS. In addition to the powers conferred under existing law, the board is authorized and shall have the power:

(1) To contract for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of such buildings or other facilities of the university as are or may be authorized by the legislature.

(2) To finance the same by the issuance of bonds secured by the pledge of any or all of the revenues and receipts of the bond retirement fund.

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or any public or private corporation, association, or person to aid in defraying the costs of any such projects.

NEW SECTION. Sec. 28B.30.730 BONDS--ISSUANCE, SALE, FORM, TERM, INTEREST, ETC.--COVENANTS--DEPOSIT OF PROCEEDS. For the purpose of financing the cost of any projects, the board is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable. Said bonds:

(1) Shall not constitute

(a) An obligation, either general or special, of the state; or

(b) A general obligation of Washington State University or of

the board;

(2) Shall be

(a) Either registered or in coupon form; and

(b) Issued in denominations of not less than one hundred dollars; and

(c) Fully negotiable instruments under the laws of this state; and

(d) Signed on behalf of the university by the president of the board, attested by the secretary of the board, have the seal of the university impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such president and secretary;

(3) Shall state

(a) The date of issue; and

(b) The series of the issue and be consecutively numbered within the series; and

(c) That the bond is payable both principal and interest solely out of the bond retirement fund;

(4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine at an effective rate not to exceed six percent per annum over the life thereof, and no single interest or coupon rate shall exceed six percent per annum;

(5) Shall be payable both principal and interest out of the bond retirement fund;

(6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;

(7) Shall be sold in such manner as the board may prescribe, but never at a price at which the net interest cost over the life thereof shall exceed six percent per annum;

(8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon and such other terms, conditions, covenants and protective provisions safeguarding such payment, not inconsistent with RCW 28B.30.700 through 28B.30.780, and as found to be necessary by the board for the most advantageous sale thereof; which may include but not be limited to:

(a) A covenant that the general tuition fees shall be established, maintained and collected in such amounts that will provide money sufficient to pay the principal of and interest on all bonds payable out of the bond retirement fund, to set aside and maintain the reserves required to secure the payment of such principal and interest, and to maintain any coverage which may be required over such principal and interest;

(b) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain amounts be set aside and maintained therein;

(c) A covenant that sufficient moneys may be transferred from the Washington State University building account to the bond retirement fund when ordered by the board of regents in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(d) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall be deposited in the state treasury to the credit of the Washington State University building account and shall be used solely for paying the costs of the projects.

NEW SECTION. Sec. 28B.30.740 WASHINGTON STATE UNIVERSITY BOND RETIREMENT FUND--COMPOSITION--PLEDGE OF GENERAL TUITION FEES. For the

purpose of paying and securing the payment of the principal of and interest on the bonds as the same shall become due, there shall be paid into the state treasury and credited to a special trust fund to be known as the Washington State University bond retirement fund, which fund is hereby created in the state treasury, the following:

(1) One-half of such general tuition fees as the board may from time to time determine, or such larger portion as may be necessary to prevent default in the payments required to be made out of the bond retirement fund;

(2) Any grants which may be made, or may become available, for the purpose of furthering the construction of any authorized projects, or for the repayment of the costs thereof;

(3) Such additional funds as the legislature may provide.

Said bond retirement fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or any interest thereon remain unpaid, be available solely for the payment thereof except as provided in subdivision (5) of RCW 28B.30.750. As a part of the contract of sale of such bonds, the board shall undertake to charge and collect general tuition fees and to deposit the portion of such fees in the bond retirement fund in amounts which will be sufficient to pay the principal of, and interest on all such bonds outstanding..

NEW SECTION. Sec. 28B.30.741 -----DISPOSITION OF CERTAIN REVENUES FROM SCIENTIFIC SCHOOL LANDS. All moneys received from the lease or rental of lands set apart by the enabling act for a scientific school; all interest or income arising from the proceeds of the sale of such lands or of the timber, fallen timber, stone, gravel or other valuable material thereon; and all moneys received as interest on deferred payments on contracts for the sale of such lands shall be deposited in the "Washington State University bond retirement fund" to be expended for the purposes set forth in RCW 28B.30.740.

NEW SECTION. Sec. 28B.30.742 -----DISPOSITION OF CERTAIN

REVENUES FROM AGRICULTURAL COLLEGE LANDS. Whenever federal law shall permit, but in no event prior to July 1, 1967, all moneys received from the lease or rental of lands set apart by the enabling act for an agricultural college, all interest or income arising from the proceeds of the sale of such lands or of the timber, fallen timber, stone, gravel or other valuable material thereon; and all moneys received as interest on deferred payments on contracts for the sale of such lands shall be deposited in the Washington State University bond retirement fund to be expended for the purposes set forth in RCW 28B-.30.740.

NEW SECTION. Sec. 28B.30.750 ADDITIONAL POWERS OF BOARD--ISSUANCE OF BONDS, INVESTMENTS, TRANSFER OF FUNDS, ETC. The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the Washington State University building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the Washington State University building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund.

NEW SECTION. Sec. 28B.30.760 REFUNDING BONDS. The board is hereby empowered to issue refunding bonds to provide funds to refund any or all outstanding bonds payable from the bond retirement fund and to pay any redemption premium payable on such outstanding bonds

being refunded. Such refunding bonds may be issued in the manner and on terms and conditions and with the covenants permitted by RCW 28B-.30.700 through 28B.30.780 for the issuance of bonds. The refunding bonds shall be payable out of the bond retirement fund and shall not constitute an obligation either general or special, of the state or a general obligation of Washington State University or the board. The net interest cost to maturity on such refunding bonds shall not exceed six percent per annum nor shall any single interest or coupon rate exceed six percent per annum. The board may exchange the refunding bonds at par for the bonds which are being refunded or may sell them in such manner as it deems for the best interest of the university.

NEW SECTION. Sec. 28B.30.770 BONDS NOT GENERAL OBLIGATIONS--LEGISLATURE MAY PROVIDE ADDITIONAL MEANS OF PAYMENT. The bonds authorized to be issued pursuant to the provisions of RCW 28B.30.700 through 28B.30.780 shall not be general obligations of the state of Washington, but shall be limited obligation bonds payable only from the special fund created for their payment. The legislature may provide additional means for raising money for the payment of interest and principal of said bonds. RCW 28B.30.700 through 28B.30.780 shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section to provide additional means for raising money is permissive, and shall not in any way be construed as a pledge of the general credit of the state of Washington.

NEW SECTION Sec. 28B.30.780 OTHER LAWS NOT REPEALED OR LIMITED. RCW 28B.30.700 through 28B.30.780 is concurrent with other legislation with reference to providing funds for the construction of buildings at Washington State University, and is not to be construed as repealing or limiting any existing provision of law with reference thereto.

Chapter 28B.40
STATE COLLEGES

NEW SECTION. Sec. 28B.40.010 DESIGNATION. The state colleges shall be located and designated as follows: At Bellingham, Western Washington State College; at Cheney, Eastern Washington State College; at Ellensburg, Central Washington State College; in Thurston county, The Evergreen State College.

NEW SECTION. Sec. 28B.40.100 TRUSTEES. APPOINTMENT AND TERM. The government of each of the state colleges shall be vested in a board of trustees consisting of five members. They shall be appointed by the governor with the consent of the senate and shall hold their offices for a term of six years from the second Monday in March next succeeding their appointment and until their successors are appointed and qualified. In case of a vacancy the governor shall fill the vacancy for the unexpired term of the trustee whose office has become vacant.

The trustees incumbent as of July 30, 1967 shall serve during the term of their original appointment.

The term of the first appointees under this 1967 amendatory act shall commence upon the expiration of the term of the particular incumbent for which the appointment is made and shall expire six years from the second Monday of March next succeeding the effective date of the appointment.

To assure that no more than the terms of two members will expire simultaneously on the second Monday of March in any one year, the term of not more than one trustee incumbent on July 30, 1967 shall be extended by the governor for one year at which time an appointment shall be made for a term expiring six years from the second Monday in March next succeeding the effective date of that appointment.

NEW SECTION. Sec. 28B.40.105 -----ORGANIZATION AND OFFICERS OF BOARD--QUORUM. Each board of state college trustees shall elect one of its members chairman, and it shall elect a secretary, who may or may not be a member of the board. Each board shall have power to adopt bylaws for its government and for the government of the school, which bylaws shall not be inconsistent with law, and to prescribe the

duties of its officers, committees and employees. A majority of the board shall constitute a quorum for the transaction of all business.

NEW SECTION. Sec. 28B.40.110 -----MEETINGS OF BOARD. Each board of state college trustees shall hold at least two regular meetings each year, at such times as may be provided by the board. Special meetings shall be held as may be deemed necessary, whenever called by the chairman or by a majority of the board. Public notice of all meetings shall be given in accordance with chapter 42.32 RCW.

NEW SECTION. Sec. 28B.40.115 -----JOINT TRUSTEES' MEETINGS. The several boards of state college trustees shall hold at least one meeting each year, at a time and at a place agreed upon by the several boards, for the purpose of discussing state college policies, and to agree upon the best means for general betterment. The presidents of the several state colleges or their designees shall attend such meetings and make such reports and offer such suggestions as will enable the trustees to determine the greatest needs of these institutions.

NEW SECTION. Sec. 28B.40.120 -----GENERAL POWERS AND DUTIES OF BOARD. In addition to any other powers and duties prescribed by law, each board of trustees of the respective state colleges:

(1) Shall have full control of the state college and its property of various kinds.

(2) Shall employ the president of the state college, his assistants, members of the faculty, and other employees of the institution, who, except as otherwise provided by law, shall hold their positions, until discharged therefrom by the board for good and lawful reason.

(3) With the assistance of the faculty of the state college, shall prescribe the course of study in the various schools and departments thereof and publish such catalogues thereof as the board deems necessary: PROVIDED, That the state board of education shall determine the requisites for and give program approval of all courses leading to teacher certification by such board.

(4) Establish such divisions, schools or departments necessary to carry out the purposes of the college and not otherwise prescribed by law.

(5) Except as otherwise provided by law, may establish and erect such new facilities as determined by the board to be necessary for the college.

(6) May acquire real and other property as provided in RCW 28B.10.020, as now or hereafter amended.

(7) Except as otherwise provided by law, may purchase all supplies and purchase or lease equipment and other personal property needed for the operation or maintenance of the college.

(8) May establish, lease, operate, equip and maintain self-supporting facilities in the manner provided in RCW 28B.10.300 through 28B.10.330, as now or hereafter amended.

(9) Except as otherwise provided by law, to enter into such contracts as the trustees deem essential to college purposes.

(10) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from whatsoever source, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the college programs; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof.

(11) May promulgate such rules and regulations, and perform all other acts not forbidden by law, as the board of trustees may in its discretion deem necessary or appropriate to the administration of the college.

NEW SECTION. Sec. 28B.40.125 ----- PECUNIARY INTEREST IN CERTAIN CONTRACTS FORBIDDEN--PENALTY. No state college trustee shall be awarded any contract for the erection, repair or the furnishing of any building belonging to any state college or for the furnishing of supplies or materials for the same, and no such trustee shall act as

agent for any publishing house proposing to furnish books for such college. Any trustee who shall violate any provision of this section shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars, and his office as such trustee shall be declared vacant.

NEW SECTION. Sec. 28B.40.130 -----REPORTS BY BOARD. Each board of state college trustees, prior to each regular session of the legislature, through its secretary, shall make a biennial report to the governor of the state, for his use and for the use of the legislature, which report shall contain such information as the board may deem advisable for informing the governor and legislature of their college's program and needs.

NEW SECTION. Sec. 28B.40.200 BACHELOR DEGREES AUTHORIZED. The degree of bachelor of arts or the degree of bachelor of science and/or the degree of bachelor of arts in education may be granted to any student who has completed a four-year course of study or the equivalent thereof in Central Washington State College, Eastern Washington State College, Western Washington State College or The Evergreen State College.

NEW SECTION. Sec. 28B.40.210 MASTER DEGREES IN EDUCATION, ARTS OR SCIENCE AUTHORIZED. In addition to all other powers and duties given to them by law, Central Washington State College, Eastern Washington State College, Western Washington State College or The Evergreen State College are hereby authorized to grant the degree of master of education to any student who has completed a course of at least one year in graduate study in education or the equivalent thereof and may grant the degree of master of arts, or master of science to any student who has completed a course of at least one year in graduate study or the equivalent thereof.

NEW SECTION. Sec. 28B.40.220 NURSING DEGREES AUTHORIZED. In addition to all other powers and duties given to them by law, the boards of trustees of Central Washington State College, Eastern Washington State College, Western Washington State College, and The

Evergreen State College may grant an associate degree in nursing to any student who has satisfactorily completed a two-year course of study or the equivalent thereof approved by the proper accrediting state agency.

NEW SECTION. Sec. 28B.40.230 CERTIFICATES, DIPLOMAS--SIGNING --CONTENTS. Every diploma issued by a state college shall be signed by the chairman of the board of trustees and by the president of the state college issuing the same, and sealed with the appropriate seal. In addition to the foregoing, teaching certificates shall be countersigned by the state superintendent of public instruction. Every certificate shall specifically state what course of study the holder has completed and for what length of time such certificate is valid in the schools of the state.

NEW SECTION. Sec. 28B.40.300 MODEL SCHOOLS AND TRAINING DEPARTMENTS--PURPOSE. A model school or schools or training departments may be provided for each state college, in which students, before graduation, may have actual practice in teaching or courses relative thereto under the supervision and observation of critic teachers. All schools or departments involved herewith shall organize and direct their work being cognizant of public school needs.

NEW SECTION. Sec. 28B.40.305 -----TRUSTEES TO ESTIMATE NUMBER OF PUPILS REQUIRED. The board of trustees of any state college having a model school or training department as authorized by RCW 28B.40.300, shall, on or before the first Monday of September of each year, file with the board of the school district or districts in which such state college is situated, a certified statement showing an estimate of the number of public school pupils who will be required to make up such model school and specifying the number required for each grade for which training for students is required.

NEW SECTION. Sec. 28B.40.310 -----REQUISITIONING OF PUPILS --PRESIDENT MAY REFUSE ADMISSION. It shall thereupon be the duty of the board of the school district or districts with which such statement has been filed, to apportion for attendance to the said model

school or training department, a sufficient number of pupils from the public schools under the supervision of said board as will furnish to such state college the number of pupils required in order to maintain such facility: PROVIDED, That the president of said state college may refuse to accept any such pupil as in his judgment would tend to reduce the efficiency of said model school or training department.

NEW SECTION. Sec. 28B.40.315 -----REPORT OF ATTENDANCE. Annually, on or before the date for reporting the school attendance of the school district in which said model school or training department is situated, for the purpose of taxation for the support of the common schools, the board of trustees of each such state college having supervision over the same shall file with the board of the school district or districts, in which such model school or training department is situated, a report showing the number of common school pupils at each such model school or training department during the school year last passed, and the period of their attendance in the same form that reports of public schools are made. Any superintendent of the school district so affected shall, in reporting the attendance in said school district, segregate the attendance at said model school or training department, from the attendance in the other schools of said district: PROVIDED, That attendance shall be credited, if credit be given therefor, to the school district in which the pupil resides.

NEW SECTION. Sec. 28B.40.350 SUSPENSION AND EXPULSION. Any student may be suspended or expelled from any state college who is found to be immoral or guilty of an infraction of the regulations of the institution.

