

the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 9, 1951.

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Approved by the Governor March 19, 1951.

CHAPTER 234.

[S. B. 7.]

CHILDREN AND YOUTH SERVICES.

AN ACT relating to children with behavior problems, defective and feeble-minded persons, deaf children, and blind children; providing for their custody, education, care, treatment, and rehabilitation; establishing in the department of public institutions a division to be known as the division of children and youth services; providing for the appointment, removal, and dismissal of the members and employees thereof; providing for the appointment of a supervisor thereof; prescribing his powers and duties; providing for establishment and operation of parental schools or homes, farm units, and forest camps, and diagnostic and special facilities for the treatment and rehabilitation of children with behavior problems; providing for the supervision, management, and control of the Washington State Training School, the State School for Girls, Lakeland Village, Rainier State School, the State School for the Blind, and the State School for the Deaf; creating a state council for children and youth; and prescribing its powers and duties; and creating a forest camp revolving fund.

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

Declaration
of purposes.

SECTION 1. The purposes of this act are: To provide for every child with behavior problems, defective and feeble-minded person, and deaf and blind children, within the purview of this act, such care, guidance and instruction, control and treatment as will best serve the welfare of the child or person and society; to insure non-political and qualified operation, supervision, management, and control of the Washington State Training School, the State School for Girls, Lakeland Village, Rainier State School, the

State School for the Blind, and the State School for the Deaf, and to place them under the division of children and youth services in the department of public institutions; and to provide for the persons committed or admitted to those schools that type of care, instruction, and treatment most likely to accomplish their rehabilitation and restoration to normal citizenship.

SEC. 2. Unless the context requires otherwise:

(1) "Council" means the state council for children and youth. "Council."

(2) "Department" means the department of public institutions. "Department."

(3) "Division" means the division of children and youth services. "Division."

(4) "Director" means the director of public institutions. "Director."

(5) "Supervisor" means the supervisor of children and youth services. "Supervisor."

SEC. 3. There is hereby established within the department of public institutions a new division to be known as the division of children and youth services. Division of children and youth services created.

SEC. 4. Upon the taking effect of this act, the director of public institutions shall, with the advice of the state council for children and youth which is hereinafter created, appoint and deputize an assistant director to be known as the supervisor of children and youth services. The appointment of the supervisor shall be based upon character, education, experience, ability, and aptitudes for the duties of such position. The supervisor of children and youth services shall have charge and supervision of the division of children and youth services. Assistant director as supervisor of children and youth services.

SEC. 5. All employees of the division except the supervisor and certificated teachers or employees shall be appointed through competitive examination Employees; competitive examination.

Existing personnel.

conducted by the state personnel board: *Provided*, That upon the taking effect of this act, all the personnel of the Washington State Training School, State School for Girls, Lakeland Village, Rainier State School, the State School for the Blind, and the State School for the Deaf, shall be retained as employees of the division pending determination by the supervisor as to their permanent status, which is dependent also upon their ability within one year to meet the requirements for their respective positions according to the standards established by the state personnel board with the advice of the supervisor.

Basis of appointments.

SEC. 6. All appointments to employment in the division shall be based upon character, education, experience, ability, personality, temperament, and aptitude for the respective positions and without regard to political affiliation. The state personnel board, with the advice of the supervisor, shall establish the requirement standards for each classification.

State personnel board; establishment of requirement standards.

Board to designate the classifications.

SEC. 7. The state personnel board, with the advice of the supervisor, shall designate the title of the classifications of the various employees in the division and the number of positions there are in each classification. Separate examinations shall be conducted by the state personnel board for each classification, or they may be combined as the state personnel board may elect.

Examinations.

Supervisor to select employees; list of eligibles.

SEC. 8. The supervisor, or the subordinate designated by him, shall select the employees of the division from the list of eligibles furnished by the state personnel board. If there is no list of eligibles when a vacancy occurs, he may hire any available person, if, in his opinion, that person is able to perform the work in a satisfactory manner and has the minimum qualifications of the position to which he is appointed.

SEC. 9. Any employee selected from an eligibility list furnished by the state personnel board shall be

subject to a probationary period of six months before becoming an employee on permanent status. An employee so certified shall, within six months, pass a qualifying examination conducted by the state personnel board.

Probationary period.

Qualifying examination.

