

CHAPTER 141.

[ S. H. B. 176. ]

EDUCATION—COMMON SCHOOLS.

AN ACT relating to education; providing for support of the common schools and transportation of children to schools; establishing procedures therefor; amending section 5, subchapter 9, title III, chapter 97, Laws of 1909, as amended by section 12, chapter 28, Laws of 1933, by section 2, chapter 228, Laws of 1937, and by section 1, chapter 203, Laws of 1943 (section 4936, Remington's Revised Statutes, also Pierce's Perpetual Code 889-9, 901-1, 891-19); amending section 1, chapter 93, Laws Extraordinary Session, 1925, as amended by section 10, chapter 28, Laws of 1933 (section 4680-1, Remington's Revised Statutes); amending section 3, chapter 28, Laws of 1933, as amended by section 1, chapter 77, Laws of 1943 (section 4719, Rem. Supp. 1943); repealing certain acts and parts of acts and all acts and parts of acts in conflict herewith; and declaring an emergency.

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

Current  
state school  
fund.

SECTION 1. 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, and revenues from other sources allotted thereto, shall be deposited in a fund to be known as the Current State School Fund and 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 allocate to the said Current State School Fund for the current use of the common schools from tax and other sources an amount of money, which, when added to the interest and other revenues aforesaid, shall equal the amounts payable from said fund: *Provided*, That, if, at the time of any monthly apportionments to the several counties of the state for the school districts thereof as in this act provided, there is not sufficient money available to pay such monthly apportionments in full,

the State Treasurer shall allocate to said Current State School Fund from revenues otherwise allocated to the general fund the additional amount needed to pay such apportionments in full.

SEC. 2. The State Legislature shall, at each regular session thereof, appropriate from the Current State School Fund for the current use of the common schools a sum equal to the amounts due and apportionable to the several counties of the state for the school districts thereof as in this act provided.

Appropriation from fund to counties.

SEC. 3. On or before the twentieth day of each month from September to June, inclusive, the Superintendent of Public Instruction shall apportion from the Current State School Fund to the several counties of the state one-tenth (1/10) of the total annual amount due and apportionable to such counties for the school districts thereof as in this act provided: *Provided*, That during the months of April, May, June, July and August of 1945, the Superintendent of Public Instruction shall apportion to the several counties of the state for the school districts thereof two and one-half cents (2½¢) per day's attendance based upon the County Superintendents' annual reports for the school year ending June 30, 1944, and in accordance with laws in effect at that time. The State Treasurer shall, upon receipt of necessary information from the Supervisor of Budget, on or before the fifth day of each month transfer from the General Fund to the Current State School Fund an amount of money which together with revenues of the Current State School Fund from other sources shall equal the amount due and apportionable to the several counties during such month as in this act provided.

Apportionment.

Basis.

SEC. 4. The Superintendent of Public Instruction shall each year compute the amounts due and apportionable to each school district based upon the annual reports of the County Superintendents for the pre-

ceding school year. Apportionment credit shall be allowed for not to exceed one hundred eighty (180) days during the preceding year, except for schools approved by the State Board of Education for operation during summer months, and shall be calculated as follows:

Computation  
of apportion-  
ment.

First. Thirty cents (30¢) shall be allowed for each day's attendance in the common schools of the state on the following basis:

(a) The total number of actual days' attendance in elementary schools, junior high schools and high schools.

(b) An additional one fifth ( $\frac{1}{5}$ ) times the actual days' attendance in junior high schools.

(c) An additional two-fifths ( $\frac{2}{5}$ ) times the actual days' attendance in high schools.

(d) An additional one-fifth ( $\frac{1}{5}$ ) times each hour of actual attendance in vocational classes approved for such apportionment credit by the State Board for Vocational Education.

(e) Three (3) times the actual days' attendance in parental schools where food and lodging are provided.

(f) Two (2) times the actual days' attendance in thirteenth (13th) and fourteenth (14th) years in high schools approved for such years of instruction by the State Board of Education.