NEW SECTION. Sec. 28B.40.370 DISPOSITION OF GENERAL TUITION FEES AND NORMAL SCHOOL FUND REVENUES--BOND PAYMENTS--BOND RETIREMENT FUNDS--CAPITAL PROJECTS ACCOUNTS FOR CONSTRUCTION, EQUIPMENT, MAINTENANCE OF BUILDINGS, ETC. Within thirty-five days from the date of collection thereof all general tuition fees of each state college shall be paid into the state treasury and these together with such

normal school fund revenues as provided in RCW 28B.40.751 as are received by the state treasury shall be credited as follows:

(1) On or before June 30th of each year the board of trustees of each college issuing bonds payable out of its general tuition fees and above described normal school fund revenues shall certify to the state treasurer the amounts required in the ensuing twelve months to pay and secure the payment of the principal of and interest on such bonds. The amounts so certified by each college shall be a prior lien and charge against all general tuition fees and above described normal school fund revenues of such college. The state treasurer shall thereupon deposit the amounts so certified in the Eastern Washington State College bond retirement fund, the Central Washington State College bond retirement fund, the Western Washington State College bond retirement fund, or The Evergreen State College bond retirement fund respectively, which funds are hereby created in the state treasury. The amounts deposited in the respective bond retirement funds shall be used exclusively to pay and secure the payment of the principal of and interest on the tuition fee bonds issued by such colleges as authorized by law. If in any twelve month period it shall appear that the amount certified by any such board of trustees is insufficient to pay and secure the payment of the principal of and interest on the outstanding general tuition fee and above described normal school fund revenue bonds of its college, the state treasurer shall notify the board of trustees and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal of and interest on all such bonds then outstanding shall be fully met at all times.

(2) All general tuition fees and above described normal school fund revenue not needed for or in excess of the amounts certified to the state treasurer as being required to pay and secure the payment of general tuition fee or above described normal school fund revenue bond principal or interest shall be deposited in the Eastern Washington State College capital projects account, the Central Washington

State College capital projects account, the Western Washington State College capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the general fund of the state treasury. The sums deposited in the respective capital projects accounts shall be appropriated and expended exclusively for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto except for any sums transferred therefrom as authorized by law.

NEW SECTION. Sec. 28B.40.380 EXTENSION DEPARTMENTS. In order to assist teachers in service, candidates for certificates, and others, each state college shall establish and maintain an extension department. The work of the department may supplement the previous training of teachers in service and comprise subjects included in the state college curriculum, or otherwise.

In order to prevent overlapping of territory in connection with this extension work, the state board of education shall district the state making a definite assignment of territory to each institution: PROVIDED, That such assignments of territory shall not preclude any other contractual arrangements initiated by a state college to carry out its duties under this section. The head of the extension department of each state college, after being assigned specific territory, shall cooperate with the several educational executive officers of the affected counties in making public the courses or seminars available for each year, such information being forwarded by the head of the extension department to the state superintendent of public instruction.

A report of the work accomplished by any such extension department during the preceding school year shall be made by the board of trustees upon request of the governor or any member of the legislature.

NEW SECTION. Sec. 28B.40.390 DUTIES OF PRESIDENT. The

president of each state college shall have general supervision of the college and see that all laws and rules of the board of trustees are observed.

NEW SECTION. Sec. 28B.40.400 MEETINGS OF PRESIDENTS. It shall be the duty of the presidents of the several state colleges to meet at least once annually to consult with each other relative to the management of the state colleges.

FINANCING BUILDINGS AND FACILITIES--1961 ACT

NEW SECTION. Sec. 28B.40.700 CONSTRUCTION, REMODELING, IMPROVEMENT, FINANCING, ETC., AUTHORIZED. The boards of trustees of the state colleges are empowered in accordance with the provisions of RCW 28B.40.700 through 28B.40.790, to provide for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of buildings and facilities authorized by the legislature for the use of the aforementioned colleges and to finance the payment thereof by bonds payable out of special funds from revenues hereafter derived from the payment of general tuition fees, gifts, bequests or grants and such additional funds as the legislature may provide.

NEW SECTION. Sec. 28B.40.710 -----DEFINITIONS. The following terms, whenever used or referred to in RCW 28B.40.700 through 28B.40.790, shall have the following meaning, excepting in those instances where the context clearly indicates otherwise:

(1) The word "boards" means the boards of trustees of the state colleges.

(2) The words "general tuition fees" mean the general tuition fees charged students registering at each college, but shall not mean the special tuition or other fees charged such students or fees, charges, rentals, and other income derived from any or all revenue-producing lands, buildings, and facilities of the respective colleges, heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land or the appurtenances thereon.

(3) The words "bond retirement funds" shall mean the special funds created by law and known as the Eastern Washington State College bond retirement fund, Central Washington State College bond retirement fund, Western Washington State College bond retirement fund, and The Evergreen State College bond retirement fund.

(4) The word "bonds" means the bonds payable out of the bond retirement funds.

(5) The word "projects" means the construction, completion, reconstruction, remodeling, rehabilitation, or improvement of any building or other facility of any of the aforementioned colleges authorized by the legislature at any time and to be financed by the issuance and sale of bonds.

NEW SECTION. Sec. 28B.40.720 -----CONTRACTS, ISSUANCE OF EVIDENCES OF INDEBTEDNESS, BONDS, ACCEPTANCE OF GRANTS. In addition to the powers conferred under existing law, each of the boards is authorized and shall have the power:

(1) To contract for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of such buildings or other facilities of the college as are authorized by the legislature to be financed by the issuance and sale of bonds.

(2) To finance the same by the issuance of bonds secured by the pledge of any or all of the general tuition fees.

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or private corporation, association, or person to aid in defraying the costs of any such projects.

NEW SECTION. Sec. 28B.40.730 -----BONDS--ISSUANCE, SALE, FORM, TERM, INTEREST, ETC.--COVENANTS--DEPOSIT OF PROCEEDS. For the purpose of financing the cost of any projects, each of the boards is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable. Said bonds:

- (1) Shall not constitute
 - (a) An obligation, either general or special, of the state; or
 - (b) A general obligation of the college or of the board;
- (2) Shall be
 - (a) Either registered or in coupon form; and
 - (b) Issued in denominations of not less than one hundred dollars; and
 - (c) Fully negotiable instruments under the laws of this state; and
 - (d) Signed on behalf of the college by the chairman of the board, attested by the secretary of the board, have the seal of the college impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such chairman and the secretary;
- (3) Shall state
 - (a) The date of issue; and
 - (b) The series of the issue and be consecutively numbered within the series; and
 - (c) That the bond is payable both principal and interest solely out of the bond retirement fund;
- (4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine at an effective rate not to exceed six percent per annum over the life thereof, and no single interest or coupon rate shall exceed six percent per annum;
- (5) Shall be payable both principal and interest out of the bond retirement fund;
- (6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;
- (7) Shall be sold in such manner as the board may prescribe, but never at a price at which the net interest cost over the life

thereof shall exceed six percent per annum;

(8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon and such other terms, conditions, covenants and protective provisions safeguarding such payment, not inconsistent with RCW 28B.40.700 through 28B.40.790, and as found to be necessary by the board for the most advantageous sale thereof, which may include but not be limited to:

(a) A covenant that the general tuition fee shall be established, maintained and collected in such amounts that will provide money sufficient to pay the principal of and interest on all bonds payable out of the bond retirement fund, to set aside and maintain the reserves required to secure the payment of such principal and interest, and to maintain any coverage which may be required over such principal and interest;

(b) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain amounts be set aside and maintained therein;

(c) A covenant that sufficient moneys may be transferred from the capital projects account of the college issuing the bonds to the bond retirement fund of such college when ordered by the board of trustees in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(d) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall be deposited in the state treasury to the credit of the capital projects account of the college issuing the bonds and shall be used solely for paying the costs of the projects.

NEW SECTION. Sec. 28B.40.750 -----FUNDS PAYABLE INTO BOND

RETIREMENT FUNDS--PLEDGE OF GENERAL TUITION FEES. For the purpose of paying and securing the payment of the principal of and interest on the bonds as the same shall become due, there shall be paid into the state treasury and credited to the respective bond retirement fund of each college issuing bonds, the following:

(1) Amounts derived from general tuition fees as the board shall certify as necessary to prevent default in the payments required to be paid into such bond retirement fund;

(2) Any grants which may be made, or may become available, for the purpose of furthering the construction of any authorized projects, or for the repayment of the costs thereof;

(3) Such additional funds as the legislature may provide.

Said bond retirement fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or any interest thereon remains unpaid, be available solely for the payment thereof. As a part of the contract of sale of such bonds, the board shall undertake to charge and collect general tuition fees and to deposit the portion of such fees in the bond retirement fund in amounts which will be sufficient to pay and secure the payment of the principal of, and interest on all such bonds outstanding.

NEW SECTION. Sec. 28B.40.751 -----DISPOSITION OF CERTAIN NORMAL SCHOOL FUND REVENUES. All moneys received from the lease or rental of lands set apart by the enabling act for state normal schools purposes; all interest or income arising from the proceeds of the sale of such lands or of the timber, fallen timber, stone, gravel, or other valuable material thereon; and all moneys received as interest on deferred payments on contracts for the sale of such lands, shall from time to time be paid into the state treasury and credited to the Eastern Washington State College, Central Washington State College, Western Washington State College and The Evergreen State College accounts as herein provided to be expended for capital projects, and bond retirement purposes as set forth in RCW 28B.40.750, as now or hereafter amended. Eastern Washington State College, Central

Washington State College, Western Washington State College, and The Evergreen State College shall be credited with one-fourth of the total amount: PROVIDED, That Eastern Washington State College, Central Washington State College and Western Washington State College shall each be credited with one-third of the total amount for so long as there remain unpaid and outstanding any bonds which are payable in whole or in part out of the moneys, interest or income described in this section.

NEW SECTION. Sec. 28B.40.760 -----ADDITIONAL POWERS OF BOARD--ISSUANCE OF BONDS, INVESTMENTS, TRANSFER OF FUNDS, ETC. The board of any such college is hereby empowered:

- (1) To reserve the right to issue bonds later on a parity with any bonds being issued;
- (2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;
- (3) To authorize the transfer of money from the college's capital projects account to the college's bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;
- (4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds.

NEW SECTION. Sec. 28B.40.770 -----REFUNDING BONDS. Each board of trustees is hereby empowered to issue refunding bonds to provide funds to refund any or all outstanding bonds payable from the bond retirement fund and to pay any redemption premium payable on such outstanding bonds being refunded. Such refunding bonds may be issued in the manner and on terms and conditions and with the covenants permitted by RCW 28B.40.700 through 28B.40.790 for the issuance of bonds. The refunding bonds shall be payable out of the bond retirement fund and shall not constitute an obligation either general or special, of the state or a general obligation of the college of Washington issuing the bonds or the board thereof. The net interest

cost to maturity on such refunding bonds shall not exceed six percent per annum nor shall any single interest or coupon rate exceed six percent per annum. The board may exchange the refunding bonds at par for the bonds which are being refunded or may sell them in such manner as it deems for the best interest of the college.

NEW SECTION. Sec. 28B.40.780 -----BONDS NOT GENERAL OBLIGATION--LEGISLATURE MAY PROVIDE ADDITIONAL MEANS OF PAYMENT. The bonds authorized to be issued pursuant to the provisions of RCW 28B.40.700 through 28B.40.790 shall not be general obligations of the state of Washington, but shall be limited obligation bonds payable only from the special funds created for their payment. The legislature may provide additional means for raising money for the payment of interest and principal of said bonds. RCW 28B.40.700 through 28B.40.790 shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section to provide for additional means for raising money is permissive, and shall not in any way be construed as a pledge of the general credit of the state of Washington.

NEW SECTION. Sec. 28B.40.790 -----OTHER LAWS NOT REPEALED OR LIMITED. RCW 28B.40.700 through 28B.40.790 is concurrent with other legislation with reference to providing funds for the construction of buildings at the state colleges and is not to be construed as repealing or limiting any existing provision of law with reference thereto.

NEW SECTION. Sec. 28B.40.810 THE EVERGREEN STATE COLLEGE. ESTABLISHED. There is hereby established in Thurston county a state college, The Evergreen State College.

NEW SECTION. Sec. 28B.40.820 -----TRUSTEES--APPOINTMENT--TERMS. The terms of office and date of commencement thereof of the five member board of trustees of The Evergreen State College appointed by the governor prior to August 1, 1967, shall be the same as prescribed by law for trustees of state colleges under RCW 28B.40.100, as now or hereafter amended, except that initial appointments shall

be for terms as follows: One for two years, one for three years, one for four years, one for five years, and one for six years.

NEW SECTION. Sec. 28B.40.830 -----TRUSTEES, POWERS AND DUTIES--EXISTING STATUTES AS APPLICABLE TO COLLEGE--FEDERAL BENEFITS AND DONATIONS. The board of trustees of The Evergreen State College shall have all the powers and duties as are presently or may hereafter be granted to existing state colleges by law. All statutes pertaining to the existing state colleges shall have full force and application to The Evergreen State College.

 The Evergreen State College is hereby deemed entitled to receive and share in all the benefits and donations made and given to similar institutions by the enabling act or other federal law to the same extent as other state colleges are entitled to receive and share in such benefits and donations.

Chapter 28B.50

COMMUNITY COLLEGE ACT OF 1967

NEW SECTION. Sec. 28B.50.010 SHORT TITLE. This chapter shall be known as and may be cited as the Community college act of 1967.

NEW SECTION. Sec. 28B.50.020 PURPOSE. The purpose of this chapter is to provide for the dramatically increasing number of students requiring high standards of education either as a part of the continuing higher education program or for occupational training, by creating a new, independent system of community colleges which will:

 (1) Offer an open door to every citizen, regardless of his academic background or experience, at a cost normally within his economic means;

 (2) Ensure that each community college district shall offer thoroughly comprehensive educational, training and service programs to meet the needs of both the communities and students served by combining, with equal emphasis, high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded; and community services of an educational, cultural, and recreational nature;

(3) Provide administration by state and local boards which will avoid unnecessary duplication of facilities or programs; and which will encourage efficiency in operation and creativity and imagination in education, training and service to meet the needs of the community and students;

(4) Allow for the growth, improvement, flexibility and modification of the community colleges and their education, training and service programs as future needs occur;

(5) Establish firmly that community colleges are, for purposes of academic training, two year institutions, and are an independent, unique, and vital section of our state's higher education system, separate from both the common school system and other institutions of higher learning, and never to be considered for conversion into four-year liberal arts colleges.

NEW SECTION. Sec. 28B.50.030 DEFINITIONS. As used in this chapter, unless the context requires otherwise, the term;

(1) "System" shall mean the state system of community colleges, which shall be a system of higher education;

(2) "College board" shall mean the state board for community college education created by this chapter;

(3) "Director" shall mean the administrative director for the state system of community colleges;

(4) "District" shall mean any one of the community college districts created by this chapter;

(5) "Board of trustees" shall mean the local community college board of trustees established for each community college district within the state;

(6) "Council" shall mean the coordinating council for occupational education;

(7) "Occupational education" shall mean that education or training that will prepare a student for employment that does not require a baccalaureate degree;

(8) "K-12 system" shall mean the public school program

including kindergarten through the twelfth grade;

(9) "Common school board" shall mean the public school district board of trustees;

(10) "Community college" shall include where applicable, vocational-technical and adult education programs conducted by community colleges and vocational-technical institutes whose major emphasis is in post-high school education.