SEC. 10. Any employee other than one selected from an eligibility list furnished by the state personnel board, shall be on a temporary status unless after a six months probationary period, the supervisor, with the approval of the director, shall certify him for a permanent status.

Employees not on an eligibility list.

SEC. 11. No employee on permanent status shall be discharged, except for cause, and then only after hearing by the state personnel board, or the person or persons designated by it, if demanded.

Discharge of an employee on permanent status.

SEC. 12. In the event that the legislature enacts a merit or civil service system which includes the employees of the division, the provisions of this act in conflict with such merit or civil service system shall be deemed to be thereby superseded.

Merit system; act superseded, when.

SEC. 13. The division of children and youth services shall establish, maintain, operate and administer a comprehensive program for the custody, care, education, treatment, instruction, guidance, control and rehabilitation of all persons who may be committed or admitted to institutions, schools, or other facilities controlled and operated by the division and in order to accomplish these purposes, the powers and duties of the supervisor of the division of children and youth services shall include the following:

Purpose of division of youth services.

Powers and duties of supervisor.

(a) The assembling, analyzing, tabulating, and reproduction in report form, of statistics and other data with respect to children with behavior problems in the state of Washington, including, but not limited to, the extent, kind, and causes of such behavior problems in the different areas and population centers of the state. Such reports shall not be open to

Behavior problem reports.

Reports closed.

public inspection, but shall be open to the inspection of the director, supervisor, governor, council, and to the superior court judges of the state of Washington.

Maintenance of diagnostic facilities and services.

(b) The establishment and supervision of diagnostic facilities and services in connection with the custody, care, and treatment of defective, feeble-minded, and behavior problem children who may be committed or admitted to any of the institutions, schools, or facilities controlled and operated by the division, or who may be referred for such diagnosis and treatment by any superior court of this state. Such diagnostic services may be established in connection with, or apart from, any other state institution under the supervision and direction of the director. Such diagnostic services shall be available to the superior courts of the state for persons referred for such services by them prior to commitment, or admission to, any school, institution, or other facility. Such diagnostic services shall also be available to other departments of the state.

Supervision of persons in division operated institutions.

(c) The supervision of all persons committed or admitted to any institution, school, or other facility operated by the division, and the transfer of such persons from any such institution, school, or facility to any other such school, institution, or facility: *Provided*, That where a person has been committed to a minimum security institution, school, or facility by any of the superior courts of this state, a transfer to a close security institution shall be made only with the consent and approval of such court. This shall not apply to the State School for the Deaf or the State School for the Blind.

Persons committed to minimum security institutions; transfer of.

Supervision of release and post-institutional placement.

(d) The supervision of parole, discharge, or other release, and the post-institutional placement of all persons committed to the Washington State Training School and the State School for Girls, or such as may be assigned, paroled, or transferred therefrom to other facilities operated by the division.

The State Training School and the State School for Girls are hereby designated as "close security" institutions to which shall be given the custody of children with the most serious behavior problems.

Schools designated as "close security" institutions.

SEC. 14. The division of children and youth services, in order to provide educational facilities for persons admitted or committed to any of the institutions, schools or facilities herein provided, is authorized either to:

Powers to secure educational facilities.

(a) enter into an agreement with the local school district within which the institution is situated or with any other local school district conveniently located in the region, or

Contract with school districts.

(b) provide a comprehensive school program in connection with any institution as if that institution were itself a local school system.

Provide a comprehensive school program.

In the event that either option is exercised, all teachers shall meet all certification requirements and the program shall conform to the usual standards defined by law or by regulations of the state board of education or the office of the state superintendent of public instruction, and/or other recognized national certifying agencies.

Teacher qualifications.

SEC. 15. The department, through the division, shall have power to acquire, establish, maintain, and operate "minimum security" facilities for the care, custody, education, and treatment of children with less serious behavior problems. Such facilities may include parental schools or homes, farm units, and forest camps. Admission to such minimum security facilities shall be by juvenile court commitment or by transfer as herein otherwise provided. In carrying out the purposes of this section, the department may establish or acquire the use of such facilities by gift, purchase, lease, contract, or other arrangement with existing public entities, and to that end the director may execute necessary leases, contracts, or other agreements. In establishing forest camps, the

Acquisition of "minimum security" facilities.

Admission.

Methods of acquisition.

