

inadvertent omission.

Passed the House January 27, 1970
Passed the Senate February 4, 1970
Approved by the Governor February 12, 1970
Filed in Office of Secretary of State February 12, 1970

CHAPTER 15
[House Bill No. 41]
EDUCATION--CODE CORRECTIONS

AN ACT Relating to education; reenacting section 10, page 368, Laws of 1909 as amended by section 39, chapter 176, Laws of 1969 ex. sess. and section 42, chapter 199, Laws of 1969 ex. sess. and RCW 28.27.102; reenacting section 3, chapter 276, Laws of 1959 as last amended by section 40, chapter 176, Laws of 1969 ex. sess. and section 1, chapter 184, Laws of 1969 ex. sess. and RCW 28.48.010; reenacting section 2, chapter 68, Laws of 1955 as last amended by section 1, chapter 53, Laws of 1969 and section 1, chapter 153, Laws of 1969 ex. sess. and RCW 28-.58.100; reenacting section 3, chapter 68, Laws of 1955 as last amended by section 1, chapter 15, Laws of 1969 ex. sess., section 1, chapter 34, Laws of 1969 ex. sess. and section 69, chapter 176, Laws of 1969 ex. sess. and RCW 28.67.070; reenacting section 14, chapter 8, Laws of 1967 ex. sess. as amended by section 8, chapter 261, Laws of 1969 ex. sess. and section 22, chapter 283, Laws of 1969 ex. sess. and RCW 28.85-.140; reenacting section 34, chapter 8, Laws of 1967 ex. sess. as amended by section 12, chapter 261, Laws of 1969 ex. sess. and section 2, chapter 283, Laws of 1969 ex. sess. and RCW 28-.85.340; reenacting section 35, chapter 8, Laws of 1967 ex. sess. as amended by section 35, chapter 232, Laws of 1969 ex. sess. and section 13, chapter 261, Laws of 1969 ex. sess. and RCW 28.85.350; reenacting section 36, chapter 8, Laws of 1967 ex. sess. as last amended by section 14, chapter 261, Laws of 1969 ex. sess. and section 1, chapter 276, Laws of 1969 ex. sess. and RCW 28.85.360; reenacting section 6, page 359, Laws of 1909 as amended by section 76, chapter 176, Laws of 1969 ex.

sess. and section 47, chapter 199, Laws of 1969 ex. sess. and RCW 28.87.030; reenacting section 1, page 357, Laws of 1909 as amended by section 78, chapter 176, Laws of 1969 ex. sess. and section 49, chapter 199, Laws of 1969 ex. sess. and RCW 28.87.070; reenacting section 3, page 357, Laws of 1909 as amended by section 79, chapter 176, Laws of 1969 ex. sess. and section 50, chapter 199, Laws of 1969 ex. sess. and RCW 28.87.080; reenacting section 28A.02.070, chapter 223, Laws of 1969 ex. sess. as amended by section 101, chapter 176, Laws of 1969 ex. sess. and section 24, chapter 283, Laws of 1969 ex. sess. and RCW 28A.02.070; reenacting section 28A.27-.102, chapter 223, Laws of 1969 ex. sess. as amended by section 107, chapter 176, Laws of 1969 ex. sess. and section 53, chapter 199, Laws of 1969 ex. sess. and RCW 28A.27.102; reenacting section 28A.48.010, chapter 223, Laws of 1969 ex. sess. as amended by section 108, chapter 176, Laws of 1969 ex. sess. and section 3, chapter 184, Laws of 1969 ex. sess. and RCW 28A.48.010; reenacting section 28A.67.070, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 15, Laws of 1969 ex. sess., section 12, chapter 34, Laws of 1969 ex. sess. and section 143, chapter 176, Laws of 1969 ex. sess. and RCW 28A.67.070; reenacting section 28B.50.140, chapter 223, Laws of 1969 ex. sess. as amended by section 23, chapter 261, Laws of 1969 ex. sess. and section 30, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.140; reenacting section 28B-.50.340, chapter 223, Laws of 1969 ex. sess. as amended by section 6, chapter 238, Laws of 1969 ex. sess. and section 26, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.340; reenacting section 28B.50.350, chapter 223, Laws of 1969 ex. sess. as amended by section 106, chapter 232, Laws of 1969 ex. sess. and section 27, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.350; reenacting section 28B.50.360, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 238, Laws