NEW SECTION. Sec. 28B.50.040 COMMUNITY COLLEGE DISTRICTS ENUMERATED. The state of Washington is hereby divided into twenty-two community college districts as follows:

(1) The first district shall encompass the counties of Clallam and Jefferson;

(2) The second district shall encompass the counties of Grays Harbor and Pacific;

(3) The third district shall encompass the counties of Kitsap and Mason;

(4) The fourth district shall encompass the counties of San Juan, Skagit and Island;

(5) The fifth district shall encompass Snohomish county except for the Northshore common school district;

(6) The sixth district shall encompass the present boundaries of the common school districts of Seattle and Vashon Island, King county;

(7) The seventh district shall encompass the present boundaries of the common school districts of Shoreline in King county and Northshore in King and Snohomish counties;

(8) The eighth district shall encompass the present boundaries of the common school districts of Lake Washington, Bellevue, Issaquah, Lower Snoqualmie, Mercer Island, Skykomish and Snoqualmie, King county;

(9) The ninth district shall encompass the present boundaries of the common school districts of Federal Way, Highline and South Central, King county;

(10) The tenth district shall encompass the present boundaries of the common school districts of Auburn, Black Diamond, Renton, Enumclaw, Kent, Lester and Tahoma, King county;

(11) The eleventh district shall encompass all of Pierce county, except for the present boundaries of the common school districts of Tacoma and Peninsula;

(12) The twelfth district shall encompass the counties of Lewis and Thurston;

(13) The thirteenth district shall encompass the counties of Cowlitz, and Wahkiakum;

(14) The fourteenth district shall encompass the counties of Clark, Skamania and that portion of Klickitat county not included in the sixteenth district;

(15) The fifteenth district shall encompass the counties of Chelan, Douglas and Okanogan;

(16) The sixteenth district shall encompass the counties of Kittitas, Yakima, and that portion of Klickitat county included in United States census divisions 1 through 4;

(17) The seventeenth district shall encompass the counties of Ferry, Lincoln (except consolidated school district 105-157-166J), Pend Oreille, Spokane, Stevens and Whitman;

(18) The eighteenth district shall encompass the counties of Adams and Grant, and that portion of Lincoln county comprising consolidated school district 105-157-166J;

(19) The nineteenth district shall encompass the counties of Benton and Franklin;

(20) The twentieth district shall encompass the counties of Asotin, Columbia, Garfield and Walla Walla;

(21) The twenty-first district shall encompass Whatcom county;

(22) The twenty-second district shall encompass the present boundaries of the common school districts of Tacoma and Peninsula, Pierce county.

NEW SECTION. Sec. 28B.50.050 STATE BOARD FOR COMMUNITY

COLLEGE EDUCATION--CREATED--MEMBERS--APPOINTMENT--TERMS--QUALIFICATIONS--PER DIEM AND MILEAGE--REMOVAL. There is hereby created the "state board of community college education", to consist of seven members, one from each congressional district, who shall be appointed by the governor, with the consent of the senate. The terms of the initial members shall be as follows: Two members shall serve for a term of one year, two members shall serve for a term of two years, two members shall serve for a term of three years, and one member shall serve for a term of four years, respectively, following April 3, 1967. The successors of the members initially appointed shall be appointed for terms of four years except that any persons appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of such term. Each member shall serve until the appointment and qualification of his successor. All members shall be citizens and bona fide residents of the state. No member of the college board shall be, during his term of office, also a member of the state board of education or a member of a K-12 board, or be employed by the common school system, or have any direct pecuniary interest in education within this state.

No member of the college board shall receive any salary for his services, but shall receive the sum of twenty-five dollars per diem for each day actually spent in attending to his duties as a member of the college board, and mileage at the rate of ten cents per mile.

The members of the college board may be removed by the governor for inefficiency, neglect of duty, or malfeasance in office, in the manner provided by RCW 28B.10.500.

NEW SECTION. Sec. 28B.50.060 DIRECTOR OF THE STATE SYSTEM OF COMMUNITY COLLEGES--APPOINTMENT--TERM--QUALIFICATIONS--SALARY AND EXPENSES--DUTIES. A director of the state system of community colleges shall be appointed by the college board and shall serve at the pleasure of the college board. He shall be appointed with due regard to his fitness and background in education, by his knowledge of and

recent practical experience in the field of educational administration particularly in institutions beyond the high school level. The college board may also take into consideration an applicant's proven management background even though not particularly in the field of education.

The director shall devote his entire time to the duties of his office and shall not be actively engaged or employed in any other business, vocation or employment, nor shall he have any direct pecuniary interest in or any stock or bonds of any business connected with or selling supplies to the field of education within this state.

He shall receive a salary to be fixed by the college board and shall be reimbursed for all traveling and other expenses incurred by him in the discharge of his official duties in accordance with RCW 43.03.050 and 43.03.060, as now or hereafter amended.

He shall be the executive officer of the college board and serve as its secretary and under its supervision shall administer the provisions of this chapter and the rules, regulations and orders established thereunder and all other laws of the state. He shall attend, but not vote at, all meetings of the college board. He shall be in charge of office of the college board and responsible to the college board for the preparation of reports and the collection and dissemination of data and other public information relating to the state system of community colleges. At the direction of the college board, he shall, together with the chairman of the college board, execute all contracts entered into by the college board.

Subject to the provisions of chapter 41.06 RCW, the state civil service law, the director shall, with the approval of the college board, appoint and employ such field and office assistants, clerks and other employees as may be required and authorized for the proper discharge of the functions of the college board and for whose services funds have been appropriated. All employees of the state board of education who are governed by the provisions of chapter 41.06 RCW, and who are employed exclusively or principally in performing the

powers and duties and functions transferred by this chapter to the state board for community college education, and who are transferred to the state board for community college education, shall continue to be governed by the provisions of chapter 41.06 RCW, the state civil service law, without any loss of rights granted by said law.

The board may, by written order filed in its office, delegate to the director any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised by the director in the name of the college board.

NEW SECTION. Sec. 28B.50.070 STATE BOARD FOR COMMUNITY COLLEGE EDUCATION--ORGANIZATION--MEETINGS--QUORUM--ANNUAL REPORT--FISCAL YEAR. The governor shall, within thirty days after April 3, 1967, make the appointments to the college board.

The college board shall, within thirty days after its appointment, organize, adopt a seal, and adopt bylaws for its administration, not inconsistent herewith, as it may deem expedient and may from time to time amend such bylaws. At such organizational meeting it shall elect from among its members a chairman and a vice chairman, each to serve for one year, and annually thereafter shall elect such officers; all to serve until their successors are appointed and qualified. The college board shall at its initial meeting fix a date and place for its regular meeting. Four members shall constitute a quorum, and no meeting shall be held with less than a quorum present, and no action shall be taken by less than a majority of the college board.

After organization, the first order of business for the college board shall be to assist the district college boards in the assumption of administration, control and occupancy of the various community college and such other vocational facilities as are covered by this chapter which are now under the administration, control and occupancy of the common school boards.

Special meetings may be called as provided by its rules and regulations. Regular meetings shall be held at the college board's established offices in Olympia, but whenever the convenience of the

public or of the parties may be promoted, or delay or expenses may be prevented, it may hold its meetings, hearings or proceedings at any other place designated by it. The college board shall transmit a report in writing to the governor before December 1st of each year which report shall contain a summary of its proceedings during the preceding fiscal year, a detailed and itemized statement of all revenue and all expenditures made by or on behalf of the college board, such other information as it may deem necessary or useful and any other additional information which may be requested by the governor. The fiscal year of the college board shall conform to the fiscal year of the state.

NEW SECTION. Sec. 28B.50.080 -----OFFICES AND OFFICE EQUIPMENT, INCLUDING NECESSARY EXPENSES. Suitable offices and office equipment shall be provided by the state for the college board in the city of Olympia, and the college board may incur the necessary expense for office furniture, stationery, printing, incidental expenses, and other expenses necessary for the administration of this chapter.

NEW SECTION. Sec. 28B.50.090 -----POWERS AND DUTIES GENERALLY. The college board shall have general supervision and control over the state system of community colleges. In addition to the other powers and duties imposed upon the college board by this chapter, the college board shall be charged with the following powers, duties and responsibilities:

(1) Review the budgets prepared by the community college boards of trustees, prepare a single budget for the support of the state system of community colleges, and submit this budget to the governor as provided in RCW 43.88.090; the coordinating council shall assist with the preparation of the community college budget that has to do with vocational education programs;

(2) Establish guidelines for the disbursement of funds; and receive and disburse such funds for maintenance and operation and capital support of the community college districts in conformance with the state and district budgets, and in conformance with chapter

43.88 RCW;

(3) Ensure, through the full use of its authority,

(a) that each community college district shall offer thoroughly comprehensive educational, training and service programs to meet the needs of both the communities and students served by combining, with equal emphasis, high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded; and community services of an educational, cultural, and recreational nature: PROVIDED, That notwithstanding any other provisions of this chapter, a community college shall not be required to offer a program of vocational-technical training, when such a program is approved by the coordinating council for occupational education is already operating in the district;

(b) that each community college district shall maintain an open-door policy, to the end that no student will be denied admission because of the location of his residence or because of his educational background or ability; that, insofar as is practical in the judgment of the college board, curriculum offerings will be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differing courses of study, will be considered, known and recognized equally as members of the student body: PROVIDED, That the administrative officers of a community college may deny admission to a prospective student or attendance to an enrolled student if, in their judgment, he would not be competent to profit from the curriculum offerings of the community college, or would, by his presence or conduct, create a disruptive atmosphere within the community college not consistent with the purposes of the institution;

(4) Prepare a comprehensive master plan for the development of community college education and training in the state; and assist the state census board in the preparation of enrollment projections to support plans for providing adequate community college facilities in all areas of the state;

(5) Define and administer criteria and guidelines for the establishment of new community colleges or campuses within the existing districts;

(6) Establish and administer criteria and procedures for modifying district boundary lines;

(7) Establish minimum standards to govern the operation of the community colleges with respect to:

(a) qualifications and credentials of instructional and key administrative personnel, except as otherwise provided in the state plan for vocational education,

(b) internal budgeting, accounting, auditing, and financial procedures as necessary to supplement the general requirements prescribed pursuant to chapter 43.88 RCW,

(c) the content of the curriculums and other educational and training programs, and the requirements, degrees and diplomas awarded by the colleges,

(d) standard admission policies.

(8) Establish and administer criteria and procedures for all capital construction including the establishment, installation, and expansion of facilities within the various community college districts;

(9) Encourage innovation in the development of new educational and training programs and instructional methods; coordinate research efforts to this end; and disseminate the findings thereof;

(10) Exercise any other powers, duties and responsibilities necessary to carry out the purposes of this chapter.

The college board shall have the power of eminent domain.

NEW SECTION. Sec. 28B.50.100 COMMUNITY COLLEGE BOARDS OF TRUSTEES--CREATED--MEMBERS--APPOINTMENT--TERMS--QUALIFICATIONS--RESTRICTIONS ON OTHER SERVICE--CHAIRMAN, ELECTION OF--SEAL--BYLAWS, RULES AND REGULATIONS--QUORUM--SECRETARY. There is hereby created a community college board of trustees for each community college district as set forth in this chapter. Each community college board of

trustees shall be composed of five trustees, who shall be appointed by the governor from a list of nominees submitted by the nominating committee in accordance with RCW 28B.50.110.

The initial appointees to the board of trustees shall draw lots at the first meeting thereof to determine their respective initial terms. One trustee shall serve for one year, one for two years, one for three years, one for four years, and one for five years.

Thereafter, until July 1, 1969, the successors of the trustees initially appointed shall be appointed by the governor to serve for a term of five years except that any person appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of the term.

Every trustee shall be a resident and qualified elector of his community college district. No trustee may serve as a member of the board of directors of any school district, or as an elected officer or member of the legislative authority of any municipal corporation.

Each board of trustees shall organize itself by electing a chairman from its members. The board shall adopt a seal and may adopt such bylaws, rules and regulations as it deems necessary for its own government. Three members of the board shall constitute a quorum, but a lesser number may adjourn from time to time and may compel the attendance of absent members in such manner as prescribed in its bylaws, rules, or regulations. The district president, or if there be none, the president of the community college, shall serve as, or may designate another person to serve as, the secretary of the board, who shall not be deemed to be a member of the board.

NEW SECTION. Sec. 28B.50.110 -----NOMINATING COMMITTEES FOR INITIAL TRUSTEES--CHAIRMAN--MEETING--PER DIEM AND EXPENSES. In each community college district of the state there is hereby created a nominating committee to select no less than five nominees for consideration by the governor for the initial trustees. The nominating committee shall be composed of each member of the state legislature residing within the boundaries of the community college district to be

served.

The senior legislator on each committee shall serve as chairman of the committee and shall call the meeting at some conveniently located place and shall set the time of the meeting.

The members of the nominating committee shall be entitled to per diem and expenses as provided in RCW 44.04.120 and such payments shall be a proper charge to the college board.

NEW SECTION. Sec. 28.50.120 -----NOMINATING COMMITTEES FOR INITIAL TRUSTEES--SUBMISSION OF LIST, CONSIDERATIONS WHEN PREPARING--APPOINTMENT UPON COMMITTEE FAILURE TO SUBMIT LIST. Within forty-five days after April 3, 1967, each nominating committee shall submit a list of no less than five nominees, who shall be residents of the community college district, to the governor for selection of the community college district board of trustees for that district. In preparing the list of names to be submitted to the governor, the members of the committee shall give consideration to geographical exigencies, and the interests of labor, industry, agriculture and the professions. In the event that the nominating committee from any district fails to submit a list of nominees to the governor by the prescribed date, he shall appoint the trustees for that district from registered voters registered within that district, observing the same considerations as prescribed for the committee in making its nominations.

NEW SECTION. Sec. 28.50.130 -----ORGANIZATION--BYLAWS, RULES AND REGULATIONS--CHAIRMAN, VICE CHAIRMAN, ELECTION AND TERM--SECRETARY--QUORUM--ANNUAL REPORT--FISCAL YEAR. Within thirty days of their appointment or July 1, 1967, whichever is sooner, the various district boards of trustees shall organize, adopt bylaws for its own government, and make such rules and regulations not inconsistent with this chapter as they deem necessary. At such organizational meeting it shall elect from among its members a chairman and a vice chairman, each to serve for one year, and annually thereafter shall elect such officers to serve until their successors are appointed or qualified.

The chief executive officer of the community college district shall serve as secretary of the board. Three trustees shall constitute a quorum, and no action shall be taken by less than a majority of the trustees of the board. The first order of business after organization shall be to prepare for the orderly assumption of the duties and responsibilities of the administration and management of the community college district and the facilities thereof. The district boards shall transmit a report in writing to the college board before October 1st of each year which report shall contain a summary of its proceedings during the preceding fiscal year, a detailed and itemized statement of all revenue and all expenditures made by or on behalf of the district boards, such other information as it may deem necessary or useful, and any other additional information which may be requested by the college board. The fiscal year of the district boards shall conform to the fiscal year of the state.

NEW SECTION. Sec. 28B.50.140 -----POWERS AND DUTIES. Each community college board of trustees:

- (1) Shall operate all existing community colleges and vocational-technical institutes in its district;
- (2) Shall create comprehensive programs of community college education and training and maintain an open-door policy in accordance with the provisions of RCW 28B.50.090(3);
- (3) Shall employ for a period to be fixed by the board a college president for each community college, a director for each vocational-technical institute or school operated by a community college, a district president in the event there is more than one college and/or separated institute or school located in the district, members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties;
- (4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand;

(5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community college;

(6) May, with the approval of the college board, issue and sell revenue bonds for the construction, reconstruction, erection, equipping with permanent fixtures, demolition and major alteration of buildings or other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected with the operation of the community college in accordance with the provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

(7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the government thereof, not inconsistent with the rules and regulations of the college board; each board of trustees operating a community college may enter into agreements, subject to rules and regulations of the college board, with owners of facilities to be used for housing regarding the management, operation, and government of such facilities, and any board entering into such an agreement may:

(a) Make rules and regulations for the government, management and operation of such housing facilities deemed necessary or advisable; and

(b) Employ necessary employees to govern, manage and operate the same;

(8) May receive such gifts, grants, conveyances, devises and bequests of personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs as specified by law and the regulations of the state college board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and

expenditure of the proceeds, rents, profits and income thereof;

(9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community college purposes;

(10) May make rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the community college district;

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community college or colleges under its control, and notwithstanding any other provision of law, publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, nonbaccalaureate degree or certificate;

(13) Shall enforce the rules and regulations prescribed by the state board for community college education for the government of community colleges, students and teachers, and promulgate such rules and regulations and perform all other acts not inconsistent with law or rules and regulations of the state board for community college education as the board of trustees may in its discretion deem necessary or appropriate to the administration of community college districts: PROVIDED, That such rules and regulations shall include, but not be limited to, rules and regulations relating to housing, scholarships and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community colleges students who refuse to obey any of the duly promulgated rules and regulations;

(14) May, by written order filed in its office, delegate to the president or district president any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised in the name of the district board;

(15) May perform such other activities consistent with this chapter and not in conflict with the directives of the college board; and

(16) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

NEW SECTION. Sec. 28B.50.150 OUT-OF-DISTRICT RESIDENCE NOT TO AFFECT ENROLLMENT FOR STATE RESIDENT. Any resident of the state may enroll in any program or course maintained or conducted by a community college district upon the same terms and conditions regardless of the district of his residence.

