

Moneys thus determined available for this purpose may be invested on an individual fund basis or may, unless otherwise restricted by law be commingled within one common investment portfolio for the mutual benefit of all participating funds: PROVIDED, That if such moneys are commingled in a common investment portfolio, all income derived therefrom shall be apportioned among the various participating funds in direct proportion to the amount of money invested by each.

Any excess or inactive funds on hand in the city treasury not otherwise invested for the specific benefit of any particular fund, may be invested by the city treasurer in United States government bonds, notes, bills or certificates of indebtedness for the benefit of the general or current expense fund.

NEW SECTION. Sec. 4. This 1969 amendatory act is necessary for the immediate preservation of the public peace, health and safety the support of the state government and its existing political subdivisions; and shall take effect July 1, 1969.

Passed the Senate March 26, 1969
Passed the House March 24, 1969
Approved by the Governor April 3, 1969
Filed in office of Secretary of State April 3, 1969

CHAPTER 34
[Engrossed House Bill No. 490]
EDUCATION--CERTIFICATED
EMPLOYEES--CONTRACTS

AN ACT Relating to education; amending section 3, chapter 68, Laws of 1955 as amended by section 1, chapter 241, Laws of 1961 and RCW 28.67.070; amending sections 2, 3, 5 and 6, chapter 241, Laws of 1961 and RCW 28.58.450, 28.58.460, 28.58.480 and 28.58.490; amending section 1, page 362, Laws of 1909 as amended by section 9, chapter 241, Laws of 1961 and RCW 28.88.010; adding new sections to chapters 28.19, 28.58 and 28.67 RCW; amending sections 28A.67.070, 28A.58.450, 28A.58.460, 28A.58.480, 28A.58.490 and 28A.88.010, chapter ..., Laws of 1969 (HB 58) and RCW 28A.67.070, 28A.58.450, 28A.58.460, 28A.58.480, 28A.58.490 and 28A.88.010; adding new sections to chapters 28A.19, 28A.58 and 28A.67 RCW; providing sections to

effect the correlative and pari materia construction of this act with the provisions of Title 28 RCW, or of Titles 28A and 28B RCW if such titles shall be enacted; and declaring an emergency.

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

Part I. Sections affecting current law.

Section 1. Section 3, chapter 68, Laws of 1955 as amended by section 1, chapter 241, Laws of 1961 and RCW 28.67.070 are each amended to read as follows:

No teacher, principal, supervisor, superintendent, or other certificated employee, holding a position as such with a school district, hereinafter referred to as "employee", 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 ~~or other certificate~~ required by law or the state board of education for the position for which the employee is employed.

The board shall make with each ~~((teacher))~~ employee employed by it a written contract, which shall be in conformity with the laws of this state. Every such contract shall be made in duplicate, one copy of which shall be retained by the school district clerk or secretary, and the other shall be delivered to the ~~((teacher,))~~ employee after having been approved and registered by the county or intermediate district superintendent.

Every ~~((teacher, principal, supervisor, or superintendent holding a position as such with a school district, hereinafter referred to as "employee", whose employment contract is))~~ board of directors determining that there is probable cause or causes that the employment contract of an employee should not ~~((to))~~ be renewed by the district for the next ensuing term shall ~~((be notified))~~ notify that employee in writing on or before April 15th preceding the commencement of such term of ~~((the decision))~~ that determination of the board of directors ~~((not to renew his employment))~~ , which notification shall specify ~~((sufficient))~~ the cause or causes for nonrenewal of contract. Such notice shall be served upon the

