

CHAPTER 297.

[S. B. 224.]

PARENTAL SCHOOLS.

AN ACT relating to parental schools; providing for the acquisition of parental school facilities by the department of institutions, through the division of children and youth services and the disposal of parental school facilities by school districts; deleting from existing law the constructive attendance credit for state apportionment purposes and school district authority to operate parental schools; providing commitment and operating procedures; making an appropriation; amending section 1, chapter 135, Laws of 1953 and RCW 28.13.030, and section 4, chapter 187, Laws of 1955 and RCW 28.41.070; and repealing chapter 78, Laws of 1903 and RCW 13.12.010 through 13.12.110, and section 1, chapter 202, Laws of 1919.

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

SECTION 1. Section 1, chapter 135, Laws of 1953 and RCW 28.13.030 are each amended to read as follows:

School district officers and teachers shall cooperate with the superintendent of public instruction and with the supervisor, and shall give such aid and special attention to handicapped children as their facilities will permit.

School districts may severally or jointly purchase and own special aid equipment and materials, with the approval of the supervisor, and may pay for the same out of their general fund budget. School districts may severally or jointly employ special teachers for special aid, with the approval of the supervisor, and may pay their salaries and compensation out of their general fund budgets. School districts may severally or jointly establish and operate residential schools for aid and special attention to handicapped children, with the approval of the supervisor, and may pay for the operation of such residential schools out of their general fund budgets. School districts may make agreements with other

Vetoed.

Vetoed.

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 supervisor, 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: *Provided*, That this section shall not authorize school districts to operate parental schools.

Purchase of parental school facilities from school districts authorized.

SEC. 2. The department of institutions, through the division of children and youth services, may execute leases, with options to purchase, of parental school facilities now or hereafter owned and operated by school districts, and such leases with options to purchase shall include such terms and conditions as the director of institutions deems reasonable and necessary to acquire such facilities. Notwithstanding any provisions of the law to the contrary, the board of directors of each school district now or hereafter owning and operating parental school facilities may, without submission for approval to the voters of the school district, execute leases, with options to purchase, of such parental school facilities, and such leases with options to purchase shall include such terms and conditions as the board of directors deems reasonable and necessary to dispose of such facilities in a manner beneficial to the school district. The department of institutions, through the division of children and youth services, if it enters into a lease, with an option to purchase, of parental school facilities, may exercise its option and purchase such parental school facilities; and a school district may, if it enters into a lease, with an option to purchase, of parental school facilities, upon exercise of the

option to purchase by the department of institutions, sell such parental school facilities and such sale may be accomplished without first obtaining a vote of approval from the electorate of the school district.

SEC. 3. The department of institutions, through the division of children and youth services, may employ personnel, including but not limited to, superintendents and all other officers, agents, and teachers necessary to the operation of parental schools.

Employment of personnel authorized.

SEC. 4. There is added to chapter 13.08 RCW a new section to read as follows:

New section.

Any boy or girl between the ages of eight and eighteen years of age who has been found delinquent or guilty of any crime, except murder or manslaughter, as provided by law, may be committed by the superior court to the department of institutions, division of children and youth services, for institutional placement in such reception-diagnostic center, camp, or other facility under the supervision and control of the division as shall be designated by the supervisor of the division of children and youth services, including parental schools the transfer of which to the department of institutions has been authorized by the provisions of this act. At such time as institutional placement for any boy or girl has been designated by the supervisor, or any transfer in institutional placement shall be made, notice thereof shall be given to the committing court and to the parents or guardian of such child, or any agency legally responsible for such child.

Commitment to division of children and youth services
—Notice to court of institutional placement.

SEC. 5. There is added to chapter 13.08 RCW a new section to read as follows:

New section.

The decision of the supervisor on institutional placement or transfer of institutional placement of any child committed under this amendatory act may be reviewed by the committing court, upon the petition of the parents or guardian of such child, or any

Petition to review decision on placement.

Institutional placement of juvenile offenders. Petition to review decision on placement.

agency legally responsible for such child. Such petition must be filed within thirty days from the date of the giving of notice of institutional placement or transfer in institutional placement by the supervisor. A copy of the petition shall be served upon the supervisor of the division of children and youth services and the attorney general, either personally or by registered mail, at least ten days prior to the date set for hearing.

New section.

SEC. 6. There is added to chapter 13.08 RCW a new section to read as follows:

Court's scope of action—Appeal.

If the court finds that the decision of the supervisor on the institutional placement or transfer of institutional placement of any juvenile committed under the terms of this amendatory act is arbitrary, capricious, or contrary to law, the court may change, modify, or set aside the decision of the supervisor and the ruling of the committing court shall be appealable to the supreme court.

RCW 28.41.070 amended.

SEC. 7. Section 4, chapter 187, Laws of 1955 and RCW 28.41.070 are each amended to read as follows:

Current state fund. Ascertainment of annual total attendance credit of districts.

The total attendance credit to be allowed to each district shall be ascertained by adding:

- (1) The total number of actual days attendance in elementary schools, junior high schools and high schools therein;
- (2) An additional one-fifth times the actual days attendance in junior high schools therein;
- (3) An additional two-fifths times the actual days attendance in high schools therein;
- (4) An additional one-fifth times each hour of actual attendance in vocational classes conducted therein if approved for such attendance credit by the state board for vocational education;
- (5) Two times the actual days attendance in the thirteenth and fourteenth years in high schools approved for such years of instruction by the state board of education;

(6) Three thousand days attendance for each special service unit in remedial education, guidance, health and other special services designated by the state board of education;

Ascertainment of annual total attendance credit of districts.

(7) One-fifth days attendance for each hour's actual attendance in night school classes, part time schools, and adult education classes;

(8) One-half day of attendance for each two hours or more of actual attendance in kindergarten.

SEC. 8. Chapter 78, Laws of 1903 and RCW 13.12-.010 through 13.12.110 are each repealed.

SEC. 9. Section 1, chapter 202, Laws of 1919 is repealed.

Vetoed.

SEC. 10. This act shall take effect July 1, 1957.

Effective date.

Passed the Senate March 13, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 26, 1957, with the exception of sections 1, 8, and 9, which are vetoed.

Note: Excerpt of Governor's veto message reads as follows:

Veto message, excerpt from.

"The main purpose of Senate Bill No. 224 was to allow the Seattle school district to transfer to the department of institutions certain parental schools. This purpose is accomplished through the enactment of section 2 of Senate Bill No. 224.

"Section 1 would prevent a school district, singly or in combination with another school district, from operating parental schools. Sections 8 and 9 abolish laws enacted for the establishment and maintenance of parental or truant schools and provisions for commitment to such schools.

"I have been advised that some school districts may in the near future desire to set up and operate parental schools. I strongly believe in the principle of local control. I believe that the members of a local school district, if they so desire, should have the right to set up parental schools in their own school districts.

"For the reasons indicated I veto sections 1, 8 and 9 and approve the remainder of the bill."