NEW SECTION. Sec. 28B.50.160 COORDINATING COUNCIL FOR OCCUPATIONAL EDUCATION--CREATED--PURPOSE--POWERS AND DUTIES. In order to facilitate the greatest possible coordination and cooperation between the agencies of the state and the federal government, and to carry out the purposes and intent of this chapter and the acts of Congress relating to distribution of federal funds for the support of vocational education and vocational rehabilitation, there is hereby created the coordinating council for occupational education to serve as the sole agency of the state for the receipt of federal funds made available by acts of Congress for vocational education and for vocational rehabilitation within this state.

Consistent with the requirements of Public Law 88-210, and other acts of Congress dealing with vocational education, and to the extent necessary to comply therewith the coordinating council shall have power to supervise the administration of the state plan for vocational education in the community college system; and, subject to the supervisory powers of the state superintendent of public instruction, the coordinating council shall have the power to administer the state plan for vocational education in the public schools of the state.

NEW SECTION. Sec. 28B.50.170 -----MEMBERS--APPOINTMENT--TERMS--QUALIFICATIONS AND RESTRICTIONS AS TO GOVERNOR'S APPOINTEES--PER DIEM AND MILEAGE. The coordinating council for occupational

education shall consist of nine members, who shall be chosen by July 1, 1967. Three of the members shall be selected by the state board of education from its membership; and they shall serve at the pleasure of the state board of education. Three members shall be selected by the community college state board from its membership; and they shall serve at the pleasure of the state board for community college education. Three members shall be appointed by the governor, one of whom shall represent the field of labor, and one of whom shall represent the field of management, both of whom shall have had recent actual experience in or association with the fields of management and labor within the state to assure their familiarity with the vocational education needs of management and labor within the state. The governor's appointees shall serve at his pleasure. No member appointed by the governor shall, during the time he serves on the council, be a member of any other education board, state or local.

No member of the council shall receive any salary for his services, but shall receive the sum of twenty-five dollars per diem for each day actually spent in attending to his duties as a member of the council, and mileage at the rate of ten cents per mile.

NEW SECTION. Sec. 28B.50.180 -----ORGANIZATION--BYLAWS--CHAIRMAN AND VICE CHAIRMAN, ELECTION OF, TERMS--MEETINGS--QUORUM--ANNUAL REPORT--FISCAL YEAR. The council shall, within thirty days after its appointment, organize, and adopt such bylaws for its own administration, not inconsistent herewith, as it may deem expedient, and may from time to time amend such bylaws. At such organizational meeting it shall elect from among its members a chairman and vice chairman, to serve for one year, and annually thereafter shall elect such officers who are to serve until their successors are appointed and qualified or until their term expires, whichever is sooner. The council shall at its initial meeting fix a date and place for its regular meeting. Five members shall constitute a quorum, and no action shall be taken by less than a majority of the council. Special meetings may be called as provided by its bylaws. Regular meetings

shall be held in the city of Olympia, but whenever the convenience of the public may be better served, or delay or expense may be prevented, it may hold its meetings, hearings or proceedings at any other place in the state of Washington. The council shall transmit a report in writing to the state board of education and the state board for community college education before October 1st of each year, which report shall contain a summary of its proceedings during the preceding fiscal year, a detailed and itemized statement of all moneys allocated to the council either by the state or by a branch of the federal government, and all expenditures made by or on behalf of the council, budget projections for the next fiscal year, such other information as is necessary and useful, and any other additional information which may be requested by the boards. The fiscal year of the council shall conform to the fiscal year of the state.

NEW SECTION. Sec. 28B.50.190 -----DIVISIONS CREATED--PURPOSES. There is hereby established under the direction and control of the coordinating council for occupational education, a division for vocational education and a division for vocational rehabilitation. The purpose of the division of vocational education is to furnish staff services to the coordinating council in carrying out its duties with respect to vocational education under the state plan for vocational education. The purpose of the division of vocational rehabilitation is to furnish staff services to the coordinating council in carrying out its duties with respect to vocational rehabilitation in the state.

NEW SECTION. Sec. 28B.50.200 -----DIVISION OF VOCATIONAL EDUCATION--DIRECTOR--APPOINTMENT--TERM--QUALIFICATIONS--DUTIES--SALARY AND EXPENSES. A director of the division of vocational education shall be appointed by the coordinating council and shall serve at the pleasure of the coordinating council. He shall be appointed with due regard to his fitness and background in education, by his knowledge of and recent practical experience in the field of vocational educational administration. The council may also take into

consideration an applicant's proven management background even though not particularly in the field of education.

The director shall devote his entire time to the duties of his office and shall not be actively engaged or employed in any other business, vocation or employment, nor shall he have any direct pecuniary interest in or any stock or bonds of any business connected with or selling supplies in the field of education in the state.

He shall receive a salary to be fixed by the council and shall be reimbursed for all traveling and other expenses incurred by him in the discharge of his official duties in accordance with RCW 43.03.050 and 43.03.060, as now or hereafter amended.

He shall be the executive officer of the division of vocational education and under the council's supervision shall administer the provisions of this chapter and the rules, regulations and orders established thereunder and all other laws of the state pertaining to vocational education. He shall attend, but not vote at, all meetings of the council. He shall be in charge of offices of the division of vocational education and responsible to the council for the preparation of reports and the collection and dissemination of data and other public information relating to vocational education in the state. At the direction of the council, he shall, together with the chairman of the council, execute all contracts entered into by the division of vocational education.

The director shall, subject to the approval of the coordinating council, pursuant to chapter 41.06 RCW, the state civil service law, appoint such field and office assistants, clerks and other employees as may be required and authorized for the proper discharge of the functions of the division of vocational education. All employees of the former state board for vocational education who are employed exclusively or principally in performing the powers, duties and functions transferred by this chapter to the division of vocational education shall, upon April 3, 1967, be transferred to the division of vocational education. All such employees so transferred shall

continue to be governed by the provisions of chapter 41.06 RCW, the state civil service law, without any loss of rights granted by said law. The coordinating council, in cooperation with the state board of education and the state board for community college education shall prepare a study for the forty-first legislature evaluating the effectiveness and efficiency of the division of vocational education, including a study of the permanent placement of the employees of the former state board for vocational education.

The coordinating council may, by written order filed in its office, delegate to the director any of the powers and duties relating to vocational education vested in or imposed upon it by this chapter and the federal vocational education acts. Such delegated powers and duties may be exercised by the director in the name of the council. The coordinating council shall have the power to cooperate with all agencies of government, local, state, and federal, in the promulgation and conducting of public service training with particular reference to fire training and law enforcement training.

NEW SECTION. Sec. 28B.50.210 -----DIVISION OF VOCATIONAL REHABILITATION--DIRECTOR--APPOINTMENT--TERM--QUALIFICATIONS--DUTIES--SALARY AND EXPENSES. A director of the division of vocational rehabilitation shall be appointed by the coordinating council and shall serve at the pleasure of the council. He shall be appointed with due regard to his knowledge of, and recent practical experience in, the field of vocational rehabilitation. The coordinating council may also take into consideration an applicant's proven management background even though not particularly in the field of vocational rehabilitation.

The director shall devote his entire time to the duties of his office and shall not be actively engaged or employed in any other business, vocation or employment, nor shall he have any direct pecuniary interest in or any stock or bonds of any business connected with the field of vocational rehabilitation within the state.

He shall receive a salary to be fixed by the coordinating

council and shall be reimbursed for all traveling and other expenses incurred by him in the discharge of his official duties in accordance with RCW 43.03.050 and 43.03.060, as now or hereafter amended.

He shall be the executive officer of the division of vocational rehabilitation and under the council's supervision shall administer the provisions of this chapter and the rules, regulations and orders established thereunder and all other laws of the state. He shall attend, but not vote at, all meetings of the coordinating council. He shall be in charge of offices of the division of vocational rehabilitation and responsible to the council for the preparation of reports and the collection and dissemination of data and other public information relating to vocational rehabilitation within the state. At the direction of the council he shall, together with the chairman of the council, execute all contracts entered into by the division of vocational rehabilitation.

The director shall, subject to the approval of the coordinating council, pursuant to chapter 41.06 RCW, the state civil service law, appoint such field and office assistants, clerks and other employees as may be required and authorized for the proper discharge of the functions of the division of vocational rehabilitation and for whose services funds have been appropriated. All employees of the former division of vocational rehabilitation of the state board for vocational education who are employed exclusively or principally in performing the powers, duties and functions transferred by this chapter to the division of vocational rehabilitation of the coordinating council shall, upon April 3, 1967, be transferred to the division of vocational rehabilitation of the coordinating council. All such employees so transferred shall continue to be governed by the provisions of chapter 41.06 RCW, the state civil service law, without any loss of rights granted by said law. The state board of education, the state board for community college education and the coordinating council shall prepare a study for the forty-first legislature for the permanent placement of the employees of the former division of

vocational rehabilitation of the state board for vocational education.

The coordinating council may, by written order filed in its office, delegate to the director any of the powers and duties relating to vocational rehabilitation vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised by the director in the name of the council.

NEW SECTION. Sec. 28B.50.220 -----ADDITIONAL POWERS AND DUTIES. In addition to its other powers and duties, the coordinating council shall have the following powers and duties:

(1) To prepare, adopt and certify the state plan for vocational education and the state plan for vocational rehabilitation;

(2) To adopt necessary rules and regulations and do such other acts not forbidden by law necessary to carry out the provisions of this chapter and the federal acts: PROVIDED, That the coordinating council shall meet, consult and cooperate with the office of the state superintendent of public instruction on all matters falling within his constitutional supervisory powers in advance of exercising any of the powers or duties granted to the council by this section;

(3) To carry out the aims and purposes of the acts of Congress pertaining to vocational education and vocational rehabilitation.

NEW SECTION. Sec. 28B.50.230 -----PREPARATION OF STATE PLAN FOR VOCATIONAL EDUCATION BY, CONSIDERATIONS--ALLOCATION OF FUNDS, STANDARD. (1) The coordinating council in preparing the state plan for vocational education shall give consideration to the following:

(a) Vocational education for persons attending high school;

(b) Vocational education for persons who have completed or left high school and who are available for full time study in preparation for entering the labor market;

(c) Vocational education for persons (other than persons who are receiving training allowances under the Manpower Development and Training Act of 1962, Public Law 87-415, the Area Redevelopment Act, Public Law 87-27, or the Trade Expansion Act of 1962, Public Law 87-794) who have already entered the labor market and who need

training or retraining to achieve stability or advancement in employment;

(d) Vocational education for persons who have academic, socio-economic, or other handicaps that prevent them from succeeding in the regular vocational education program;

(e) Construction of area vocational educational school facilities, as authorized by the state board for community colleges and the state board of education; and

(f) Ancillary services and activities to assure quality in all vocational education programs, such as teacher training and supervision, program evaluation, special demonstrations and experimental programs, development of instructional materials, and state administration and leadership, including periodic evaluation of state and local vocational education programs and services in the light of information regarding current and projected manpower needs and job opportunities.

(2) In determining the allocation of funds, the council shall comply with federal statute.

NEW SECTION. Sec. 28B.50.240 SCHOOL DISTRICT VOCATIONAL EDUCATION PROGRAMS--SCOPE. The state board of education shall have the power to authorize the school districts to offer vocational education programs which are a part of the high school curriculum and to offer adult education and post-high school vocational educational programs which are not in conflict with community college programs, as determined by the coordinating council.

NEW SECTION. Sec. 28B.50.250 VOCATIONAL EDUCATION AND COMMUNITY SERVICES PROGRAMS WHEN NOT A PART OF HIGH SCHOOL CURRICULUM. The state board for community college education is hereby authorized to cooperate with the state board of education to permit, on an ad hoc basis, the common school districts to conduct a program of vocational education and community service of an educational, recreational or cultural nature which is not a part of the high school curriculum when such program will not conflict with existing programs of the same

nature and in the same geographical area conducted by the community college districts.

NEW SECTION. Sec. 28B.50.260 COORDINATING COUNCIL TO CONDUCT DIVISION BUSINESS SEPARATELY--DIRECTOR AS SECRETARY. The council shall conduct business for the division of vocational education separately from its business for the division of vocational rehabilitation, and when so separately considered, the director of the appropriate division shall be the secretary of the council for the conduct of such business.

NEW SECTION. Sec. 28B.50.300 TITLE TO OR ALL INTEREST IN REAL ESTATE, CHOSSES IN ACTION AND ASSETS OBTAINED FOR COMMUNITY COLLEGE OR VOCATIONAL EDUCATIONAL PURPOSES BY SCHOOL DISTRICTS TO PASS, WHEN--EXCEPTIONS--PROCEDURE--APPEALS. Title to or all interest in real estate, chosses in action and all other assets, including but not limited to assignable contracts, cash, deposits in county funds (including any interest or premiums thereon), equipment, buildings, facilities, and appurtenances thereto held as of the date of passage of this act by or for a school district and obtained identifiably with federal, state or local funds appropriated for community college purposes or post-high school vocational educational purposes, or used or obtained with funds budgeted for community college purposes or post-high school vocational educational purposes, or used or obtained primarily for community college or vocational education purposes, shall, on the date on which the first board of trustees of each district takes office, vest in or be assigned to the state board for community college education: PROVIDED, That cash, funds, accounts or other deposits obtained or raised by a school district to pay for indebtedness, bonded or otherwise, contracted on or before April 3, 1967 for community college purposes shall remain with and continue to be, after April 3, 1967, an asset of the school district: AND PROVIDED FURTHER, That any option acquired by the school district to purchase real property which in the judgment of the school district will be used in the common school program may remain with the school district

notwithstanding that such option was obtained in consideration of the purchase by such school district of other property for community college purposes: AND PROVIDED FURTHER, That unexpended funds of a common school district derived from the sale, prior to July 1, 1967, of bonds authorized for any purpose which includes community college purposes and not committed for any existing construction contract, shall remain with and continue to be an asset of such common school district, unless within thirty days after said date such common school district determines to transfer such funds to the board of trustees.

For the purposes of this section and to facilitate the process of allocating the assets, the board of directors of each school district in which a community college is located, and the president of each community college, shall each submit to the state board of education, and the state board for community college education within sixty days of April 3, 1967, an inventory listing all real estate, personal property choses in action and other assets, held by a school district which, under the criteria of this section, will become the assets of the state board for community college education: PROVIDED, That assets used "primarily" for community college purposes shall include, but not be limited to, all assets currently held by school districts which have been used on an average of at least seventy-five percent of the time during the school year 1965-1966, or if acquired subsequent to July 1, 1966, since its time of acquisition, for community college purposes: PROVIDED, FURTHER, That the ultimate decision and approval with respect to the allocation and disposition of the assets under this section shall be made by the governor, or an advisory committee appointed by him for that purpose. The decision of the governor or his advisory committee may be appealed within sixty days after such decision is issued by appealing to the district court of Thurston county. The decision of the superior court may be appealed to the supreme court of the state in accordance with the provision of the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION. Sec. 28B.50.120 --- ---AMOUNT TO BE DEPOSITED---

AUDIT OF--DEPOSITORY, REQUIREMENTS OF--DISBURSEMENT- SURETY BONDS FOR PERSONS AUTHORIZED TO SIGN CHECKS. Sixty percent of all general tuition fees, all incidental fees, and all other income which the trustees are authorized to impose shall be deposited as the trustees may direct. Such sums of money shall be subject to the budgetary and audit provisions of law applicable to state agencies. The depository selected by the trustees shall conform to the collateral requirements required for deposit of other state funds.

