

CHAPTER 68.

[H. B. 55.]

SCHOOL DISTRICTS—CONDITIONS AND CONTRACTS
OF EMPLOYMENT.

AN ACT relating to conditions and contracts of employment in school districts; providing for notice of nonrenewal of contracts and opportunity for board hearings; amending section 5, page 307, Laws of 1909 and section 1, chapter 52, Laws of 1943 and RCW 28.58.100 and 28.67.070, and declaring an emergency.

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

SECTION 1. Section 5, page 307, Laws of 1909 and section 1, chapter 52, Laws of 1943, (heretofore divided, combined and codified as RCW 28.58.100 and 28.67.070) are amended to read as set forth in sections 2 and 3 of this act. Amendment.

SEC. 2. (RCW 28.58.100) Every board of directors, unless otherwise specially provided by law, shall: Enacted without amendment.

(1) Employ for not more than one year, and for sufficient cause discharge teachers, and fix, alter, allow and order paid their salaries and compensation;

(2) Enforce the rules and regulations prescribed by the superintendent of public instruction and the state board of education for the government of schools, pupils and teachers, and enforce the course of study lawfully prescribed for the schools of their districts;

(3) Rent, repair, furnish and insure schoolhouses and employ janitors, laborers and mechanics;

(4) Cause all school houses to be properly heated, lighted and ventilated, and cause all school premises to be maintained in a cleanly and sanitary condition;

(5) Purchase personal property in the name of the district and receive, lease, issue and hold for their district real and personal property;

(6) Suspend or expel pupils from school who refuse to obey the rules thereof;

(7) Provide free textbooks and supplies to be loaned to the pupils of the school, when in its judgment the best interests of the district will be subserved thereby, prescribe rules and regulations to preserve such books and supplies from unnecessary damage and provide for the expenditure of a reasonable amount for suitable commencement exercises;

(8) Require all pupils to be furnished with such books as may have been adopted by the lawful authority of this state;

(9) Exclude from schools and school libraries all books, tracts, papers and other publications of immoral or pernicious tendency;

(10) Authorize schoolrooms to be used for summer or night schools, or for public, literary, scientific, religious, political, mechanical or agricultural meetings, under such regulations as the board of directors may adopt;

(11) Provide and pay for transportation of children to and from school whether such children live within or without the district when in its judgment the best interests of the district will be subserved thereby, but the board is not compelled to transport any pupil living within two miles of the school-house.

When children are transported from one school district to another the board of directors of the respective districts may enter into a written contract providing for a division of the cost of such transportation between the districts.

Whenever any school children are transported by the school district in its own motor vehicles and by its own employees, the board may provide insurance to protect the district against loss by reason of theft, fire or property damage to the motor vehicle, and to protect the district against loss by reason of liability of the district to persons from the operation of such motor vehicle.

If the transportation of children is arranged for by contract of the district with some person, the board may require such contractor to procure liability, property, collision or other insurance for the motor vehicle used in such transportation;

(12) Establish and maintain night schools whenever it is deemed advisable;

(13) Make arrangements for free instruction in lip reading to adults handicapped by defective hearing whenever in its judgment such instruction appears to be in the best interests of the school district and adults concerned: *Provided*, That in the apportionment of the current school fund each district maintaining such classes for free instruction in lip reading shall be credited with one full day's attendance for each day's attendance of two hours or more;

(14) Join with boards of directors of other school districts in buying supplies, equipment and services collectively, by establishing and maintaining a joint purchasing agency or otherwise, when deemed to be for the best interests of the district.

SEC. 3. (RCW 28.67.070) No teacher 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.

Conditions and contracts of employment of teachers.

The board shall make with each teacher 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, after having been approved and registered by the county superintendent.

Every teacher, principal, supervisor, or superintendent holding a position as such with a school district, hereinafter referred to as "employee", whose

Nonrenewal of contracts of certain employees.

employment contract is not to be renewed by the district for the next ensuing term shall be notified in writing on or before April 15th preceding the commencement of such term of the decision of the board of directors not to renew his employment which notification shall specify sufficient cause or causes for nonrenewal of contract. 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 for nonrenewal of contract. 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 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 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 to the employee and proved and established at the hearing.

Failure to give notice of non-renewal and opportunity for hearing. If such notification and 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. 4. This act is necessary for the immediate Emergency.
preservation of the public peace, health and safety, support of the state government and its existing public institutions and shall take effect immediately.

Passed the House February 8, 1955.

Passed the Senate February 24, 1955.

Approved by the Governor March 3, 1955.

CHAPTER 69.

[Sub. H. B. 21.]

FIRST CLASS CITIES—POLICE PENSIONS AND BENEFITS.

AN Act relating to municipal corporations; providing certain benefits and pensions for members of police departments of cities of the first class; and amending section 1, chapter 18, Laws of 1911 and RCW 41.20.010, and section 12, chapter 39, Laws of 1909 and RCW 41.20.040, and section 1, chapter 45, Laws of 1945 and RCW 41.20.050, and section 2, chapter 24, Laws of 1937 and RCW 41.20.060, and section 3, chapter 24, Laws of 1937 and RCW 41.20.080, and section 5, chapter 40, Laws of 1915 and RCW 41. 20.120, and section 1, chapter 30, Laws of 1933 and RCW 41.20.130; and adding a new section to chapter 41.20 RCW.

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

SECTION 1. Section 1, chapter 18, Laws of 1911 Amendment.
and RCW 41.20.010 are each amended to read as follows:

(1) The mayor, clerk, treasurer, president of the city council of each city of the first class, or in case any such city has no city council, the commissioner who has supervision of the police department, together with three members of the police department, to be elected as herein provided, in addition to the Board of trustees; membership.
duties now required of them, are constituted a board Duties.
of trustees of the relief and pension fund of the police department of each such city, and shall provide for