(g) An additional three thousand (3,000) days' attendance for each special service unit in remedial education, guidance, health, and other special services designated by the State Board of Education. A special service unit shall consist of one full-time certificated employee performing educational or related services in accordance with standards for such services established by the State Board of Education.

(h) One-fifth ( $\frac{1}{5}$ ) of one day's attendance for each hour's actual attendance in night school classes, part-time schools and adult education classes.

(i) One-half ( $\frac{1}{2}$ ) of one day's attendance for

each two (2) hours' actual attendance in kindergarten.

Second. The amount due and apportionable as reimbursement for costs of transportation as provided by law.

Third. The amount due and apportionable as an equalization payment as provided by section 6 of this act. Computation of apportionment.

Fourth. The amount due and apportionable for educational units as provided by section 5 of this act.

Fifth. If the total school district tax levy in any school district during the preceding school year shall have been less than the maximum levy allowed by law without a vote of the people, the amounts due and apportionable to such school district under this act shall be reduced by the amount which such maximum allowable levy would have brought in excess of that obtained through the actual levy: *Provided*, That such apportionment of state funds as is currently made to such district may be continued until the time of collection of the first tax levy made after the effective date of this act.

SEC. 5. The Superintendent of Public Instruction shall compute the total number of educational units, each such unit consisting of one full-time certificated employee, that were maintained by each school district of the state during the preceding school year, and shall apportion to each county for the school districts thereof seven hundred dollars (\$700) for each such educational unit therein: *Provided*, That, for part-time educational units, one-sixth ( $\frac{1}{6}$ ) of a unit shall be allowed for each hour's service of such unit for a school year: *Provided, further*, That apportionment credit shall not be allowed for educational units in which eighty per cent (80%) or more of the certificated employee's salary is paid or reimbursed from Federal funds or sources other than the school district: *Provided, further*, That, if the Computation of apportionment.

total amount appropriated by the State Legislature for apportionments to all counties is more or less than the amount required to pay in full the apportionments under this act, the amount allowed for each educational unit under this section shall be adjusted accordingly: *Provided, further,* That all school districts shall allocate at least the same percentage of their total budgets to salaries as prevailed during the fiscal year ending June 30, 1945.

Computation  
of minimum  
district  
revenue.

SEC. 6. The County Superintendent of Schools of each county shall compute the amount needed by each school district within his county to provide it with a minimum school district revenue of twenty cents (20¢) for each day's attendance plus thirty per cent (30%) of the cost of transportation during the preceding school year as determined by section 4 of this act: *Provided,* That for the purpose of computing equalization payments every school district shall be allowed a minimum of four thousand five hundred (4,500) days' attendance for each educational unit as defined in section 5 of this act. He shall also compute the amount which, irrespective of any delinquencies, the maximum school district levy permissible without a vote of the electors would produce upon the assessed valuation of each district, without regard to any limitation imposed on the tax levy of the district by virtue of any requirements respecting the payment of bonded indebtedness. To this amount he shall add the actual receipts of the school district during the preceding school year from the county high school fund and from Federal payments in lieu of taxes, and, if this total sum is less than twenty cents (20¢) for each day's attendance computed as hereinbefore set forth plus thirty per cent (30%) of the cost of transportation during the preceding school year, the County Superintendent of Schools shall certify to the Superintendent of Public Instruction such computations and deficit, and the last actual tax levy for such district. The

Superintendent of Public Instruction shall place such deficit for such district as a charge against the Current State School Fund, and such additional amount shall be due and apportionable as an equalization payment. The State Board of Education shall establish minimum standards governing the maintenance and operation of the common schools of the state and shall also establish a schedule of minimum funds required by school districts to enable them to meet the aforesaid minimum standards: *Provided*, That no minimum standard shall include any factor depending on the location of the school or its relative location with respect to another school. Any school district in which the plan for the maintenance and operation of schools is in conformity with the aforesaid minimum standards and in which the revenues available from all sources, including the amount which the maximum school district levy as hereinbefore defined would produce as aforesaid, are less than the amount necessary to meet the aforesaid schedule of minimum funds, shall be granted by the Superintendent of Public Instruction from the Current State School Fund a sufficient additional amount which, when added to the amount of the aforesaid revenues available from all sources, shall equal the schedule of minimum funds, and such additional amount shall be apportioned at the same time and in the same manner as other equalization funds are apportioned.