employee personally, or by certified or registered mail, (~~or to the teacher personally,~~) or by leaving a copy of the notice at the house of his or her usual abode with some person of suitable age and discretion then resident therein. ³ Every such employee so notified shall, at his or her request made in writing and filed with the clerk or secretary of the board of directors of the district within ten days after receiving such notice, be granted opportunity for hearing before the board of directors of the district, to determine whether or not the facts constitute sufficient cause or causes for nonrenewal of contract. ⁴ In the request for hearing, the employee may request either an open or closed hearing. ⁵ Such board upon receipt of such request shall call the hearing to be held within ten days following the receipt of such request, and shall at least three days prior to the date fixed for the hearing notify the employee in writing of the date, time and place of hearing. ⁶ The hearing shall be open or closed as requested by the employee, but if the employee fails to make such a request, the board may determine whether the hearing shall be open or closed. ⁷ The board may reasonably regulate the conduct of the hearing. The employee may engage such counsel and produce such witnesses as he or she may desire. ⁸ The board of directors shall, within five days following the conclusion of such hearing, 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. ⁹ Any decision not to renew such employment contract shall be based solely upon the cause or causes for nonrenewal specified in the notice of probable cause to the employee and (~~proved and~~) established by a preponderance of the evidence at the hearing to be sufficient cause or causes for nonrenewal. ¹⁰ If any such notification (~~and~~) or 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 (~~(+PROVIDED, That in union high school districts the written notification and opportunity for hearing shall be given on or before April 30th preceding the commencement of the next ensuing term)~~)).

Sec. 2. Section 2, chapter 241, Laws of 1961 and RCW 28.58-.450 are each amended to read as follows:

Every board of directors determining that there is probable cause or causes for ~~((the discharge of))~~ a teacher, principal, supervisor, ~~((or))~~ superintendent, or other certificated employee, holding a position as such with the school district, hereinafter referred to as "employee", to be discharged or otherwise adversely affected in his contract status, shall notify such employee in writing of its decision, which notification shall specify the probable cause or causes for ~~((discharge))~~ such action. Such notice shall be served upon that employee personally, or by certified or registered mail, or by leaving a copy of the notice at the house of his or her usual abode with some person of suitable age and discretion then resident therein. Every such employee so notified shall, at his or her request made in writing and filed with the clerk or secretary of the board of directors of the district within ten days after receiving such notice, be granted opportunity for hearing before the board of directors of the district, to determine whether or not there is sufficient cause or causes for his or her discharge or other adverse action against his contract status. In the request for hearing, the employee may request either an open or closed hearing. The board upon receipt of such request shall call the hearing to be held within ten days following the receipt of such request, and shall at least three days prior to the date fixed for the hearing notify such employee in writing of the date, time and place of the hearing. The hearing shall be open or closed as requested by the employee, but if the employee fails to make such a request, the board may determine whether the hearing shall be open or closed. The board may reasonably regulate the conduct of the hearing. The employee may engage

such counsel and produce such witnesses as he or she may desire. The board of directors shall, within five days following the conclusion of such hearing, notify such employee in writing of its final decision. Any decision to discharge or to take other adverse action against such employee shall be based solely upon the cause (~~for discharge~~) or causes 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 or causes for discharge or other adverse action against his contract status.

In the event any such notice (~~and~~) or opportunity for hearing is not timely given by the district, or in the event cause for discharge or other adverse action is not established by a preponderance of the evidence at the hearing, such employee shall not be discharged or otherwise adversely affected in his contract status for the causes stated in the original notice for the duration of his or her contract.

If such employee does not request a hearing as provided herein, such employee (~~shall~~) may be discharged or otherwise adversely affected as provided in the notice served upon the employee.

Sec. 3. Section 3, chapter 241, Laws of 1961 and RCW 28.58-.460 are each amended to read as follows:

Any teacher, principal, supervisor, (~~or~~) superintendent, or other certificated employee, desiring to appeal from any action or failure to act upon the part of a school board relating to the discharge or other action adversely affecting his contract status, or failure to renew that employee's contract for the next ensuing term, may, within thirty days after his or her receipt of such decision or order serve upon the clerk 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 also set forth in a clear and concise manner the errors complained of.

Sec. 4. Section 5, chapter 241, Laws of 1961 and RCW 28.58-.480 are each amended to read as follows:

Any appeal to the superior court by (~~teacher, principal, supervisor or superintendent~~) an employee shall be heard de novo by the superior court. Such appeal shall be heard expeditiously.