Disbursement shall be made by check signed by the president of the community college or his designee appointed in writing, and such other person as may be designated by the board of trustees of the community college district. Each person authorized to sign as provided above, shall execute a surety bond in the sum of not less than the average amount on deposit in the fund during the preceding six months, or ten thousand dollars, whichever is greater. Said bonds shall be filed in the state auditor's office.

NEW SECTION. Sec. 28B.50.330 CONSTRUCTION, RECONSTRUCTION, EQUIPPING AND DEMOLITION OF COMMUNITY COLLEGE FACILITIES AND ACQUISITION OF PROPERTY THEREFOR--AUTHORIZED--FINANCING BY REVENUE BONDS--BID PROCEDURE. The boards of trustees of community college districts are empowered in accordance with the provisions of this chapter to provide for the construction, reconstruction, erection, equipping, demolition and major alterations of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances for the use of the aforementioned colleges as authorized by the college board in accordance with RCW 28B.50.140; to be financed by bonds payable out of special funds from revenues hereafter derived from income received from such facilities, gifts, bequests or grants, and such additional funds as the legislature may provide, and payable out of a bond retirement fund to be established by the respective district boards in accordance with rules and regulations of the state board. With respect to building, improvements or repairs, or other work, the trustees shall have and be subject to the

same powers or duties as are authorized and imposed upon school directors by the provisions of RCW 28A.58.135 as now or hereafter amended.

NEW SECTION. Sec. 28B.50.340 CONSTRUCTION, RECONSTRUCTION, EQUIPPING AND DEMOLITION OF COMMUNITY COLLEGE FACILITIES AND ACQUISITION OF PROPERTY THEREFOR--FINANCING BY BONDS SECURED BY PLEDGE OF GENERAL TUITION FEES, GRANTS. In addition to the powers conferred under RCW 28B.50.090, the community college state board is authorized and shall have the power:

(1) To permit the district boards of trustees to contract for the construction, reconstruction, erection, equipping, maintenance, demolition and major alterations of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances of the college as approved by the community college state board.

(2) To finance the same by the issuance of bonds secured by the pledge of up to forty percent of the general tuition fees.

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or private corporation, association, or person to aid in defraying the costs of any such projects.

NEW SECTION. Sec. 28B.50.350 -----BONDS--FORM, TERM, ISSUANCE, SALE, PAYMENT OF PRINCIPAL AND INTEREST ON, DISPOSITION OF PROCEEDS FROM SALE OF. For the purpose of financing the cost of any projects, the college board is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable.

Said bonds:

(1) Shall not constitute

(a) an obligation, either general or special, of the state; or

(b) a general obligation of the college or of the college

board;

(2) Shall be

- (a) either registered or in coupon form; and
- (b) issued in denominations of not less than one hundred dollars; and
- (c) fully negotiable instruments under the laws of this state; and

(d) signed on behalf of the college board with the manual or facsimile signature of the chairman of the board, attested by the secretary of the board, have the seal of the college board impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such chairman and the secretary;

(3) Shall state

- (a) the date of issue; and
- (b) the series of the issue and be consecutively numbered within the series; and

(c) that the bond is payable both principal and interest solely out of the bond retirement fund created for retirement thereof;

(4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine at an effective rate not to exceed six percent per annum over the life thereof, and no single interest or coupon rate shall exceed six percent per annum;

(5) Shall be payable both principal and interest out of the bond retirement fund;

(6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;

(7) Shall be sold in such manner as the board may prescribe;

(8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon and such other terms, conditions, covenants and

protective provisions safeguarding such payment, not inconsistent with RCW 28B.50.330 through 28B.50.400, and as found to be necessary by the board for the most advantageous sale thereof, which may include but not be limited to:

(a) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain amounts be set aside and maintained therein;

(b) A covenant that sufficient moneys may be transferred from the capital projects account of the college board issuing the bonds to the bond retirement fund of the college board when ordered by the board in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(c) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall be deposited in the state treasury to the credit of the capital projects account of the college board and shall be used solely for paying the costs of the projects, and for the purposes set forth in (8)(b) above;

(9) Shall constitute a prior lien and charge against forty percent of all general tuition fees of the community colleges.

NEW SECTION. Sec. 28B.50.360 -----COMMUNITY COLLEGE BOND RETIREMENT FUND--CREATED--GENERAL TUITION FEE FUNDS TO GO INTO--USE--COMMUNITY COLLEGE CAPITAL PROJECTS ACCOUNT--CREATED--USE. There is hereby created in the state treasury a community college bond retirement fund. Within thirty-five days from the date of start of each quarter forty percent of all general tuition fees of each such community college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board if

issuing bonds payable out of general tuition fees shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community college bond retirement fund which fund as required, is hereby created in the state treasury. The amounts deposited in the bond retirement fund shall be used exclusively to pay and secure the payment of the principal of and interest on the tuition fee bonds issued by the college board as authorized by this chapter. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding general tuition fee bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) That portion of the forty percent of all general tuition fees not required for or in excess of the amounts certified to the state treasurer as being required to pay and secure the payment of any of the bonds as provided in subsection (1) above shall be deposited in the community college capital projects account which account is hereby created in the general fund of the state treasury. The sums deposited in the capital projects account shall be appropriated and expended exclusively for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community college education in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, and for the payment of principal of and interest on any bonds issued for such purposes.

NEW SECTION. Sec. 28B.50.370 -----BONDS--SOURCES FOR PAYMENT OF PRINCIPAL AND INTEREST ON--FUNDS CREDITED TO BOND RETIREMENT

FUND--PIEDGE TO COLLECT GENERAL TUITION FEES. For the purpose of paying and securing the payment of the principal of and interest on the bonds as the same shall become due, there shall be paid into the state treasury and credited to the bond retirement fund of the state board for community college education, the following:

(1) Amounts derived from up to forty percent of all general tuition fees as are necessary to pay the principal of and interest on the bonds and to secure the same;

(2) Any grants which may be made, or may become available, for the purpose of furthering the construction of any authorized projects, or for the repayment of the costs thereof;

(3) Such additional funds as the legislature may provide.

Said bond retirement fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or any interest thereon remains unpaid, be available solely for the payment thereof. As a part of the contract of sale of such bonds, the college board shall charge and collect general tuition fees as established by this chapter and deposit up to forty percent of such fees in the bond retirement fund in amounts which will be sufficient to pay and secure the payment of the principal of, and interest on all such bonds outstanding.

NEW SECTION. Sec. 28B.50.380 -----BONDS--ADDITIONAL POWERS INCIDENT TO BOND AUTHORIZATION. In accordance with the provisions of RCW 28B.50.340 the college board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the college board's capital projects account to the bond retirement fund when necessary to prevent a default in the payments required to be made; and

(4) To create a reserve account or accounts in the bond

retirement fund to secure the payment of the principal of and interest on any bonds.

NEW SECTION. Sec. 28B.50.390 -----REFUNDING BONDS--AUTHORIZED--FORM, TERM, ISSUANCE, ETC.--EXCHANGE OR SALE. The college board is hereby empowered to issue refunding bonds to provide funds to refund any or all outstanding bonds payable from the bond retirement fund and to pay any redemption premium payable on such outstanding bonds being refunded. Such refunding bonds may be issued in the manner and on terms and conditions and with the covenants permitted by RCW 28B.50.330 through 28B.50.400 for the issuance of bonds. The refunding bonds shall be payable out of the bond retirement fund and shall not constitute an obligation either general or special, of the state or a general obligation of the college board. The effective interest cost to maturity on such refunding bonds shall not exceed six percent per annum nor shall any single interest or coupon rate exceed six percent per annum. The board may exchange the refunding bonds at par for the bonds which are being refunded or may sell them in such manner as it deems for the best interest of the college.

NEW SECTION. Sec. 28B.50.400 -----BONDS AS LIMITED OBLIGATION BONDS--ADDITIONAL MEANS TO PAY PRINCIPAL AND INTEREST ON. The bonds authorized to be issued pursuant to the provisions of RCW 28B.50.330 through 28B.50.400 shall not be general obligations of the state of Washington, but shall be limited obligation bonds payable only from the special funds created for their payment. The legislature may specify additional means for providing funds for the payment of principal and interest of said bonds. RCW 28B.50.330 through 28B.50.400 shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section to provide for additional means for raising money is permissive, and shall not in any way be construed as a pledge of the general credit of the state of Washington.

NEW SECTION. Sec. 28B.50.440 CONSTRUCTION OF ACT WHEN PART THEREOF IN CONFLICT WITH FEDERAL REQUIREMENTS WHICH ARE CONDITION

PRECEDENT TO ALLOCATION OF FEDERAL FUNDS. If any part of this chapter shall be found to be in conflict with federal requirements which are a condition precedent to the allocation of federal funds to the state, such conflicting part of this chapter is hereby declared to be inoperative solely to the extent of such conflict, and such findings or determination shall not affect the operation of the remainder of this chapter.

NEW SECTION. Sec. 28B.50.520 FEDERAL FUNDS, RECEIPT OF AUTHORIZED. The state board for community college education or any community college board of trustees is authorized to receive federal funds made available for the assistance of community colleges, and providing physical facilities, maintenance or operation of schools, or for any educational purposes, according to the provisions of the acts of congress making such funds available.

NEW SECTION. Sec. 28B.50.530 AGREEMENTS FOR USE OF SERVICES OR FACILITIES BETWEEN DISTRICT BOARDS OF TRUSTEES AND SCHOOL BOARDS. The district boards of trustees and the common school boards are hereby authorized to enter into agreements for the use by either of the other's services, facilities or equipment and for the presentation of courses of either for students of the other where such agreements are deemed to be in the best interests of the education of the students involved.

NEW SECTION. Sec. 28B.50.540 CONDITIONS INCIDENT TO EXISTING TEACHERS' CONTRACTS TO CONTINUE--TEACHER TENURE PLAN REPORT. The provisions of RCW 28A.67.070 applicable to existing teacher contracts between the common school boards and the various teachers in the various community colleges and vocational-technical institutes shall continue to apply with equal effect after the college district boards assume control and supervision of the said community colleges and vocational-technical institutes pursuant to the provisions of this chapter.

The state board for community college education is hereby directed to prepare a study report on teacher tenure agreements and to

recommend legislation to effectuate the best possible teacher tenure plan consistent with the best interests of the state. The study report and proposed legislation shall be presented to the members of the forty-first legislature no later than November 30, 1968.

NEW SECTION. Sec. 28B.50.550 SICK LEAVE CREDIT PLANS TO CONTINUE FOR FACULTY AND NONACADEMIC PERSONNEL--LEAVE PROVISIONS GENERALLY. When the college district boards assume control and supervision of the respective community colleges and vocational-technical institutes, the teachers and nonacademic personnel shall be deemed to remain an employee of the common school board for the purposes of any sick leave credit plan of the common school board until the district board has established a sick leave credit plan for its employees, whereupon the district board shall place to the credit of the employee the sick leave credits standing to his credit in the plan of such common school board. Where applicable, the prior vacation with pay rights of the employees shall be treated in the same manner as above.

The provisions of this section also include the leave provisions of RCW 28A.58.100.

NEW SECTION. Sec. 28B.50.560 HEALTH CARE SERVICE CONTRACTS OR HOSPITALIZATION CONTRACTS TO CONTINUE FOR FACULTY AND NONACADEMIC PERSONNEL--PREMIUM PAYMENTS--FUTURE CONTRACTS. (1) When the college district boards assume administration, control and occupancy of the respective community colleges and vocational-technical institutes, the faculty and nonacademic personnel employed therein shall be deemed to remain an employee of the common school board for the purpose of any health care service contract or hospitalization insurance contract provided as a benefit for such faculty or nonacademic personnel, and shall continue to be entitled to all rights thereunder as if they had remained an employee of the common school board.

Until the state board for community college education adopts a new hospitalization insurance contract or health care service contract for all employees in the community college system, the district college boards shall deduct from the remuneration of such employee

the amount which such employee is or may be required to pay in accordance with the provisions of any existing hospitalization insurance or health care service contract and the district college boards shall pay to the hospitalization insurance company or health care service contractor the employer's share required to be paid under the provisions of such existing plans by the employer and the employee.

(2) The state board for community college education is hereby directed to secure the best possible health care service plan available under the provisions of RCW 41.04.180 as now or hereafter amended.

NEW SECTION. Sec. 28B.50.570 PENSION PLANS TO CONTINUE FOR FACULTY AND NONACADEMIC PERSONNEL--PAYMENTS FOR--OPTION FOR NEW FACULTY--STUDY REPORT FOR PENSION PLANS FOR FACULTY. When the college district boards assume administration control and occupancy of the respective community colleges and vocational-technical institutes, the faculty and nonacademic personnel employed therein shall be deemed to remain an employee of the common school board for the purpose of any pension plan of such employees, and shall continue to be entitled to all rights and benefits thereunder as if they had remained employed by the common school board.

Until the legislature adopts a new pension plan for such employees, the district boards shall deduct from the remuneration of such employee the amount which such employee is or may be required to pay in accordance with the provisions of the pension plan of the Washington state teachers retirement system and the district boards shall pay to the retirement system any amounts required to be paid under the provisions of such plan by the employer and the employee.

(2) Faculty hired by the college district boards after April 3, 1967, who are members of a teachers' pension plan in operation in the state of Washington or who are members of a nation-wide teachers' pension plan, may continue to retain membership in such plan if they so elect and if the election is not inconsistent with the regulations of such retirement plan.

Until the legislature adopts a new pension plan for such employees, the district boards shall deduct from the remuneration of such employee the amount which such employee is or may be required to pay in accordance with the provisions of the pension plan he has elected to continue and the college district boards shall pay to the pension plan any amounts required to be paid under the provisions of such plan by the employer and the employee.

(3) The state board for community college education is hereby directed to consult with the public pension commission and prepare a study report on pension plans for faculty and to recommend legislation to adopt a plan for the best interests of the state. The study report shall be presented to the members of the forty-first legislature no later than November 30, 1968.

NEW SECTION. Sec. 28B.50.580 PROFESSIONAL NEGOTIATIONS LAW, APPLICATION AFTER APRIL 3, 1967--STUDY ON APPLICABILITY TO STATE SYSTEM OF COMMUNITY COLLEGES. Whenever the provisions of the professional negotiations law, chapter 28A.72 RCW, as now or hereafter amended, applies to the faculty and staff of the said community colleges and vocational-technical institutes, it shall continue to apply after April 3, 1967, but negotiations and appeals shall be conducted with the respective board and the director of the state board for community college education.

The state board for community colleges shall prepare a study for presentation to the members of the forty-first legislature with respect to the applicability of such law to the state system of community colleges.

NEW SECTION. Sec. 28B.50.590 SHARING OF SINGLE FACILITY BY COMMUNITY COLLEGE PROGRAM AND K-12 PROGRAM--ADMINISTRATION AND CONTROL--SHARE OF EXPENSES, ARBITRATION OF. Whenever, prior to April 3, 1967, the use of a single building facility is being shared between an existing community college program and a K-12 program, hereafter the respective boards shall continue to share the use of the facility until such time as it is convenient to remove one of the two programs

to another facility. The determination of convenience shall be based solely upon the best interests of the students involved.