Computation  
of minimum  
district  
revenue.

SEC. 7. Section 5, sub-chapter 9, title III, chapter 97, Laws of 1909, as amended by section 12, chapter 28, Laws of 1933, by section 2, chapter 226, Laws of 1937, and by section 1, chapter 203, Laws of 1943 (section 4936, Remington's Revised Statutes, also Pierce's Perpetual Code 889-9), is amended to read as follows:

Amend-  
ments.

Section 5. In the manner and at the times hereinafter provided there shall be distributed out of the State School Equalization Fund to the County

Distribution  
of revenue.

Treasurer of each county for the use and benefit of the several school districts of each such county a sum sufficient to produce one and seven-tenths cents (1.7¢) per day's attendance determined in accordance with section 4 of this act. The County Commissioners of the several counties of the State of Washington shall annually, at the time of making the tax levy for county purposes, levy a tax on all property subject to taxation in their county sufficient, with the aforesaid apportionment from the State School Equalization Fund, to produce five and two-tenths cents (5.2¢) per day's attendance as determined in accordance with section 4 of this act: *Provided*, That such tax on said property shall in no case exceed nine-tenths (9/10) of one (1) mill on each dollar of the assessed valuation: *Provided, further*, If the nine-tenths (9/10) of one (1) mill levy as aforesaid will not produce the five and two-tenths cents (5.2¢) per day's attendance, as provided herein, in any county, the deficit shall be certified by the County Commissioners to the Superintendent of Public Instruction as a charge against the State School Equalization Fund, for the schools of such county. The apportionments from the State School Equalization Fund provided for in this section shall be made as follows: The Superintendent of Public Instruction shall at the time of making regular apportionments of the Current State School Fund during the following calendar year apportion to the County Treasurer of such county one-twelfth (1/12) the amount due for the schools of said county from the State School Equalization Fund. The County Treasurer shall immediately notify the County Superintendent of Schools of the amount received, and the County Superintendent shall apportion the special allotment to the school districts of his county at the same time and upon the same basis as is used to distribute the county school funds.

SEC. 8. The County Superintendent of Schools of

each county shall certify to the County Auditor of his county the total number of days' attendance accredited to each school district as determined in accordance with section 4 of this act. The total number of days' attendance thus certified to the County Auditor shall be the basis upon which the County School Tax Levy, provided by section 7 of this act (section 4936, Remington's Revised Statutes), shall be made by the County Commissioners, and shall also be the basis upon which apportionments from the State School Equalization Fund and the county current school fund shall be made. The proceeds from the county school tax shall be placed in the county current school fund and shall be used exclusively for the support of the common schools.

SEC. 9. Within five (5) days after receiving the certificate of apportionment from the Superintendent of Public Instruction the County Superintendent of Schools shall apportion to the school districts of his county the amounts then due and apportionable to such districts as certified by the Superintendent of Public Instruction. The County Superintendent of Schools shall apportion to the school districts of his county during each of the twelve (12) months of the year the amount then available for apportionment to such districts from the county current school fund.

Distribution  
in counties.

SEC. 10. Section 1, chapter 93, Laws Extraordinary Session, 1925, as amended by section 10, chapter 28, Laws of 1933 (section 4680-1, Remington's Revised Statutes, also Pierce's Perpetual Code 901-1), is amended to read as follows:

Amend-  
ments.

Section 1. That 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

Children on  
Federal  
reservations  
or lands.



of Washington, shall be admitted to the public school, or schools, or [of] any contiguous district without payment of tuition: *Provided*, The United States authorities in charge of such reservation or park shall cooperate fully with the 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.

Budget requests.

SEC. 11. At the time other budgetary requests are submitted, the Superintendent of Public Instruction shall certify to the Governor for submission to the Legislature the total estimated amount required to carry out the purposes of this act during the ensuing biennium.

Transportation of children to schools.