of 1969 ex. sess. and section 28, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.360; reenacting section 28A.87.030, chapter 223, Laws of 1969 ex. sess. as amended by section 147, chapter 176, Laws of 1969 ex. sess. and section 56, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.030; reenacting section 28A.87.080, chapter 223, Laws of 1969 ex. sess. as amended by section 149, chapter 176, Laws of 1969 ex. sess. and section 59, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.080; amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.10.080; amending sections 1 and 4, chapter 105, Laws of 1969 as codified in RCW 28A.10.100 and 28A.10.110 and RCW 28A.10.100 and 28A.10.110; amending section 28A.47.784, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 77, Laws of 1969 and RCW 28A.47.784; amending section 28B.10.280, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 222, Laws of 1969 ex. sess. and RCW 28B.10.280; adding a new section to chapter 28B.40 RCW; repealing sections 28B.75.010 through 28B.75.070, chapter 223, Laws of 1969 ex. sess. and RCW 28B.75.010 through 28B.75.070; declaring an emergency; making effective dates; and providing for the expiration of certain sections.

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

Section 1. Section 10, page 368, Laws of 1909 as amended by section 39, chapter 176, Laws of 1969 ex. sess. and section 42, chapter 199, Laws of 1969 ex. sess. and RCW 28.27.102 are each reenacted to read as follows:

Any superintendent, teacher or attendance officer, who shall fail or refuse to perform the duties prescribed by RCW 28.27.010 through 28.27.130 shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not less than twenty nor more than one hundred dollars: PROVIDED, That in case of a district officer, such fine shall be paid to the county treasurer and by him placed to the

credit of the school district in which said officer resides, and in case of other officers such fine shall be paid to the county treasurer of the county in which the intermediate school district headquarters office is located and by him placed to the credit of the general school fund of the intermediate school district: PROVIDED, FURTHER, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 2. Section 3, chapter 276, Laws of 1959 as last amended by section 40, chapter 176, Laws of 1969 ex. sess. and section 1, chapter 184, Laws of 1969 ex. sess. and RCW 28.48.010 are each reenacted to read as follows:

On or before the last business day of September, 1969 and each month thereafter, the superintendent of public instruction shall apportion from the current state school fund and/or the state general fund to the several intermediate school districts of the state the proportional share of the total annual amount due and apportionable to such intermediate school districts for the school districts thereof as follows:

| | | |
|-----------------|-----|---|
| September | 10 | % |
| October | 8 | % |
| November | 6.5 | % |
| December | 6.5 | % |
| January | 13 | % |
| February | 13 | % |
| March | 11 | % |
| April | 5 | % |
| May | 5 | % |
| June | 5 | % |
| July | 8.5 | % |
| August | 8.5 | % |

The annual amount due and apportionable shall be the amount

apportionable for all apportionment credits estimated to accrue to the schools during a year beginning September first and continuing through August thirty-first. Appropriations made for school districts for the biennium beginning July 1, 1969, and ending June 30, 1971, shall consist of the monthly apportionments due for July and August of 1969 plus the apportionments due for twenty-two months beginning with September, 1969 and ending with June, 1971. The apportionment from the state general fund for each month shall be an amount which together with the revenues of the current state school fund will equal the amount due and apportionable to the several intermediate school districts during such month: PROVIDED, That any school district may, through its intermediate school district superintendent, petition the superintendent of public instruction for an emergency advance of funds which may become apportionable to it but not to exceed five percent of the total amount to become due and apportionable during the school district's fiscal year. The superintendent of public instruction shall determine if the emergency warrants such advance, and if the funds are available therefor, and if he determines in the affirmative he may approve such advance and at the same time add such an amount to the apportionment for the intermediate school district in which the district is located.