Whenever a community college district board and a common school district board are sharing the use of a single facility, the program occupying the majority of the space of such facility, exclusive of space utilized equally by both, shall determine which board will be charged with the administration and control of such facility. The determination of occupancy shall be based upon the space occupied as of January 1, 1967.

The board which is charged with the administration and control of such facility may share expenses with the other board for the use of the facility.

In the event that the two boards are unable to agree upon which board is to administer and control the facility or upon a fair share of expenses for the use of the facility, the governor shall appoint an arbitrator to settle the matter. The decisions of the arbitrator shall be final and binding upon both boards. The expenses of the arbitration shall be divided equally by each board.

NEW SECTION. Sec. 28B.50.600 SCHOOL DISTRICT BONDS--REDEMPTION OF BY SCHOOL DISTRICT TO CONTINUE THROUGH FACILITY UNDER CONTROL OF COMMUNITY COLLEGE DISTRICT BOARD. Whenever a common school board has contracted to redeem general obligation bonds used for the construction or acquisition of facilities which are now to be under the administration, control and occupancy of the community college district board, the common school board shall continue to redeem the bonds in accordance with the provisions of the bonds.

NEW SECTION. Sec. 28B.50.610 TRANSFER OF RECORDS, EQUIPMENT OR PROPERTY AND PENDING BUSINESS OF ABOLISHED AGENCIES OR AGENCIES WHOSE POWERS AND DUTIES TRANSFERRED--GOVERNOR TO SETTLE DISPUTES. In all cases where an existing office, board, commission, bureau, or department of the state is abolished by this chapter, or where the powers and duties vested in, and required to be performed by, any existing officer, board, commission, common school district board,

bureau, or department, are transferred to, vested in and required to be performed by, an existing or a newly created department, council, district board, state board, or a state officer, all books, papers, maps, charts, plans, records, and all other equipment or property in the possession of such existing officer, board, commission, common school district board, bureau or department or any officer or member thereof, and pending business in any way pertaining to the powers and duties of such office, board, commission, bureau, or department abolished by this chapter, shall be delivered and transferred to the administrative and executive head of the department, the council, district board, state board, or state officer to which his or its powers and duties are transferred. In case such powers and duties are divided between two or more departments, councils, district boards, state boards, committees, or state officers, each shall receive such books, papers, maps, charts, plans, records, other equipment and property, and pending business as pertain to the powers and duties transferred to that department, council, district board, state board, or officer. In all cases where any question shall arise as to the proper custody of any such books, papers, maps, charts, plans, records, other equipment and property, and pending business, the governor shall settle the dispute.

All parties to such transfer are hereby directed to cooperate to the extent that the changeover shall be accomplished in the best interest of education and the people served by such state board, department, council, or district board.

NEW SECTION. Sec. 28B.50.620 -----PENDING PROCEEDINGS
SAVED--COMPLETION. All petitions, hearings, and other proceedings pending before any existing officer, board, commission, bureau, common school district board, or department which is abolished by this chapter, or the powers and duties of which are vested in, and required to be performed by, an existing or newly created department, or state officer, and all prosecutions, legal or other proceedings and investigations begun by any such officer, board, commission, bureau,

or department, and not completed at the time of the taking effect of this chapter, shall continue and remain in full force and effect notwithstanding the passage of this chapter, and may be completed before or by the department, board, council or district board, or officer which succeeds to the powers and duties of such office, board, commission, bureau, or department.

NEW SECTION. Sec. 28B.50.630 -----ORDERS, RULES AND REGULATIONS SAVED--EFFECTIVE UNTIL REVOKED OR MODIFIED. All orders, rules, and regulations made by any existing officer, board, commission, bureau, common school district board, or department which is abolished by this chapter, or the powers and duties of which are vested in, and required to be performed by, an existing or newly created department, board, council, or district board, or a state officer, shall remain in full force and effect until revoked, or modified in accordance with law by the department, board, council, or district board, or officer which succeeds to the powers and duties of such existing office, board, commission, district board, bureau, or department.

NEW SECTION. Sec. 28B.50.640 -----CONTRACTS AND OBLIGATIONS SAVED--TO BE PERFORMED BY SUCCESSOR AGENCIES. All existing contracts and obligations of the officers, boards, commissions, bureaus, departments, common school district boards, abolished by this chapter, or the powers and duties of which are vested in, and required to be performed by, an existing or newly created department, council, board, district board, or a state officer, shall remain in full force and effect, and shall be performed by the respective departments, council, board, district board, or state officers to which the powers and duties of such existing office, board, commission, bureau, department or district board are transferred.

NEW SECTION. Sec. 28B.50.650 -----REPORTS REQUIRED BY LAW TO BE MADE TO BE PERFORMED BY SUCCESSOR AGENCIES. All reports required by law to be made by any existing office, board, commission, bureau, department, district board, abolished by this chapter, or the

powers and duties of which are vested in, and required to be performed by, an existing or newly created department, board, council, district board, created by this chapter, or a state officer, shall hereafter be made by the executive and administrative head of the department, or board, council, district board or officer to which the powers and duties of such existing office, board, commission, bureau, department or district board are transferred.

NEW SECTION. Sec. 28B.50.660 -----AGENCY DUTY TO PROVIDE INFORMATION OR SERVICES TO OTHER STATE AGENCY. In all cases where by this chapter power is vested in a department or officer to inspect, examine, secure data or information from or procure assistance from, another department or officer, it shall be the duty of such other department or officer to submit to such inspection or examination, and to furnish the data, information, or assistance required.

NEW SECTION. Sec. 28B.50.670 -----TRANSFER OF POWERS AND DUTIES, VESTING OF--LEGAL EFFECT--OBLIGATIONS, DUTIES AND RIGHTS SAME. In all cases where any powers and duties, which have heretofore been vested in, or performed by, any existing officer, board, commission, common school district board, bureau or department, or any deputy or subordinate officer thereof, are by this chapter transferred, either in whole or in part, to, or vested in and required to be performed by, an existing or newly created department, or state officer, such powers and duties shall be vested in, and shall be performed by, the department, council, board, district board, or officer to which the same are hereby transferred, and not otherwise. And every act done in the exercise of such powers and duties shall have the same legal effect as if done by the former officer, board, commission, bureau, common school district board, or department or any deputy or subordinate officer thereof. Every person and corporation shall be subject to the same obligations and duties, and shall have the same rights arising from the exercise of such powers and the performance of such duties, as if such powers and duties were exercised and performed by the officer, board, commission, bureau, district board, or department,

or any deputy or subordinate officer thereof, designated in the respective laws which are to be administered by the departments, council, board, district boards, or state officers to which such powers and duties are transferred.

NEW SECTION. Sec. 28B.50.680 -----TEACHERS AND OTHER EMPLOYEES TO CONTINUE PERFORMING USUAL DUTIES UNTIL REMOVED, APPOINTED TO OTHER POSITIONS, OR FURTHER TRANSFERRED. In all cases where an existing office, board, commission, bureau, department, or common school district board is abolished by this chapter, or where the powers and duties vested in, and required to be performed by, any existing officer, board, commission, bureau, department or district board are transferred to, vested in, and required to be performed by an existing or newly created department, council, state board, or district board, or a state officer, all teachers and other employees of such office, board, common school district board, commission, bureau, or department so abolished, or the powers and duties of which are so transferred, as the director of the department or council, state board, or district board, or officer to which the powers and duties of such office, board, commission, bureau, district board, or department are transferred may select, shall continue to perform their usual duties upon the same terms and conditions as heretofore, until removed, or appointed to positions in accordance with the provisions of this chapter relative to such department, board, or district board or transferred to some other department, board, or district board. In all cases where the powers and duties of any such existing office, board, commission, bureau, district board, or department are divided between departments, boards, council, district boards, or state officers, each of such departments, committees, or officers shall receive, on the above terms and conditions, such of the employees of said office, board, commission, bureau, or department as are selected by the respective directors of the department, or by the council, state board, or district board, or state officer to which the functions thereof are by this chapter transferred.

NEW SECTION. Sec. 28B.50.690 TRANSFER OF APPROPRIATIONS. The appropriations made to the state board for vocational education abolished by this chapter shall be transferred to and made available to the coordinating council for occupational education in accordance with the powers, duties and functions assigned to it by this chapter. Appropriations for the exercise of powers, duties and functions transferred to the state board for community college education from the state board of education shall be transferred to and made available to the state board for community college education in accordance with the provisions of RCW 28B.50.700.

NEW SECTION. Sec. 28B.50.700 TRANSFERS FROM STATE BOARD OF EDUCATION TO STATE BOARD FOR COMMUNITY COLLEGE EDUCATION--APPORTIONMENT PROCEDURE--CERTIFICATION OF APPORTIONMENTS. The transfer of equipment, funds and appropriations from the state board of education to the state board for community college education, as provided in RCW 28B.50.590 through 28B.50.700, shall be accomplished in accordance with apportionments among the several agencies by the director of the budget, who shall have due consideration to the total of the appropriations to the several agencies, the size and nature of the functions to be transferred and the feasibility of segregating such equipment to the various functions. The director of the budget shall certify such apportionments to the agencies affected and to the state auditor, the state treasurer and department of general administration, each of whom shall make the appropriate transfers and adjustments in their funds and appropriation accounts and equipment records in accordance with such certification.

NEW SECTION. Sec. 28B.50.710 COMMUNITY COLLEGE SPECIAL SERVICE REVOLVING FUNDS--DISBURSEMENT OF--TRANSFER. All funds remaining to the credit of the various special service revolving funds created pursuant to RCW 28.84.290 (herein repealed) shall be disbursed in accordance with the provisions of RCW 28.84.290 until July 1, 1967, thereafter such funds shall be transferred to the community college district boards of trustees.

NEW SECTION. Sec. 28B.50.740 SCHOOL DISTRICT BONDS--THOSE ISSUED FOR COMMUNITY COLLEGE FACILITIES NOT CONSIDERED INDEBTEDNESS UNDER STATUTORY LIMITATIONS ON. Notwithstanding any other statutory provision relating to indebtedness of school districts, bonds heretofore issued by any common school district for the purpose of providing funds for community college facilities shall not be considered as indebtedness in determining the maximum allowable indebtedness under any statutory limitation of indebtedness when the sum of all indebtedness therein does not exceed the maximum constitutional allowable indebtedness applied to the value of the taxable property contained in such school district: PROVIDED, That nothing contained herein shall be construed to affect the distribution of state funds under any applicable distribution formula.

NEW SECTION. Sec. 28B.50.750 CONTRACTS AND OBLIGATIONS OF SCHOOL DISTRICT FOR COMMUNITY COLLEGE FACILITIES--COMPLETION--DUTIES AND RESPONSIBILITIES RELATING TO COMMUNITY COLLEGES TO CONTINUE IN SCHOOL DISTRICTS UNTIL ASSUMED. Until the community college district board has actually assumed the duties and responsibilities of the administration, management, or development of existing or authorized community college facilities, those duties and responsibilities shall continue to be discharged by the common school district operating or developing such community college facilities on April 3, 1967.

Where contracts have been let by the common school board pursuant to present law for the purpose of acquisition, construction, repair or modification of an existing community college facility such projects shall be completed under the administration of the common school board, superintendent of public instruction and/or the state board of education, and payments thereto shall be made from such funds as are allocated thereto.

NEW SECTION. Sec. 28B.50.770 SCHOOL DISTRICTS MAY ELECT TO HAVE VOCATIONAL-TECHNICAL INSTITUTES REMAIN A PART OF SCHOOL DISTRICT --RELINQUISHMENT OF ADMINISTRATIVE CONTROL OVER. Notwithstanding any other provisions of this chapter, the board of directors of any public

school district wherein there is an existing vocational-technical institute, may elect to have such vocational-technical institute remain a part of the public school system rather than have such institute become a part of the state community college system: PROVIDED, That within thirty days after April 3, 1967, any school district operating a vocational-technical institute which operates independently of any existing community college as of January 1, 1967 may elect to remain independent of any community college by resolution of the board of directors of such district: AND PROVIDED FURTHER, That any public school district may relinquish administrative control over a vocational-technical institute at the beginning of any fiscal biennium if by resolution dated before the preceding January 1st it shall so inform the state board of education and the state and district community college boards.

NEW SECTION. Sec. 28B.50.780 FUNDS FOR COMMUNITY COLLEGES AUTHORIZED IN 1965 ACT. It is the intent of this legislature that the college board provide for the four community colleges authorized by section 3, chapter 159, Laws of 1965 extraordinary session, and for which local funds for construction have been voted as of April 3, 1967, funds equivalent to those that would have been provided by matching ratios and construction costs in effect on January 1, 1967.

NEW SECTION. Sec. 28B.50.790 PERFORMANCE OF POWERS AND DUTIES DURING TRANSITIONAL PERIOD. Notwithstanding any other provision of law, during the transitional period between the time the Community College Act of 1967 (chapter 8, Laws of 1967 first extraordinary session) became effective and the time when the coordinating council for occupational education and the state board for community college education and the respective community college district boards of trustees have been appointed and organized, the powers and duties transferred to such agencies by this act (chapter 8, Laws of 1967 first extraordinary session) shall continue to be performed, and the necessary disbursements, allotments and apportionments of state funds in connection therewith shall continue to be made as if this act

(chapter 8, Laws of 1967 first extraordinary session) had not been enacted.

NEW SECTION. Sec. 28B.50.910 SEVERABILITY. If any provision of this 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.

Chapter 28B.60

COMMUNITY COLLEGE DEVELOPMENT DISTRICTS

NEW SECTION. Sec. 28B.60.010 AUTHORIZED--QUALIFICATIONS. Any area served by a community college district which also contains extensive buildings, facilities and property suitable for meeting the needs of the district, which are available to the district because of the closure of a major United States Air Force base formerly used by the strategic air command of the United States Air Force, shall be eligible to become a community college development district (hereinafter in this chapter referred to as "development district" or "district").

NEW SECTION. Sec. 28B.60.020 BENEFITS RECOGNIZED AS PROPER FOR ASSESSMENT PURPOSES. Education has long been recognized as a means of advancing not only the cultural standards of the community, but also to raise the economic standards as well. The development of community college facilities located within a reasonable distance of the lands of the development district and designed to meet the economic needs of the development district, has a direct economic benefit to property values of such district, as well as to the people living within the district. Because the philosophy of the community college is directly geared to meet the needs of the community and because of the aforesaid special benefit to property, it is proper to allow the area served by the development district to provide some of the funds needed for development and operation through assessments on property located within the district by means of the petitioning and voting procedures described in this chapter.

NEW SECTION. Sec. 28B.60.030 TITLE HOLDERS NECESSARY TO

PROPOSE DISTRICT ORGANIZATION--POWERS UPON ORGANIZATION. Whenever fifty of the holders of title to, or of evidence of title to land that could be benefited by the services and facilities, training and information that could be supplied by a development district, desire to organize a development district for any or all of the purposes mentioned in chapter 28B.50 RCW, they may propose the organization of a community college development district in the manner provided herein; and when so organized such district shall have all the powers that may now or hereafter be conferred by law.

NEW SECTION. Sec. 28B.60.040 PURPOSES FOR DISTRICT ORGANIZATION AND MAINTENANCE. A development district may be organized or maintained for any or all of the following purposes:

(1) To provide funds to help enable any community college located within the district to develop and operate buildings, facilities and property acquired from the United States of America when the federal government has closed down a major United States Air Force base formerly operated by the strategic air command.

(2) The performance of all things necessary to enable the district to exercise the powers herein expressly or impliedly granted.