SEC. 12. Section 3, chapter 28, Laws of 1933, as amended by section 1, chapter 77, Laws of 1943 (section 4719, Rem. Supp. 1943, also Pierce's Perpetual Code 891-19), is amended to read as follows:

Section 3. Transportation routes shall be established or approved by a commission to consist of a representative authorized by the local board of directors, a representative of the Superintendent of Public Instruction, and the County Superintendent of Schools under rules and regulations to be formulated by the Superintendent of Public Instruction. The commission shall cooperate with the local board of directors in establishing new routes of transportation, in approving those routes in operation and in determining costs of individual routes in which matters the action of the local board is made subject to the approval of the commission. 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 in its discretion may require pupils residing within two miles of an established route to travel to the route at

their own expense. Every district maintaining approved transportation routes shall be reimbursed by the state upon the basis of sixty per cent of the total cost of such transportation, provided such total cost may not exceed the approved total cost of transportation established by the transportation commission and shall include a reasonable allowance for the depreciation of district owned conveyances. A local district may be authorized by the County Superintendent of Schools to 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 at the discretion of the County Superintendent.

SEC. 13. All children attending school 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.

All children entitled to transportation.

SEC. 14. If any part of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity or constitutionality of the act as a whole or any part thereof not adjudicated invalid or unconstitutional.

Partial invalidity.

SEC. 15. The following statutes and parts of statutes are hereby repealed:

Acts repealed.

Section 2 of chapter 93 of the Laws of Extraordinary Session of 1925 (section 4680-2, Remington's Revised Statutes, also Pierce's Perpetual Code 901-3); section 1 of sub-chapter 5, title III, chapter 97, Laws of 1909, as amended by section 1 of chapter 118, Laws of 1911, by section 1 of chapter 96, Laws of 1923, and by section 6 of chapter 28, Laws of 1933 (section 4871, Remington's Revised Statutes, also Pierce's Perpetual Code 889-19); sections 2, 9, and 11,

Acts  
repealed.

sub-chapter 5, title III, chapter 97, Laws of 1909 (sections 4872, 4879, and 4881, Remington's Revised Statutes, also Pierce's Perpetual Code 889-21, -35, -37); section 3, sub-chapter 5, title III, chapter 97, Laws of 1909, as amended by section 5 of chapter 28, Laws of 1933 (section 4873, Remington's Revised Statutes, also Pierce's Perpetual Code 889-23); sections 7 and 8, sub-chapter 5, title III, chapter 97, Laws of 1909, as amended by sections 9 and 8 of chapter 28, Laws of 1933 (sections 4877 and 4878, Remington's Revised Statutes, also Pierce's Perpetual Code 889-31, -33); section 3, sub-chapter 9, title III, chapter 97, Laws of 1909, as amended by section 1 of chapter 2, Laws of Extraordinary Session of 1920, by section 4 of chapter 28, Laws of 1933, and by section 1 of chapter 174, Laws of 1939 (section 4934, Remington's Revised Statutes, also Pierce's Perpetual Code 889-5); section 3 of chapter 226, Laws of 1937 as amended by section 1 of chapter 255, Laws of 1943 (section 4934-4, Remington's Revised Statutes, also Pierce's Perpetual Code 889-47); sections 6 and 7 of sub-chapter 9, title III, chapter 97, Laws of 1909, as amended by sections 11 and 13 of chapter 28, Laws of 1933 (sections 4937 and 4938, Remington's Revised Statutes, also Pierce's Perpetual Code 889-11, -13); all of chapter 179, Laws of 1937 (sections 4925-21 to 4925-32, inclusive, Remington's Revised Statutes, also Pierce's Perpetual Code 894-1 to -23).

Effective  
immediately.

SEC. 16. All acts or parts of acts in conflict with this act or any part of this act are hereby repealed.

SEC. 17. This act is necessary for the immediate preservation of the public peace, health and safety, and support of the state government and its existing institutions, and shall take effect immediately.

Passed the House March 7, 1945.

Passed the Senate March 7, 1945.

Approved by the Governor March 16, 1945.