Forest camps.

department may contract with other divisions of the state and the federal government; including, but not limited to, the state division of forestry, the state parks and recreation commission, the U. S. forest service, and the national park service, on a basis whereby such camps may be made as nearly as possible self-sustaining. Under any such arrangement the contracting agency shall reimburse the department for the value of services which may be rendered by the inmates of a camp and all such reimbursements shall be credited to a "forest camp revolving fund," which fund is hereby created, and out of which funds may be disbursed towards the cost of operation and maintenance of the camp.

Department to be reimbursed for value of inmates' services.

Forest camp revolving fund.

Contracts with other agencies.

SEC. 16. In carrying out the provisions of this act, the department, through the division, shall have power to contract with other divisions or departments of the state or its political subdivisions, with any agency of the federal government, or with any private social agency.

State council for children and youth.

Terms.

Membership.

Vacancies.

Expenses.

SEC. 17. There is hereby created a state council for children and youth which shall consist of twenty-one members to be appointed by the governor. Of the members initially appointed, the governor shall designate seven to serve for terms of six years, seven to serve for terms of four years, and seven to serve for terms of two years. Thereafter, the terms of all members shall be for six years. Membership of the council shall be representative of and chosen from all congressional districts of the state in so far as practicable. Vacancies shall be filled by the governor for the remainder of unexpired terms. Upon their appointment and qualification, the members of the council for children and youth shall meet at Olympia and organize by the election of a chairman and secretary. Members of the council shall be entitled to their necessary traveling expenses and expenses of subsistence while engaged upon the performance of

their official duties. The council shall fix the times it will regularly meet but it shall meet in regular session at least twice a year. Special meetings may be held at the call of the chairman.

Meetings.

SEC. 18. The state council for children and youth shall:

Duties of council.

(a) Advise with, and formulate and recommend policies to, the director of public institutions and supervisor of children and youth services in relation to the custody, care, education, treatment, and rehabilitation of youth.

Recommend policies.

(b) Develop and recommend programs designed to provide, strengthen, and coordinate such services as are deemed essential to the children and youth of the state, and to that end, cooperate with existing agencies, and to encourage and assist the organization of committee units in the several counties of the state for local study and examination of youth problems.

Develop programs for coordinating services.

Local committee units.

(c) Collect and collaborate with other agencies and with special local committee units in collecting statistics and information regarding the behavior problems of children and the underlying causes thereof.

Collect statistics on behavior problems.

(d) Make continuous studies of the educational, health, recreational, economic, and working conditions of children and youth with the object in view of recommending the adoption of measures designed to correct the behavior problems of children.

Continuous studies of working conditions etc., of children.

(e) Make such surveys as may be deemed necessary to enable it to properly carry out its policy-making and recommendatory powers.

Surveys.

(f) Advise and consult with the director in the appointment of the supervisor.

Advise director.

SEC. 19. Nothing in this act shall be construed as limiting the right of a parent, guardian or person standing in *loco parentis* in providing any medical or

Parents' rights not affected by act.

other remedial treatment recognized or permitted under the laws of this state.

Application of juvenile court law.

SEC. 20. This act shall be construed in connection with and supplemental to the juvenile court law as embraced in chapter 160, Laws of 1913, as amended (Remington's Revised Statutes, sections 1987-1 to 1987-18, inclusive). Process, procedure, probation by the court prior to commitment, and commitment shall be as provided therein. The terms "delinquency," "delinquent" and "delinquent children" as used and applied in the juvenile court law and the terms "behavior problems" and "children with behavior problems" as used herein are synonymous and interchangeable.

Terms used synonymously.

Passed the Senate February 8, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 19, 1951.

CHAPTER 235.

[S. B. 218.]

REMOVAL OF SLASH IN FORESTED AREAS.

AN ACT relative to the liability of persons responsible for slash in forested area; and amending section 76.04.370, R.C.W.

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

Amendment.

SECTION 1. Section 76.04.370 of the Revised Code of Washington, derived from section 4 of chapter 105 of the Laws of 1917, as last amended by section 1 of chapter 58 of the Laws of 1939, is hereby amended to read as follows:

Debris declared fire hazard.

Any land in the state covered wholly or in part by inflammable debris created by logging or other forest operations, land clearing, or right-of-way clearing and which by reason of such condition is likely to further the spread of fire and thereby en-