Sec. 5. Section 6, chapter 241, Laws of 1961 and RCW 28.58-.490 are each amended to read as follows:

The court in its discretion may award to (~~a teacher, principal, supervisor or superintendent~~) an employee a reasonable attorney's fee for the preparation and trial of his appeal, together with his taxable costs in the superior court. If the court enters judgment for the employee, in addition to ordering the school board to reinstate or issue a new contract to the employee, the court may award damages incurred by the employee by reason of the action of the school district.

Sec. 6. Section 1, page 362, Laws of 1909 as amended by section 9, chapter 241, Laws of 1961 and RCW 28.88.010 are each amended to read as follows:

Any person, or persons, (~~other than teachers, principals, supervisors and superintendents~~) either severally or collectively, aggrieved by any decision or order of any school officer or school board may, within thirty days after the rendition of such decision or order, or of the failure to act upon the same when properly presented, appeal the same to the proper officer or board as hereinafter provided. Appeals by teachers, principals, supervisors (~~or~~), superintendents, or other certificated employees from the actions of school boards with respect to discharge or other action adversely affecting their contract status, or failure to renew their contracts for the next ensuing term shall be governed by the provisions of chapter 28.58 RCW, and in all other cases shall be governed by this chapter 28.88 RCW.

NEW SECTION. Sec. 7. There is added to chapter 28.58 RCW a new section to read as follows:

In lieu of requesting a hearing before the board of directors pursuant to the provisions of RCW 28.58.450 and 28.67.070, an em-

ployee may elect to appeal the action of the board directly to the superior court of the county in which the school district is located by serving upon the clerk of the school board and filing with the clerk of the superior court a notice of appeal within ten days after receiving the notification of the action of the board. The notice of appeal shall set forth in a clear and concise manner the action appealed from. The superior court shall determine whether or not there was sufficient cause for the action of the board of directors and shall base its determination solely upon the cause or causes stated in the notice of the employee. The appeal provided in this section shall be conducted in the same manner as appeals provided in RCW 28.58.470 through 28.58.500.

NEW SECTION. Sec. 8. There is added to chapter 28.19 RCW a new section to read as follows:

No certificated employee of a county or intermediate district superintendent or board of education shall be employed except by written contract, which shall be in conformity with the laws of this state. Every such contract shall be made in duplicate, one copy of which shall be retained by the county or intermediate district superintendent and the other shall be delivered to the employee.

Every county or intermediate district superintendent or board of education determining that there is probable cause or causes that the employment contract of a certificated employee thereof is not to be renewed for the next ensuing term shall be notified in writing on or before April 15th preceding the commencement of such term of that determination, which notification shall specify the cause or causes for nonrenewal of contract. Such notice shall be served upon that employee personally, or by certified or registered mail, or by leaving a copy of the notice at the house of his or her usual abode with some person of suitable age and discretion then resident therein. The procedure and standards for the review of the decision of the superintendent or board and appeal therefrom shall be as prescribed for nonrenewal cases of teachers in this 1969 amendatory act

and in chapter 241, Laws of 1961, as amended by this 1969 amendatory act and in any amendments hereafter made thereto. Appeals may be filed in the superior court of any county in the intermediate district.

NEW SECTION. Sec. 9. There is added to chapter 28.19 RCW a new section to read as follows:

Every county or intermediate district superintendent or board of education determining that there is probable cause or causes for a certificated employee of that superintendent or board to be discharged or otherwise adversely affected in his contract status shall notify such employee in writing of its decision, which notice shall specify the cause or causes for such action. Such notice shall be served upon that employee personally, or by certified or registered mail, or by leaving a copy of the notice at the house of his or her usual abode with some person of suitable age and discretion then resident therein. The procedure and standards for review of the decision of the superintendent or board and appeal therefrom shall be as prescribed in discharge cases of teachers in this 1969 amendatory act and chapter 241, Laws of 1961, as amended by this 1969 amendatory act and in any amendments hereafter made thereto. The board of education and the county or intermediate district superintendent, respectively, shall have the duties of the boards of directors and clerks of school districts in this 1969 amendatory act and in chapter 241, Laws of 1961, as amended by this 1969 amendatory act and in any amendments hereafter made thereto. Appeals may be filed in the superior court of any county in the intermediate district.