NEW SECTION. Sec. 28B.60.050 PETITION TO ORGANIZE--CONTENTS--BOND FOR COSTS--PRESENTATION OF PETITION, NOTICE OF--INVESTIGATION AND REPORT BY COMMUNITY COLLEGE OFFICIAL. For the purpose of organizing a development district, a petition, signed by the required number of holders of title or evidence of title to land within the proposed district, shall be presented to the board of county commissioners of the county in which the proposed district or the greater portion thereof, is situated, which petition shall contain the following:

(1) A description of the lands to be included in the operation of the district, in legal subdivisions or fractions thereof, and the name of the county or counties in which said lands are situated.

(2) The signature and post office address of each petitioner, together with the legal description of the particular lands within the proposed district owned by said respective petitioners.

(3) A general statement of the probable location of the community college facilities, either existing or planned, and a brief outline of the plan of improvements contemplated by the organization of the district.

(4) A statement of the number of directors, either three or five, desired for the administration of the district and of the name by which the petitioners desire the district to be designated.

(5) Any other matter deemed material.

(6) A prayer requesting the board to take the steps necessary to organize the district.

The petition must be accompanied by a good and sufficient bond, to be approved by the board of county commissioners, in double the amount of the probable cost of organizing the district, and conditioned that the bondsmen will pay all of the costs in case such organization shall not be effected. Said petition shall be presented at a regular meeting of the said board, or at any special meeting ordered to consider and act upon said petition, and shall be published at least once a week during the three weeks (three issues) before the time at which the same is to be presented, in some newspaper of general circulation printed and published in the county or counties where said petition is to be presented, together with a notice signed by the clerk of the board of county commissioners stating the time of the meeting at which the same will be presented. The board shall, in addition to publishing as provided herein, cause a copy of the notice to be mailed to the address for each parcel of property located within the district as set forth in the property rolls of each county treasurer's office servicing land within the district. However, failure to receive actual notice shall not exempt any land or property from being included in the district.

In the event that the boundaries of the contemplated development district lie within more than one county, the petition shall be presented in the same manner before the board of county commissioners of each county and the procedures for notice and publication

prescribed for one county shall be followed in each county. However, the time of hearing shall be arranged so that the county commissioners from the county which has the smallest area of the proposed district may attend the hearing in the other county, if they should so desire. The said notice, together with a map of the district, shall also be served by registered mail at least thirty days before the said hearing upon the chief educational officer for community colleges at Olympia, Washington, who shall, at the expense of the district in case it is later organized, otherwise at the expense of the petitioners' bondsmen, make such investigation of the proposed plans of the community college development district as he may deem necessary, and file a report of his findings together with a statement of his costs, with the board of county commissioners at or prior to the time or times set for said hearing or hearings.

NEW SECTION. Sec. 28B.60.055 HEARING ON PETITION AND DETERMINATION--DISTRICT BOUNDARIES, NAME--ELECTION ON, NOTICE OF. When the petition is presented, the board of county commissioners of the county containing the largest area of the proposed district shall hear the same, shall receive such evidence as it may deem material, and may adjourn such hearing from time to time, not exceeding four weeks in all, and on the final hearing shall, if it deems it advisable, establish and define the boundaries of the district along such lines as in the judgment of the board will best benefit the lands involved and enter an order to that effect: PROVIDED, That no lands shall be included in the district which in the judgment of the board will not be benefited. At said final hearing, the board shall also give the district a name and shall order that an election be held therein for the purpose of determining whether or not the district shall be organized under the provisions of this chapter, and for the purpose of electing directors.

The clerk of the board of county commissioners shall then give notice of the election ordered to be held as aforesaid, which notice shall describe the district boundaries as established, and shall give

the name by which said proposed district has been designated, and shall state the purposes and objects of said election, and shall be published once a week during the three weeks (three issues) prior to said election, in a newspaper of general circulation published in the county or counties where the petition aforesaid was presented; and if any portion of said proposed district lies within another county or counties, then said notice shall be published by the clerk of each board of county commissioners in a newspaper within each of said counties. Said election notice shall also require the electors to cast ballots which shall contain the words "Community College Development District-Yes", and "Community College Development District-No", and also the names of persons to be voted for as directors of the district: PROVIDED, That where in this chapter publication is required to be made in a newspaper of any county, the same may be made in a newspaper of general circulation in such county, selected by the person or body charged with making the publication and such newspaper shall be the official paper for such purpose. After the district boundaries have been established by the board of county commissioners, the commissioners shall, in addition to publishing as provided herein, cause a copy of the notice to be mailed to the address for each parcel of property located within the proposed district as set forth in the property rolls of each county treasurer's office servicing land within the district. However, failure to receive actual notice shall not exempt any land or property from being included in the district.

NEW SECTION. Sec. 28B.60.060 ELECTION PROCEDURE. All elections on the question of organizing development districts, whether general or special, for any district purpose and in any county of the state, shall be called, noticed, and conducted in accordance with the laws of the state relating to the elections of the boards of county commissioners except that the specific requirements as to electors in RCW 28B.60.080 shall determine who shall be eligible to vote.

If the proposed district boundaries lie in more than one county, the majority of county commissioners in each county may call

for a joint election, and thereafter the election shall be called, noticed and conducted and the votes canvassed, jointly.

NEW SECTION. Sec. 28B.60.070 -----MAJORITY OF ELECTORS CASTING BALLOTS DECIDE ISSUES. Any question as to the formation of a district, or the election of directors, or any other question brought up for a vote, shall be decided by a majority vote of the electors actually casting their ballots at the time of the election:

NEW SECTION. Sec. 28B.60.080 -----PERSONS ENTITLED TO VOTE --OPENING OF REGISTRATION BOOKS PRIOR TO ELECTION--EVIDENCE OF TITLE OF AND OATH OF ELIGIBLE ELECTOR--AUDITOR TO CONDUCT ELECTION, RECEIVE COMPENSATION. Only owners of real property shall be entitled to vote. The owner shall be deemed to be the person who has, or is acquiring title to real property located in the district, and who would be required to pay any assessments levied, to avoid losing his title to the property. Owners of property shall be entitled to register with the county auditor of the county or counties having land included in the petition for organization, or, for later voting, shall have land within the district. The county auditor or auditors shall open the registration books sixty days prior to the date of any election called by the county commissioners, or later, by the directors of the district, once the district is formed. The county auditor or auditors shall keep the registration books open during regular business hours for a period of thirty days and close said books at least twenty-eight days prior to the date of the election. Each person registering as an elector eligible to vote in any district election shall bring some evidence of title of land owned, and including a description of the property owned. The county auditor shall note the name and land described and cause the person registering to sign an oath that he has, or is, acquiring title to said described real estate and is entitled to vote thereon. The county auditor shall be entitled to rely on the sworn information provided, without checking the chain of title. The person so registering shall be entitled to vote at the election called for the organization of a development

district. A like registration shall be held at any future election called for such purpose. The county auditor shall conduct any such election and shall be given reasonable compensation for his, or their, services by the bondsmen, or the district, if it is formed.

NEW SECTION. Sec. 28B.60.090 DURATION OF DISTRICT--ELECTION TO CONTINUE OR ABOLISH, PROCEDURE, NOTICE OF. The development district shall continue for four years if voted into existence by a majority of the electors in the proposed boundaries. After four years, the county auditors in the county or counties who conducted the first election shall call and conduct new elections and shall give notice by publishing and mailing a notice of election as was done for the original election. If a majority of the electors then vote against continuance of the district, the district shall be abolished. If a majority of the electors vote for continued existence of the district, the district shall continue indefinitely with all of its rights, duties, and powers, unless abolished at an election called, noticed, and conducted as the organizational election.

NEW SECTION. Sec. 28B.60.100 DIRECTORS OF COMMUNITY COLLEGE DISTRICT AS DEVELOPMENT DISTRICT DIRECTORS--POWERS AND DUTIES. The directors of the development district shall be the same as the directors of any community college district which may be formed within all or any part of the land included in the development district. The directors shall retain all prior rights and authority heretofore granted to them, or hereafter granted to them, as directors of the community college district, under any law of the state of Washington now passed, or passed in the future. The directors of the development district shall also have the authority to build, repair, improve, replace, and operate any buildings, facilities or equipment located on land acquired from the United States government and which had formerly been used as a United States Air Force base by the strategic air command of the United States Air Force. In particular, the directors shall be enabled to use said buildings, property, and facilities, for classrooms, dormitories, eating facilities, and any other purpose

suitable for carrying out the development district's program.

NEW SECTION. Sec. 28B.60.110 SPECIAL ASSESSMENT, LIMITATIONS ON--COLLECTION--EXCESS LEVY AUTHORIZATION, ELECTION ON, PROCEDURE.

The directors of the development district shall be empowered to specially assess land located in the district for the benefits there-to, taking as a base the last equalized assessment for county purposes: PROVIDED, That such assessment shall not exceed one mill upon said assessed valuation without securing authorization by vote of the electors of the district in an election held for that purpose. The directors shall give notice of such an election, for the time and in the manner and form provided, for development district elections. The manner of conducting the voting at such an election, opening and closing the polls, canvassing the votes, certifying the returns, and declaring the results, shall be the same as the elections for the board of county commissioners, except as specifically modified by law.

The special assessment provided for herein shall be due and payable at such time and in such amounts as designated by the district directors, which designation shall be made to the county auditor in writing, and the amount so designated shall be added to the general taxes and entered upon the assessment rolls in his office and collected therewith.

NEW SECTION. Sec. 28B.60.120 CHAPTER NOT TO CHANGE STATUS OF COMMUNITY COLLEGE DISTRICT NOR ALLOW AGREEMENTS PREVENTING CHANGE IN BOUNDARIES OF ANY SUCH DISTRICT. Nothing in this chapter shall be construed as causing a community college district to become a taxing district or a municipal corporation, and nothing herein shall be construed to allow any contractual agreements which would prevent any change in the boundaries of any community college district.

Chapter 28B.70

WESTERN REGIONAL HIGHER EDUCATION COMPACT

NEW SECTION. Sec. 28B.70.010 RATIFICATION OF COMPACT. The western regional higher education compact, recommended by the western governors' conference on November 10, 1950, for adoption by the

states or territories of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, Alaska and Hawaii, is hereby ratified and approved and the adherence of this state to the provisions of this compact, upon its ratification and approval by any four or more of such states or territories in addition to this state, is hereby declared.

NEW SECTION. Sec. 28B.70.020 TERMS AND PROVISIONS OF COMPACT. The terms and provisions of the compact referred to in RCW 28B.70.010 are as follows:

WESTERN REGIONAL HIGHER EDUCATION COMPACT

Article I

WHEREAS, The future of this Nation and of the Western States is dependent upon the quality of the education of its youth; and

WHEREAS, Many of the Western States individually do not have sufficient numbers of potential students to warrant the establishment and maintenance within their borders of adequate facilities in all the essential fields of technical, professional and graduate training, nor do all of the states have the financial ability to furnish within their borders institutions capable of providing acceptable standards of training in all of the fields mentioned above; and

WHEREAS, It is believed that the Western States, or group of such states within the Region, cooperatively can provide acceptable and efficient educational facilities to meet the needs of the Region and of the students thereof;

NOW, THEREFORE, The States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming, and the Territories of Alaska and Hawaii, do hereby covenant and agree as follows:

Article II

Each of the compacting states and territories pledge to each of the other compacting states and territories faithful cooperation in carrying out all the purposes of this compact

Article III

The compacting states and territories hereby create the Western Interstate Commission for Higher Education, hereinafter called the Commission. Said Commission shall be a body corporate of each compacting state and territory and an agency thereof. The Commission shall have all the powers and duties set forth herein, including the power to sue and be sued, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states and territories.

Article IV

The Commission shall consist of three resident members from each compacting state or territory. At all times one commissioner from each compacting state or territory shall be an educator engaged in the field of higher education in the state or territory from which he is appointed.

The commissioners from each state and territory shall be appointed by the governor thereof as provided by law in such state or territory. Any commissioner may be removed or suspended from office as provided by the law of the state or territory from which he shall have been appointed.

The term of each commissioner shall be four years: PROVIDED; HOWEVER, That the first three commissioners shall be appointed as follows: one for two years, one for three years, and one for four years. Each commissioner shall hold office until his successor shall be appointed and qualified. If any office becomes vacant for any reason, the governor shall appoint a commissioner to fill the office for the remainder of the unexpired term.

Article V

Any business transacted at any meeting of the Commission must be by affirmative vote of a majority of the whole number of compacting states and territories.

One or more commissioners from a majority of the compacting states and territories shall constitute a quorum for the transaction of business.

Each compacting state and territory represented at any meeting of the Commission is entitled to one vote.

Article VI

The Commission shall elect from its number a chairman and a vice-chairman, and may appoint, and at its pleasure dismiss or remove, such officers, agents and employees as may be required to carry out the purpose of this compact; and shall fix and determine their duties, qualifications and compensation, having due regard for the importance of the responsibilities involved.

The commissioners shall serve without compensation, but shall be reimbursed for their actual and necessary expenses from the funds of the Commission.

Article VII

The Commission shall adopt a seal and bylaws and shall adopt and promulgate rules and regulations for its management and control.

The Commission may elect such committees as it deems necessary for the carrying out of its functions.

The Commission shall establish and maintain an office within one of the compacting states for the transaction of its business and may meet at any time, but in any event must meet at least once a year. The chairman may call such additional meetings and upon the request of a majority of the commissioners of three or more compacting states or territories shall call additional meetings.

The Commission shall submit a budget to the governor of each compacting state and territory at such time and for such period as may be required.

The Commission shall, after negotiations with interested institutions, determine the cost of providing the facilities for graduate and professional education for use in its contractual agreements throughout the Region.

On or before the fifteenth day of January of each year, the Commission shall submit to the governors and legislatures of the compacting states and territories a report of its activities for the

preceding calendar year.

The Commission shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time for inspection by the governor of any compacting state or territory or his designated representative. The Commission shall not be subject to the audit and accounting procedure of any of the compacting states or territories. The Commission shall provide for an independent annual audit.

Article VIII

It shall be the duty of the Commission to enter into such contractual agreements with any institutions in the Region offering graduate or professional education and with any of the compacting states or territories as may be required in the judgment of the Commission to provide adequate services and facilities of graduate and professional education for the citizens of the respective compacting states or territories. The Commission shall first endeavor to provide adequate services and facilities in the fields of dentistry, medicine, public health and veterinary medicine, and may undertake similar activities in other professional and graduate fields.

For this purpose the Commission may enter into contractual agreements

(a) with the governing authority of any educational institution in the Region, or with any compacting state or territory to provide such graduate or professional educational services upon terms and conditions to be agreed upon between contracting parties and

(b) with the governing authority of any educational institution in the Region or with any compacting state or territory to assist in the placement of graduate or professional students in educational institutions in the Region providing the desired services and facilities, upon such terms and conditions as the Commission may prescribe.

It shall be the duty of the Commission to undertake studies of needs for professional and graduate educational facilities in the Region, the resources of meeting such needs, and the long-range

effects of the compact on higher education; and from time to time prepare comprehensive reports on such research for presentation to the Western Governors' Conference and to the legislatures of the compacting states and territories. In conducting such studies, the Commission may confer with any national or regional planning body which may be established. The Commission shall draft and recommend to the governors of the various compacting states and territories, uniform legislation dealing with problems of higher education in the Region.

For the purposes of this compact the word "Region" shall be construed to mean the geographical limits of the several compacting states and territories.

Article IX

The operating costs of the Commission shall be apportioned equally among the compacting states and territories.

Article X

This compact shall become operative and binding immediately as to those states and territories adopting it whenever five or more the states or territories of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, Alaska and Hawaii have duly adopted it prior to July 1, 1955. This compact shall become effective as to any additional states or territories thereafter at the time of such adoption.