Sec. 3. Section 2, chapter 68, Laws of 1955 as last amended by section 1, chapter 53, Laws of 1969 and section 1, chapter 153, Laws of 1969 ex. sess. and RCW 28.58.100 are each reenacted to read as follows:

Every board of directors, unless otherwise specially provided by law, shall:

(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 schoolhouses 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. This subsection shall be construed to include, but shall not be limited to, the right to suspend or expel pupils for the violation of reasonable rules relative to discipline or scholarship;

(7) Provide for the expenditure of a reasonable amount for suitable commencement exercises;

(8) Prepare, negotiate, set forth in writing and adopt, policy relative to the selection of instructional materials. Such policy shall:

(a) State the school district's goals and principles relative to instructional materials;

(b) Delegate responsibility for the preparation and recommendation of teachers' reading lists and specify the procedures to be followed in the selection of all instructional materials including textbooks;

(c) Establish an instructional materials committee to be appointed, with the approval of the school board, by the school district's chief administrative officer. This committee shall consist of representative members of the district's professional staff, including representation from the district's curriculum development committees, and, in the case of districts which operate elementary school(s) only, the intermediate school district superintendent,

one of whose responsibilities shall be to assure the correlation of those elementary district adoptions with those of the high school district(s) which serve their children;

(d) Provide for terms of office for members of the instructional materials committee;

(e) Provide a system for receiving, considering and acting upon written complaints regarding instructional materials used by the school district;

(f) Provide free textbooks, supplies and other instructional materials to be loaned to the pupils of the school, when, in its judgment, the best interests of the district will be subserved thereby and prescribe rules and regulations to preserve such books, supplies and other instructional materials from unnecessary damage.

Recommendation of instructional materials shall be by the district's instructional materials committee in accordance with district policy. Approval shall be by the local school district's board of directors.

Districts may pay the necessary travel and subsistence expenses for expert counsel from outside the district. In addition, the committee's expenses incidental to visits to observe other districts' selection procedures may be reimbursed by the school district.

Districts may, within limitations stated in board policy, use and experiment with instructional materials for a period of time before general adoption is formalized.

Within the limitations of board policy, a school district's chief administrator may purchase instructional materials to meet deviant needs or rapidly changing circumstances.

(9) Establish a depreciation scale for determining the value of texts which students wish to purchase.

Local boards of school directors may declare selected instructional materials obsolete and dispose of them by sale to the highest bidder, following public notice in a newspaper of general circula-

tion in the area.

(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 schoolhouse.

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 costs of such transportation between the districts.

When commercial charter bus service is not reasonably available to a school district, the state board of education may authorize the use of school buses and drivers hired by the district for the transportation of school children and the school employees necessary for their supervision to and from any school activities within or without the school district during or after school hours and whether or not a required school activity, so long as the school board has officially designated it as a school activity. The school board shall charge, for any extra-curricular uses, an amount sufficient to reimburse the district for its complete cost incurred by reason of such use.

Any school district may contract to furnish the use of school buses of that district to other users who are engaged in conducting an educational or recreational program supported wholly or in part by tax funds at times when those buses are not needed by that district and under such terms as will fully reimburse such school district for all costs related or incident thereto: PROVIDED, HOWEVER, That no such use of school district buses shall be permitted except where other public or private transportation certificated or li-

censed by the Washington utilities and transportation commission is not reasonably available to the user: PROVIDED, FURTHER, That no user shall be required to accept any charter bus for services which the user believes might place the health or safety of the children in jeopardy.

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, any joint agency formed hereunder being herewith authorized and empowered to issue interest bearing warrants in payment of any obligation owed: PROVIDED, HOWEVER, That those agencies issuing interest bearing warrants shall assign accounts receivable in an amount equal to the amount of the outstanding interest bearing warrants to the county treasurer

issuing such interest bearing warrants;

(15) Adopt written policies on granting leaves to persons under contracts of employment with the school district(s) in positions requiring either certification or noncertification qualifications, including but not limited to leaves for attendance at official or private institutes and conferences and sabbatical leaves for employees in positions requiring certification qualification, and leaves for illness, injury, bereavement and emergencies for both certified and noncertified employees, and with such compensation as the board of directors prescribe: PROVIDED, That the board of directors shall adopt written policies granting to such persons annual leave with compensation for illness and injury as follows:

(a) For such persons under contract with the school district for a full year, at least ten days;

(b) For such persons under contract with the school district as part time employees, at least that portion of ten days as the total number of days contracted for bears to one hundred eighty days;

(c) Compensation for leave for illness or injury actually taken shall be the same as the compensation such person would have received had such person not taken the leave provided in this proviso;

(d) Leave provided in this proviso not taken shall accumulate from year to year up to a maximum of one hundred eighty days, and such accumulated time may be taken at any time during the school year;

(e) Sick leave heretofore accumulated under section 1, chapter 195, Laws of 1959 (RCW 28.58.430) and sick leave accumulated under administrative practice of school districts prior to the effective date of section 1, chapter 195, Laws of 1959 (RCW 28.58.430) is hereby declared valid, and shall be added to leave for illness or injury accumulated under this proviso;

(f) Accumulated leave under this proviso not taken at the time such person retires or ceases to be employed in the public

schools shall not be compensable;

(g) Accumulated leave under this proviso shall be transferred from one district to another, and from the office of superintendent of public instruction and offices of intermediate school district superintendent and boards of education.

