

CHAPTER 158.

[Substitute Senate Bill No. 308.]

STATE BOARD OF EDUCATION—SUPERINTENDENT OF PUBLIC INSTRUCTION.

AN ACT relating to education; amending section 3, chapter 258, Laws of 1947 as amended by section 4, chapter 218, Laws of 1955 and RCW 28.04.060; amending section 2, page 235, Laws of 1909 and RCW 28.04.090; amending section 4, page 234, Laws of 1909 and RCW 28.03.020; amending section 3, page 231, Laws of 1909 and RCW 28.03.030; and repealing section 4, chapter 89, Laws of 1919 and RCW 28.05.042.

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

Section 1. Section 3, chapter 258, Laws of 1947 as amended by section 4, chapter 218, Laws of 1955 and RCW 28.04.060 are each amended to read as follows:

RCW 28.04.060 amended.

Each member of the state board of education shall be elected by a majority of the electoral points accruing from all the votes cast at the election for all candidates for the position. All votes shall be cast by mail addressed to the superintendent of public instruction and no votes shall be accepted for counting if postmarked after the sixteenth day of October following the call of the election. The superintendent of public instruction and an election board comprised of three persons appointed by the state board of education shall count and tally the votes and the electoral points accruing therefrom not later than the twenty-fifth day of October in the following manner: Each vote cast by a school director shall be accorded as many electoral points as there are enrolled students in that director's school district on the last day for filing declarations of candidacy under RCW 28.04.040; the electoral points shall then be tallied for each candidate as the votes are counted; and it shall be the majority of electoral points which determines the winning candidate. If no candidate receives a majority of the possible

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electoral points, then, not later than the first day of November, the superintendent of public instruction shall call a second election to be conducted in the same manner and at which the candidates shall be the two candidates receiving the highest number of electoral points accruing from such votes cast. No vote cast at such second election shall be received for counting if postmarked after the sixteenth day of November and the votes shall be counted as hereinabove provided on the twenty-fifth day of November. The candidate receiving a majority of electoral points accruing from the votes at any such second election shall be declared elected. Within ten days following the count of votes in an election at which a member of the state board of education is elected, the superintendent of public instruction shall certify to the secretary of state the name or names of the persons elected to be members of the state board of education.

RCW 28.04.090
amended.

Sec. 2. Section 2, page 235, Laws of 1909 and RCW 28.04.090 are each amended to read as follows:

Ex officio pres-
ident and chief
executive offi-
cer of the
board.

The superintendent of public instruction shall be ex officio president and the chief executive officer of the board, and shall furnish all necessary record books and blanks for its use, and shall represent the board in directing the work of high school inspection.

RCW 28.03.020
amended.

Sec. 3. Section 4, page 234, Laws of 1909 and RCW 28.03.020 are each amended to read as follows:

Superintend-
ent of public
instruction—
Assistants,
deputy, subor-
dinates.

The superintendent of public instruction may appoint assistant superintendents of public instruction, a deputy superintendent of public instruction, and may employ such other assistants and clerical help as are necessary to carry out the duties of the superintendent and the state board of education. The assistant superintendents, deputy superintendent, and such other officers and employees as are exempted

from the provisions of chapter 41.06 RCW, shall serve at the pleasure of the superintendent.

Sec. 4. Section 3, page 231, Laws of 1909 and RCW 28.03.030 are each amended to read as follows:

The powers and duties of the superintendent of public instruction shall be:

RCW 28.03.030 amended.
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(1) To have supervision over all matters pertaining to the public schools of the state.

(2) To report biennially to the governor on or before the first day of November preceding the regular session of the legislature, of which report five thousand copies shall be printed and delivered to the superintendent of public instruction, who shall furnish one copy to be deposited in the state library, one copy to each county superintendent of schools and one copy to each district library. Said report shall contain a statement of the general condition of the public schools of the state, with full statistical tables by counties showing the number of schools and the attendance, the state and county funds apportioned, amount received from special tax and from other sources, amount expended for salaries of teachers, the salaries paid by the several counties to the county superintendent of schools and the amount paid for incidentals and expenses; the amount paid for building and providing school houses with furniture and apparatus, the amount of bonded and other school indebtedness, with the rate of interest paid thereon, the reports of all state educational institutions, or such portions of them as he may think advisable, together with such other facts as he may deem of general interest. He shall also include in his report a statement of plans for the management and improvement of the schools.