Article XI

This compact may be terminated at any time by consent of a majority of the compacting states or territories. Consent shall be manifested by passage and signature in the usual manner of legislation expressing such consent by the legislature and governor of such terminating state. Any state or territory may at any time withdraw from this compact by means of appropriate legislation to that end. Such withdrawal shall not become effective until two years after written notice thereof by the governor of the withdrawing state or territory accompanied by a certified copy of the requisite legislative action is received by the Commission. Such withdrawal shall not relieve

the withdrawing state or territory from its obligations hereunder accruing prior to the effective date of withdrawal. The withdrawing state or territory may rescind its action of withdrawal at any time within the two-year period. Thereafter the withdrawing state or territory may be reinstated by application to and the approval by a majority vote of the Commission.

Article XII

If any compacting state or territory shall at any time default in the performance of any of its obligations assumed or imposed in accordance with the provisions of this compact, all rights, privileges and benefits conferred by this compact or agreements hereunder, shall be suspended from the effective date of such default as fixed by the commission.

Unless such default shall be remedied within a period of two years following the effective date of such default, this compact may be terminated with respect to such defaulting state or territory by affirmative vote of three-fourths of the other member states or territories.

Any such defaulting state may be reinstated by (a) performing all acts and obligations upon which it has heretofore defaulted, and (b) application to and the approval by a majority vote of the Commission.

NEW SECTION. Sec. 28B.70.030 FORMAL RATIFICATION. Upon ratification and approval of the western regional higher education compact by any four or more of the specified states or territories in addition to this state, the governor of this state is authorized and directed to execute said compact on behalf of this state and to perform any other acts which may be deemed requisite to its formal ratification and promulgation.

NEW SECTION. Sec. 28B.70.040 APPOINTMENT, REMOVAL OF COMMISSIONERS. (1) The governor, with the advice and consent of the senate, shall appoint the members, for this state, of the Western Interstate Commission for Higher Education, which is created under the

provisions of Article III of the western regional higher education compact.

(2) The qualifications and terms of office of the members of the commission for this state shall conform with the provisions of Article IV of said compact.

(3) The commissioners shall serve without compensation and they shall be reimbursed for their actual and necessary expenses by the Western Interstate Commission for Higher Education.

(4) The governor may remove a member of the commission in conformity with the provisions of RCW 43.06.070, 43.06.080 and 43.06.090.

NEW SECTION. Sec. 28B.70.050 NONRESIDENT TUITION FEES--EXEMPTION. When said compact becomes operative the governing board of each institution of higher learning in this state, to the extent necessary to conform with the terms of the contractual agreement, may exempt from payment of tuition fees established by law for nonresident students any student admitted to such institution under the terms of a contractual agreement entered into with the commission in accord with the provisions of Article VIII (a) of the compact.

Chapter 28B.75

HIGHER EDUCATION FACILITIES COMMISSION

NEW SECTION. Sec. 28B.75.010 "COMMISSION" DEFINED. As used in this chapter "commission" means the higher education facilities commission of the state of Washington.

NEW SECTION. Sec. 28B.75.020 COMMISSION CREATED. There is hereby created the "higher education facilities commission" of the state of Washington.

NEW SECTION. Sec. 28B.75.030 MEMBERS--APPOINTMENT, QUALIFICATIONS--TERMS--COMMISSION CHAIRMAN. The commission shall consist of eleven members appointed by the governor and who shall serve at the pleasure of the governor. Members so appointed shall be broadly representative of the public and of institutions of higher education (including community colleges, public and private colleges and

universities and technical institutions) in the state of Washington. The governor shall designate one of the members of the commission as chairman.

NEW SECTION. Sec. 28B.75.040 COMMISSION POWERS AND DUTIES.

The higher education facilities commission shall:

(1) Prepare plans of participation as required by Title I of the Higher Education Facilities Act of 1963 and Title VI of the Higher Education Act of 1965. The plans so prepared shall set forth objective standards and methods, consistent with basic criteria prescribed by the United States commissioner of education, for determining the relative priorities, and the federal share of development costs of eligible projects for construction of academic facilities and for the purchase of undergraduate instructional equipment submitted by institutions of higher education in the state.

(2) Conduct surveys and studies as may be necessary for the determination of state participation in Title I of the Higher Education Facilities Act and Title VI of the Higher Education Act of 1965 and to this end may cooperate with other agencies.

(3) Provide for affording to every applicant who has submitted a project to the commission an opportunity for a fair hearing before the commission as to the priority assigned to such project or as to any other determination of the commission adversely affecting such applicant.

(4) Provide for such fiscal control and fund accounting as may be necessary to assure proper disbursement of and accounting for federal funds paid to the commission and for the making of such reports in such form and containing such information as may be necessary to enable the commissioner of education to perform his functions.

(5) Supervise the federal program of low interest insured loans to students in institutions of higher education as provided by Title IV B of the Higher Education Act of 1965.

NEW SECTION. Sec. 28B.75.050 EMPLOYEES. The commission may employ an executive secretary and such clerical and other assistance

as it finds necessary or appropriate.

NEW SECTION. Sec. 28B.75.060 MEMBERS--COMPENSATION AND EXPENSES OF. Members of the commission shall not receive compensation for service, but may be reimbursed for their expenses while attending meetings and such other activities of the commission in the same manner as state officials generally under chapter 43.03 RCW.

NEW SECTION. Sec. 28B.75.070 FEDERAL FUNDS. The commission is authorized to receive and expend federal funds.

Chapter 28B.98

CONSTRUCTION

NEW SECTION. Sec. 28B.98.010 REPEALS AND SAVINGS. The following acts or parts of acts are each repealed:

- (1) Chapter 14, Laws of 1967;
- (2) Sections 2, 3, and 5 through 17, chapter 47, Laws of 1967;
- (3) Chapter 103, Laws of 1967;
- (4) Section 2, chapter 135, Laws of 1967;
- (5) Section 4, chapter 151, Laws of 1967;
- (6) Chapter 231, Laws of 1967;
- (7) Chapter 5, Laws of 1967 extraordinary session;
- (8) Sections 1 through 26, 30 through 40, 44, 50, 52 through 72, 74, 75, and 77 through 79, chapter 8, Laws of 1967 extraordinary session;
- (9) Chapter 58, Laws of 1967 extraordinary session;
- (10) Chapter 107, Laws of 1967 extraordinary session;
- (11) Section 2, chapter 54, Laws of 1965;
- (12) Chapter 76, Laws of 1965;
- (13) Chapter 77, Laws of 1965;
- (14) Section 23, chapter 139, Laws of 1965;
- (15) Chapter 16, Laws of 1965 extraordinary session;
- (16) Section 1, chapter 89, Laws of 1965 extraordinary session;
- (17) Chapter 128, Laws of 1965 extraordinary session;
- (18) Sections 1, and 3 through 6, chapter 135, Laws of 1965

extraordinary session;

(19) Chapter 139, Laws of 1965 extraordinary session;

(20) Section 1, chapter 146, Laws of 1965 extraordinary session;

(21) Chapter 147, Laws of 1965 extraordinary session;

(22) Chapter 23, Laws of 1963;

(23) Chapter 33, Laws of 1963;

(24) Chapter 71, Laws of 1963;

(25) Section 1, chapter 89, Laws of 1963;

(26) Chapter 109, Laws of 1963;

(27) Chapter 143, Laws of 1963;

(28) Sections 1, and 3 through 10, chapter 151, Laws of 1963;

(29) Chapter 167, Laws of 1963;

(30) Chapter 180, Laws of 1963;

(31) Chapter 181, Laws of 1963;

(32) Chapter 182, Laws of 1963;

(33) Chapter 193, Laws of 1963;

(34) Chapter 216, Laws of 1963;

(35) Chapter 224, Laws of 1963;

(36) Sections 5, 12, and 14, chapter 2, Laws of 1963 extraordinary session;

(37) Chapter 25, Laws of 1961;

(38) Chapter 62, Laws of 1961;

(39) Chapter 71, Laws of 1961;

(40) Section 5, chapter 198, Laws of 1961;

(41) Chapter 202, Laws of 1961;

(42) Sections 1 through 9, chapter 229, Laws of 1961;

(43) Chapter 10, Laws of 1961 extraordinary session;

(44) Sections 1 and 2, chapter 11, Laws of 1961 extraordinary session;

(45) Chapter 12, Laws of 1961 extraordinary session;

(46) Chapter 13, Laws of 1961 extraordinary session;

(47) Chapter 14, Laws of 1961 extraordinary session;

(48) Section 1, chapter 20, Laws of 1961 extraordinary session;

(49) Chapter 77, Laws of 1959;

(50) Chapter 96, Laws of 1959;

(51) Chapter 155, Laws of 1959;

(52) Chapter 164, Laws of 1959;

(53) Chapter 186, Laws of 1959;

(54) Chapter 187, Laws of 1959;

(55) Chapter 191, Laws of 1959;

(56) Chapter 193, Laws of 1959;

(57) Chapter 76, Laws of 1957;

(58) Chapter 147, Laws of 1957;

(59) Chapter 212, Laws of 1957;

(60) Chapter 254, Laws of 1957;

(61) Chapter 256, Laws of 1957;

(62) Chapter 66, Laws of 1955;

(63) Chapter 123, Laws of 1955;

(64) Chapter 175, Laws of 1955;

(65) Chapter 214, Laws of 1955;

(66) Chapter 229, Laws of 1955;

(67) Chapter 346, Laws of 1955;

(68) Chapter 69, Laws of 1953;

(69) Chapter 101, Laws of 1953;

(70) Chapter 97, Laws of 1951;

(71) Sections 1, 2, and 4, chapter 34, Laws of 1949;

(72) Chapter 55, Laws of 1949;

(73) Chapter 73, Laws of 1949;

(74) Chapter 115, Laws of 1949;

(75) Chapter 123, Laws of 1949;

(76) Chapter 152, Laws of 1949;

(77) Chapter 182, Laws of 1949;

(78) Chapter 210, Laws of 1949;

(79) Chapter 232, Laws of 1949;

- (80) Chapter 45, Laws of 1947;
- (81) Chapter 46, Laws of 1947;
- (82) Chapter 86, Laws of 1947;
- (83) Chapter 95, Laws of 1947;
- (84) Chapter 104, Laws of 1947;
- (85) Chapter 108, Laws of 1947;
- (86) Chapter 109, Laws of 1947;
- (87) Chapter 223, Laws of 1947;
- (88) Chapter 224, Laws of 1947;
- (89) Chapter 243, Laws of 1947;
- (90) Sections 1 through 5, and 7, chapter 284, Laws of 1947;
- (91) Chapter 15, Laws of 1945;
- (92) Chapter 187, Laws of 1945;
- (93) Chapter 236, Laws of 1945;
- (94) Chapter 241, Laws of 1945;
- (95) Chapter 48, Laws of 1943;
- (96) Chapter 59, Laws of 1943;
- (97) Chapter 262, Laws of 1943;
- (98) Chapter 17, Laws of 1939;
- (99) Chapter 60, Laws of 1939;
- (100) Chapter 156, Laws of 1939;
- (101) Chapter 176, Laws of 1939;
- (102) Chapter 193, Laws of 1939;
- (103) Chapter 181, Laws of 1937;
- (104) Chapter 203, Laws of 1937;
- (105) Chapter 223, Laws of 1937;
- (106) Sections 1 and 2, chapter 154, Laws of 1935;
- (107) Section 1, chapter 185, Laws of 1935;
- (108) Chapter 13, Laws of 1933;
- (109) Chapter 169, Laws of 1933;
- (110) Chapter 48, Laws of 1931;
- (111) Chapter 49, Laws of 1931;
- (112) Chapter 227, Laws of 1927;

- (113) Chapter 182, Laws of 1925 extraordinary session;
- (114) Chapter 74, Laws of 1923;
- (115) Sections 1, 2, 5, and 6, chapter 139, Laws of 1921;
- (116) Section 1, chapter 163, Laws of 1921;
- (117) Sections 1, 2, and 4, chapter 164, Laws of 1921;
- (118) Sections 1 and 2, chapter 63, Laws of 1919;
- (119) Sections 1, 3, 4, and 6 through 11, chapter 10, Laws of 1917;

- (120) Section 2, chapter 11, Laws of 1917;
- (121) Chapter 128, Laws of 1917;
- (122) Sections 2, 3, and 8, chapter 66, Laws of 1915;
- (123) Chapter 24, Laws of 1913;
- (124) Chapter 33, Laws of 1909;
- (125) Chapter 97, Title II, subchapters 1, 2 and 3, Laws of 1909;

- (126) Chapter 248, Laws of 1909;
- (127) Chapter 198, Laws of 1907;
- (128) Section 1, chapter 53, Laws of 1905;
- (129) Chapter 9, Laws of 1899;
- (130) Sections 182 through 227, chapter 118, Laws of 1897;
- (131) Section 1, chapter 145, Laws of 1891; and
- (132) Sections 1 through 21, pages 395 through 399, Laws of 1889-90.

Such repeals shall not be construed as affecting any existing right acquired under the statutes repealed, nor as affecting any proceeding instituted thereunder, nor any rule, regulation or order promulgated thereunder, nor any administrative action taken thereunder, nor any criminal or civil proceeding instituted thereunder, nor the term of office or election or appointment or employment of any person elected, appointed or employed thereunder.

NEW SECTION. Sec. 28B.98.020 MONEYS TRANSFERRED. All moneys in the Southwestern Washington State College bond retirement fund and the Southwestern Washington State College capital projects account are hereby transferred to The Evergreen State College bond retirement fund and The Evergreen State College capital projects account respectively, which latter fund and account are created in section 28B-.40.370 of this act.

NEW SECTION. Sec. 28B.98.030 CONTINUATION OF EXISTING LAW. The provisions of this title, Title 28B RCW, insofar as they are substantially the same as statutory provisions repealed by this chapter, and relating to the same subject matter, shall be construed as re-statements and continuations, and not as new enactments. Nothing in this 1969 code revision of Title 28 RCW shall be construed as authorizing any new bond issues or new or additional appropriations of moneys but the bond issue authorizations herein contained shall be construed only as continuations of bond issues authorized by prior laws herein repealed and reenacted, and the appropriations of moneys herein contained are continued herein for historical purposes only and this 1969 act shall not be construed as a reappropriation thereof and no appropriation contained herein shall be deemed to be extended or revived hereby and such appropriation shall lapse or shall have lapsed in accordance with the original enactment: PROVIDED, That this 1969 act shall not operate to terminate, extend, or otherwise affect any appropriation for the biennium commencing July 1, 1967 and ending June 30, 1969.

NEW SECTION. Sec. 28B.98.040 PROVISIONS TO BE CONSTRUED IN PARI MATERIA. The provisions of this title, Title 28B RCW, shall be construed in pari materia even though as a matter of prior legislative history they were not originally enacted in the same statute. The provisions of this title shall also be construed in pari materia

with the provisions of Title 28A RCW, and with other laws relating to education. This section shall not operate retroactively.

NEW SECTION. Sec. 28B.98.050 TITLE, CHAPTER, SECTION HEADINGS NOT PART OF LAW. Title headings, chapter headings, and section or subsection headings, as used in this title, Title 28B RCW, do not constitute any part of the law.

NEW SECTION. Sec. 28B.98.060 INVALIDITY OF PART OF TITLE NOT TO AFFECT REMAINDER. If any provision of this title, Title 28B RCW, or its application to any person or circumstance is held invalid, the remainder of the title, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 28B.98.070 THIS CODE DEFINED. As used in this title, Title 28B RCW, "this code" means Titles 28A and 28B of this 1969 act.

NEW SECTION. Sec. 28B.98.080 EFFECTIVE DATE. This act shall take effect on July 1, 1970.

Passed by the House May 2, 1969.
Passed by the Senate May 2, 1969.
Approved by the Governor May 12, 1969.
Filed in office of Secretary of State May 12, 1969.