

NEW SECTION. Sec. 12. There is hereby appropriated to the state board for community college education for the biennium ending June 30, 1977, from the community college capital construction account of the state general fund, the amount of nine million dollars or so much thereof as may be necessary to carry out the purposes of sections 1 through 10 of this act.

NEW SECTION. Sec. 13. 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, shall in no way be affected.

NEW SECTION. Sec. 14. 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 House May 9, 1975.

Passed the Senate May 16, 1975.

Approved by the Governor May 22, 1975.

Filed in Office of Secretary of State May 22, 1975.

CHAPTER 66

[House Bill No. 627]

COMMON SCHOOLS STUDENT TRANSFERS— APPEAL PROCEDURE—ATTENDANCE CREDIT

AN ACT Relating to student transfers within the common schools; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapters 28A.48 and 28A.58 RCW; repealing section 28A.48.040, chapter 223, Laws of 1969 ex. sess., section 8, chapter 130, Laws of 1969 and RCW 28A.48.040; and repealing section 28A.48.050, chapter 223, Laws of 1969 ex. sess., section 110, chapter 176, Laws of 1969 ex. sess. and RCW 28A.48.050.

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

NEW SECTION. Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The decision of a school district within which a student under the age of twenty-one years resides or of a school district within which such a student under the age of twenty-one years was last enrolled and is considered to be a resident for attendance purposes by operation of law, to deny such student's request for release to a nonresident school district by an agreement pursuant to RCW 28A.58.240 may be appealed to the state board of education: PROVIDED, That the school district of proposed transfer is willing to accept the student.

The state board of education or its designee shall hear the appeal and examine the evidence. The state board of education may order the resident district to release such a student who is under the age of twenty-one years in the event it finds that a special hardship or detrimental condition of a financial, educational, safety or health nature affecting the student or the student's immediate family or custodian may likely be significantly alleviated as a result of the transfer. The decision of the state board of education may be appealed to superior court pursuant to chapter 34.04 RCW, the administrative procedure act, as now or hereafter amended.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.48 RCW a new section to read as follows:

If a student under the age of twenty-one years is allowed to enroll in any common school outside the school district within which the student resides or a school district of which the student is considered to be a resident for attendance purposes by operation of law, the student's attendance shall be credited to the nonresident school district of enrollment for state apportionment and all other purposes.

NEW SECTION. Sec. 3. The following acts or parts thereof are hereby repealed:

(1) Section 28A.48.040, chapter 223, Laws of 1969 ex. sess., section 8, chapter 130, Laws of 1969 and RCW 28A.48.040; and

(2) Section 28A.48.050, chapter 223, Laws of 1969 ex. sess., section 110, chapter 176, Laws of 1969 ex. sess. and RCW 28A.48.050.

NEW SECTION. Sec. 4. 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.

Passed the House March 28, 1975.

Passed the Senate May 14, 1975.

Approved by the Governor May 22, 1975.

Filed in Office of Secretary of State May 22, 1975.

CHAPTER 67

[Substitute House Bill No. 389]

UNEMPLOYMENT COMPENSATION EXEMPTION—
NONGOVERNMENTAL PRESCHOOL EMPLOYEES

AN ACT Relating to unemployment compensation; amending section 21, chapter 3, Laws of 1971 as last amended by section 1, chapter 4, Laws of 1975 and RCW 50.44.040; and declaring an emergency.

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

Section 1. Section 21, chapter 3, Laws of 1971 as last amended by section 1, chapter 4, Laws of 1975 and RCW 50.44.040 are each amended to read as follows:

The term "employment" as used in RCW 50.44.010, 50.44.020, and 50.44.030 shall not include service performed:

(1) In the employ of (a) a church or convention or association of churches, or (b) an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches; or

(2) By a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; or

(3) In the employ of a nongovernmental educational institution, approved or accredited by the state board of education, which is not an "institution of higher education", or in the employ of a nongovernmental preschool. A preschool is an organization devoted exclusively to the area of child development training of preschool-age children through an established curriculum of formal classroom and/or laboratory instruction; or