NEW SECTION. Sec. 10. There is added to chapter 28.58 RCW a new section to read as follows:

The board of directors of any school district, its employees or agents shall not discriminate in any way against any applicant for a certificated position or any certificated employee

(1) On account of his membership in any lawful organization,
or

(2) For the orderly exercise during off-school hours of any rights guaranteed under the law to citizens generally, or

(3) For family relationship, except where covered by chapter 42.23 RCW.

The school district personnel file on any certificated employee in the possession of the district, its employees, or agents shall not be withheld at any time from the inspection of that employee.

NEW SECTION. Sec. 11. There is added to chapter 28.67 RCW a new section to read as follows:

Every board of directors, in accordance with procedure provided in RCW 28.72.030, shall establish an evaluative criteria and procedures for all certificated employees. Such procedure shall require not less than annual evaluation of all employees. New employees shall be evaluated within the first ninety calendar days of their employment. Every employee whose work is judged unsatisfactory shall be notified in writing of stated areas of deficiencies along with recommendations for improvement by February 1st of each year. A probationary period shall be established from February 1st to April 15th for the employee to demonstrate improvement.

Part II. Sections affecting proposed 1969 education code.

Sec. 12. Section 28A.67.070, chapter ..., Laws of 1969 (HB 58) and RCW 28A.67.070 are each amended to read as follows:

No teacher, principal, supervisor, superintendent, or other certificated employee, holding a position as such with a school district, hereinafter referred to as "employee", 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 or other certificate required by law or the state board of education for the position for which the employee is employed.

The board shall make with each (~~teacher~~) employee 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))~~ employee 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))~~ board of directors determining that there is probable cause or causes that the employment contract of an employee should not ~~((to))~~ be renewed by the district for the next ensuing term shall ~~((be notified))~~ notify that employee in writing on or before April 15th preceding the commencement of such term of ~~((the decision))~~ that determination of the board of directors ~~((not to renew his employment))~~, which notification shall specify ~~((sufficient))~~ the cause or causes for nonrenewal of contract. Such notice shall be served upon the employee personally, or by certified or registered mail, ~~((or to the teacher personally,))~~ or by leaving a copy of the notice at the house of his or her 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 or causes for nonrenewal of contract. In the request for hearing, the employee may request either an open or closed hearing. 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 hearing shall be open or closed as requested by the employee, but if the employee fails to

make such a request, the board may determine whether the hearing shall be open or closed. The board may reasonably regulate the conduct 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 of probable cause to the employee and ~~((proved-and))~~ established by a preponderance of the evidence at the hearing to be sufficient cause or causes for nonrenewal. If any such notification ~~((and))~~ or 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.

Sec. 13. Section 28A.58.450, chapter ..., Laws of 1969 (HB 58), and RCW 28A.58.450 are each amended to read as follows:

Every board of directors determining that there is probable cause or causes for ~~((the-discharge-of))~~ a teacher, principal, supervisor, ~~((or))~~ superintendent, or other certificated employee, holding a position as such with the school district, hereinafter referred to as "employee", to be discharged or otherwise adversely affected in his contract status, shall notify such employee in writing of its decision, which notification shall specify the probable cause or causes for ~~((discharge))~~ such action. Such notices shall be served upon that employee personally, or by certified or registered mail, or by leaving a copy of the notice at the house of his or her 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 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 sufficient cause or causes for his or her discharge or other adverse action against his contract status. In the request for hearing, the employee may request either an open or closed hearing. 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 hearing shall be open or closed as requested by the employee, but if the employee fails to make such a request, the board may determine whether the hearing shall be open or closed. The board may reasonably regulate the conduct 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 or to take other adverse action against such employee shall be based solely upon the cause or causes 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 or causes for discharge or other adverse action against his contract status.

