

NEW SECTION. Sec. 9. There is appropriated fifty thousand dollars or so much thereof as may be necessary from the vehicle title guarantee account to the department of motor vehicles for the biennium ending June 30, 1977 for reimbursement to vehicle owners pursuant to section 7 of this 1976 act.

NEW SECTION. Sec. 10. 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.

NEW SECTION. Sec. 11. This act shall take effect on July 1, 1976.

Passed the Senate March 4, 1976.

Passed the House February 27, 1976.

Approved by the Governor March 11, 1976.

Filed in Office of Secretary of State March 11, 1976.

CHAPTER 92

[Senate Bill No. 3091]

SCHOOL PERSONNEL CERTIFICATION

AN ACT Relating to education; amending section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 50, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.04.120; amending section 28A.70.005, chapter 223, Laws of 1969 ex. sess. and RCW 28A.70.005; amending section 28A.70.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 135, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.70.130; amending section 28A.70.140, chapter 223, Laws of 1969 ex. sess. as last amended by section 136, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.70.140; creating a new section; and reenacting section 28A.70.110, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 192, Laws of 1975 1st ex. sess. and section 134, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.70.110.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 50, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.04.120 are each amended to read as follows:

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, school administrator, and school specialized personnel certification offered by all institutions of higher education within the state which may be accredited and whose graduates may become entitled to receive ~~((teachers^d))~~ such 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^d))~~ such certification as provided for in subsection (1) above, and prepare ~~((an accredited list of those higher institutions of))~~ a list of accredited institutions of higher education of this and other states whose graduates may be awarded ~~((teachers^d))~~ such certificates.

(3) Supervise the issuance of ~~((teachers^d))~~ such certificates as provided for in subsection (1) above 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, subject to the provisions of RCW 28A.02.201, private schools carrying out a program for any or all

of the grades one through twelve: PROVIDED, That no public or private high schools shall be placed upon the ~~((accredited))~~ list of accredited schools 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, educational service 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.

Sec. 2. Section 28A.70.005, chapter 223, Laws of 1969 ex. sess. and RCW 28A.70.005 are each amended to read as follows:

The state board of education shall establish, publish and enforce rules and regulations determining eligibility for and certification of ~~((teachers))~~ personnel employed 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.

Sec. 3. Section 28A.70.110, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 192, Laws of 1975 1st ex. sess. and section 134, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.70.110 are each reenacted to read as follows:

The fee for any certificate, or any renewal thereof, issued by the authority of the state of Washington, and authorizing the holder to teach or perform other professional duties 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 educational service district superintendent, or other official authorized to receive such fee, shall within thirty days transmit the same to the treasurer of the county in which the office of the educational service district superintendent is located, to be by him placed to the credit of said school district or educational service district: PROVIDED, That if any school district collecting fees for the certification of professional staff does not hold a professional training institute separate from the educational service district then all such moneys shall be placed to the credit of the educational service district.

Such fees shall be used solely for the purpose of precertification professional preparation, program evaluation, and professional in-service training programs in accord with rules and regulations of the state board of education herein authorized.

Sec. 4. Section 28A.70.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 135, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.70.130 are each amended to read as follows:

All certificates issued by the superintendent of public instruction shall be valid and entitle the holder thereof to ~~((teach))~~ employment in any ~~((county))~~ school district of the state upon being registered by the school district, or the educational service district ~~((superintendent thereof))~~, if designated to do so by the school district, which fact shall be evidenced ~~((by him))~~ on the certificate in the words, "Registered for use in ~~((county))~~ district," together with the date of registry, and ~~((his))~~ an official signature of the person registering the same: 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.

Sec. 5. Section 28A.70.140, chapter 223, Laws of 1969 ex. sess. as last amended by section 136, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.70.140 are each amended to read as follows:

Before registering any certificate, the school district or educational service district ~~((superintendent of the county))~~, as the case may be, in which application is made ~~((for certificate))~~ shall ~~((satisfy himself))~~ be satisfied that the applicant is a person of good moral character, personal fitness, and has not been convicted of any crimes involving the physical neglect of children, physical injury of children (excepting possible motor vehicle violations), or sexual abuse of children. In the event of a refusal to register a certificate for whatsoever reason, the school district superintendent or educational service district superintendent, as the case may be,

shall immediately notify the superintendent of public instruction of ~~((his))~~ the action and shall fully and clearly state ~~((his))~~ the 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. 6. If any provision of this 1976 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the Senate March 4, 1976.

Passed the House March 3, 1976.

Approved by the Governor March 11, 1976.

Filed in Office of Secretary of State March 11, 1976.

CHAPTER 93

[Engrossed Senate Bill No. 3017]

DEPARTMENT OF SOCIAL AND HEALTH SERVICES—APPROPRIATION— MENTAL HEALTH FACILITIES

AN ACT Relating to appropriations; making an appropriation to the department of social and health services; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is hereby appropriated to the department of social and health services from the department of social and health services construction account (HJR 52), the sum of eight hundred one thousand three hundred twenty-eight dollars, or so much thereof as may be necessary, to supplement federal and local funds under Community Mental Health Centers construction grant number 10-C-530-03-1-67-0 for construction of a mental health wing at Children's Orthopedic Hospital located in Seattle, Washington and a mental health facility at Seattle Mental Health Institute.

NEW SECTION. Sec. 2. Notwithstanding the provisions of chapter 276, section 5(3)(g), Laws of 1975 1st ex. sess. (uncodified), \$800,000 appropriated from the DSHS construction account (HJR 52) to construct and equip one community health center shall not be expended.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 6, 1976.

Passed the House March 10, 1976.

Approved by the Governor March 12, 1976.

Filed in Office of Secretary of State March 12, 1976.