(3) To prepare and have printed such blanks, forms, registers, courses of study, rules and regulations for the government of the common schools, questions prepared for the examination of teachers,

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and such other blanks and books as may be necessary for the discharge of the duties of teachers and officers charged with the administration of the laws relating to the common schools, and to distribute the same to the county superintendents.

(4) To travel, without neglecting his other official duties as superintendent of public instruction, for the purpose of attending educational meetings or conventions, of visiting schools, of consulting county superintendents or other school officers.

(5) To submit to the state auditor a monthly statement of his expenditures for traveling expenses.

(6) To cause to be printed with an appendix of appropriate forms and instructions for carrying into execution the laws relating to public schools, and to distribute to each county superintendent a sufficient number of copies to supply each district officer, and to cause the same to be printed and distributed as often as any change in the laws shall make it of sufficient importance, in his opinion, to justify the same.

(7) To act as ex officio president and the chief executive officer of the state board of education.

(8) To hold, annually, a convention of the county superintendents of the state at such time and place as he may deem convenient, for the discussion of questions pertaining to supervision and the administration of the school laws and such other subjects affecting the welfare and interests of the common schools as may be brought before it. Said convention shall continue in session not less than two days nor more than three days at the option of the superintendent of public instruction. It shall be the duty of every county superintendent in this state to attend said convention during its entire session, and any county superintendent who attends the conven-

tion shall receive actual traveling expenses in attending said convention.

(9) He shall file all papers, reports and public documents transmitted to him by the school officers of the several counties of the state, each year separately. Copies of all papers filed in his office, and his official acts, may be certified by him and attested by his official seal, and when so certified shall be evidence equally and in like manner as the original paper.

(10) To require annually, on or before the 15th day of August, of the president, manager, or principal of every educational institution in this state, a report of such facts arranged in such form as he may prescribe, and he shall furnish blanks for such reports; and it is hereby made the duty of every president, manager or principal, to fill up and return such blanks within such time as the superintendent of public instruction shall direct.

(11) To keep in his office a directory of all boards of regents and trustees of state educational institutions, of the faculties of said institutions, and of all teachers receiving certificates to teach in the common schools of this state.

(12) To issue certificates as provided by law.

(13) To keep in his office at the capital of the state, all books and papers pertaining to the business of his office, and to keep and preserve in his office a complete record of statistics, and all matters pertaining to the educational interest of the state, as well as a record of the meetings of the state board of education.

(14) To decide all points of law which may be submitted to him in writing by any county superintendent, or that may be submitted to him by any other person, upon appeal from the decision of any county superintendent; and he shall publish his rulings and decisions from time to time for the infor-

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mation of school officers and teachers; and his decision shall be final unless set aside by a court of competent jurisdiction.

(15) To administer oaths and affirmations in the discharge of his official duties.

(16) To deliver over to his successor, at the expiration of his term of office, all records, books, maps, documents and papers of whatever kind belonging to his office or which may have been received by him for the use of his office.

(17) To prepare and from time to time to revise a state manual of Washington, which shall be sold at actual cost of publication and distribution, said manual to contain a sketch of the history of the state, an outline of the Constitution of the state, excerpts from the school code, the courses of study and rules for the general government of the common schools, a map of the state, and a map of the topography of the state, and such other matter as the state superintendent or the state board of education from time to time shall determine.

(18) To make certified copies of papers filed in his office attested by his official seal.

(19) To perform such other duties as may be required by law.

Repeal.

Sec. 5. Section 4, chapter 89, Laws of 1919 and RCW 28.05.042 are each hereby repealed.

Severability.

Sec. 6. 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 Senate March 2, 1967.

Passed the House March 7, 1967.

Approved by the Governor March 21, 1967.