In the event any such notice (~~and~~) or opportunity for hearing is not timely given by the district, or in the event cause for discharge or other adverse action is not established by a preponderance of the evidence at the hearing, such employee shall not be discharged or otherwise adversely affected in his contract status for the causes stated in the original notice for the duration of his or her contract.

If such employee does not request a hearing as provided herein, such employee (~~shall~~) may be discharged or otherwise adversely affected as provided in the notice served upon the employee.

Sec. 14. Section 28A.58.460, chapter ..., Laws of 1969 (HB 58) and RCW 28A.58.460 are each amended to read as follows:

Any teacher, principal, supervisor, ~~((or))~~ superintendent, or other certificated employee, desiring to appeal from any action or failure to act upon the part of a school board relating to the discharge or other action adversely affecting his contract status, or failure to renew that employee's contract for the next ensuing term, within thirty days after his or her 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.

Sec. 15. Section 28A.58.480, chapter ..., Laws of 1969 (HB 58) and RCW 28A.58.480 are each amended to read as follows:

Any appeal to the superior court by ~~((teacher, principal, supervisor or superintendent))~~ an employee shall be heard de novo by the superior court. Such appeal shall be heard expeditiously.

Sec. 16. Section 28A.58.490, chapter ..., Laws of 1969 (HB 58) and RCW 28A.58.490 are each amended to read as follows:

The court in its discretion may award to ~~((a teacher, principal, supervisor or superintendent))~~ an employee a reasonable attorney's fee for the preparation and trial of his appeal, together with his taxable costs in the superior court. If the court enters judgment for the employee, in addition to ordering the school board to reinstate or issue a new contract to the employee, the court may award damages incurred by the employee by reason of the action of the school district.

Sec. 17. Section 28A.88.010, chapter ..., Laws of 1969 (HB 58) and RCW 28A.88.010 are each amended to read as follows:

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, or other certificated employees from the actions of school boards with respect to discharge or other action adversely affecting their contract status, or failure to renew their contracts for the next ensuing term shall be governed by the appeal provisions of chapter 28A.58 RCW therefor and in all other cases shall be governed by this chapter 28A.88 RCW.

NEW SECTION. Sec. 18. There is added to chapter 28A.58 RCW a new section to read as follows:

In lieu of requesting a hearing before the board of directors pursuant to the provisions of RCW 28A.58.450 and 28A.67.070, an employee may elect to appeal the action of the board directly to the superior court of the county in which the school district is located by serving upon the clerk of the school board and filing with the clerk of the superior court a notice of appeal within ten days after receiving the notification of the action of the board. The notice of appeal shall set forth in a clear and concise manner the action appealed from. The superior court shall determine whether or not there was sufficient cause for the action of the board of directors and shall base its determination solely upon the cause or causes stated in the notice of the employee. The appeal provided in this section shall be conducted in the same manner as appeals provided in RCW 28A.58.470 through 28A.58.500.

NEW SECTION. Sec. 19. There is added to chapter 28A.19 RCW a new section to read as follows:

No certificated employee of a county or intermediate district superintendent or board of education shall be employed except by written contract, which shall be in conformity with the laws of this state. Every such contract shall be made in duplicate, one copy of which shall be retained by the county or intermediate district superintendent and the other shall be delivered to the employee.

Every county or intermediate district superintendent or board of education determining that there is probable cause or causes that the employment contract of a certificated employee thereof is not to be renewed for the next ensuing term shall be notified in writing on or before April 15th preceding the commencement of such term of that determination, which notification shall specify the cause or causes for nonrenewal of contract. Such notice shall be served upon that employee personally, or by certified or registered mail, or by leaving a copy of the notice at the house of his or her usual abode with some person of suitable age and discretion then resident therein. The procedure and standards for the review of the decision of the superintendent or board and appeal therefrom shall be as prescribed for nonrenewal cases of teachers in this 1969 amendatory act and in chapter 241, Laws of 1961, as amended by this 1969 amendatory act and in any amendments hereafter made thereto. Appeals may be filed in the superior court of any county in the intermediate district.

NEW SECTION. Sec. 20. There is added to chapter 28A.19 RCW a new section to read as follows:

Every county or intermediate district superintendent or board of education determining that there is probable cause or causes for a certificated employee of that superintendent or board to be discharged or otherwise adversely affected in his contract status shall notify such employee in writing of its decision, which notice shall specify the cause or causes for such action. Such notice shall be served upon that employee personally, or by certified or registered mail, or by leaving a copy of the notice at the house of his or her usual abode with some person of suitable age and discretion then resident therein. The procedure and standards for review of the decision of the superintendent or board and appeal therefrom shall be as prescribed in discharge cases of teachers in this 1969 amendatory act and chapter 241, Laws of 1961, as amended by this 1969 amendatory act and in any amendments hereafter made thereto. The board of education and the county or intermediate district superintendent, re-

spectively, shall have the duties of the boards of directors and clerks of school districts in this 1969 amendatory act and in chapter 241, Laws of 1961, as amended by this 1969 amendatory act and in any amendments hereafter made thereto. Appeals may be filed in the superior court of any county in the intermediate district.

NEW SECTION. Sec. 21. There is added to chapter 28A.58 RCW a new section to read as follows:

The board of directors of any school district, its employees or agents shall not discriminate in any way against any applicant for a certificated position or any certificated employee

(1) On account of his membership in any lawful organization, or

(2) For the orderly exercise during off-school hours of any rights guaranteed under the law to citizens generally, or

(3) For family relationship, except where covered by chapter 42.23 RCW.

The school district personnel file on any certificated employee in the possession of the district, its employees, or agents shall not be withheld at any time from the inspection of that employee.

NEW SECTION. Sec. 22. There is added to chapter 28A.67 RCW a new section to read as follows:

Every board of directors, in accordance with procedure provided in RCW 28A.72.030, shall establish an evaluative criteria and procedures for all certificated employees. Such procedure shall require not less than annual evaluation of all employees. New employees shall be evaluated within the first ninety calendar days of their employment. Every employee whose work is judged unsatisfactory shall be notified in writing of stated areas of deficiencies along with recommendations for improvement by February 1st of each year. A probationary period shall be established from February 1st to April 15th for the employee to demonstrate improvement.

Part III. Construction.

NEW SECTION. Sec. 23. The forty-first legislature has before it a bill proposing a complete revision of the education laws of this state (1969 HB 58). The provisions of Part I of the instant bill seek to change existing laws. The provisions of Part II seek to change correlative provisions of the proposed 1969 education code if such code becomes law. It is the intent of the legislature that the provisions of Part I shall be effective only until the date upon which the 1969 education code shall take effect, upon which date the provisions of Part I shall expire and the provisions of Part II shall concomitantly become effective. It is the further intent of the legislature that Part II of the instant bill shall not take effect unless the proposed 1969 education code is adopted at this legislature, but if such event occurs than any amendatory provisions of Part II of this bill shall be construed as amending the correlative sections of the 1969 education code, any repealing provisions of Part II shall be construed as repealing the correlative section of the 1969 education code, and any new or additional provisions of Part II shall be construed as being in pari materia with the 1969 education code.

NEW SECTION. Sec. 24. Part II of this 1969 amendatory 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 on the date upon which the 1969 education code becomes effective.

Passed the House March 14, 1969
Passed the Senate March 27, 1969
Approved by the Governor April 4, 1969
Filed in office of Secretary of State April 4, 1969

CHAPTER 35
[Engrossed Substitute House Bill No. 303]
CHILDREN, MENTALLY RETARDED PERSONS--
ABUSE, NEGLECT--REPORTING

AN ACT Relating to health and welfare of children and the mentally retarded and authorizing the reporting of suspected cases of physical abuse or neglect; amending section 1, chapter 13,