(h) Leave accumulated by a person in a district prior to leaving said district may, under rules and regulations of the board, be granted to such person when he returns to the employment of the district.

Sec. 4. Section 3, chapter 68, Laws of 1955 as last amended by section 1, chapter 15, Laws of 1969 ex. sess., section 1, chapter 34, Laws of 1969 ex. sess. and section 69, chapter 176, Laws of 1969 ex. sess. and RCW 28.67.070 are each reenacted 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 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 employee after having been approved and registered by the intermediate school district superintendent. No contract shall be offered by any board nor approved and registered by the intermediate school district superintendent for the employment of any teacher who has previously signed a contract to teach for that same term in another school district of the state of Washington unless such teacher shall have been released from his obligations under such previous contract by the board of directors

of the school district to which he was obligated. Any contract signed in violation of this provision shall be void.

Every board of directors determining that there is probable cause or causes that the employment contract of an employee should not be renewed by the district for the next ensuing term shall notify that employee in writing on or before April 15th preceding the commencement of such term of that determination of the board of directors, which notification shall specify the cause or causes for nonrenewal of contract. Such notice shall be served upon the 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 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 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. 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 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 non-

renewal 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 nonrenewal. If any such notification 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. 5. Section 14, chapter 8, Laws of 1967 ex. sess. as amended by section 8, chapter 261, Laws of 1969 ex. sess. and section 22, chapter 283, Laws of 1969 ex. sess. and RCW 28.85.140 are each reenacted to read as follows:

Each community college board of trustees:

- (1) Shall operate all existing community colleges and vocational-technical institutes in its district;
- (2) Shall create comprehensive programs of community college education and training and maintain an open-door policy in accordance with the provisions of RCW 28.85.090(3);
- (3) Shall employ for a period to be fixed by the board a college president for each community college, a director for each vocational-technical institute or school operated by a community college, a district president, if deemed necessary by the board, in the event there is more than one college and/or separated institute or school located in the district, members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties;
- (4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand;
- (5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community college;

(6) May, with the approval of the college board, borrow money and issue and sell revenue bonds or other evidence of indebtedness for the construction, reconstruction, erection, equipping with permanent fixtures, demolition and major alteration of buildings or other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected with the operation of the community college in accordance with the provisions of RCW 28.76.180 through 28.76.210 where applicable;

(7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the government thereof, not inconsistent with the rules and regulations of the college board; each board of trustees operating a community college may enter into agreements, subject to rules and regulations of the college board, with owners of facilities to be used for housing regarding the management, operation, and government of such facilities, and any board entering into such an agreement may:

(a) Make rules and regulations for the government, management and operation of such housing facilities deemed necessary or advisable; and

(b) Employ necessary employees to govern, manage and operate the same;

(8) May receive such gifts, grants, conveyances, devises and bequests of personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs as specified by law and the regulations of the state college board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof;

(9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and au-

thorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community college purposes;

(10) May make rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the community college district;

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community college or colleges under its control, and notwithstanding any other provision of law, publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, nonbaccalaureate degree or certificate;

(13) Shall enforce the rules and regulations prescribed by the state board for community college education for the government of community colleges, students and teachers, and promulgate such rules and regulations and perform all other acts not inconsistent with law or rules and regulations of the state board for community college education as the board of trustees may in its discretion deem necessary or appropriate to the administration of community college districts: PROVIDED, That such rules and regulations shall include, but not be limited to, rules and regulations relating to housing, conduct at the various community college facilities, scholarships and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community colleges students who refuse to obey any of the duly promulgated rules and regulations;

(14) May, by written order filed in its office, delegate to the president or district president any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised in the name of the district board;

(15) May perform such other activities consistent with this

chapter and not in conflict with the directives of the college board;

(16) Shall be authorized to pay dues to any association of trustees that may be formed by the various boards of trustees; and

(17) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

Sec. 6. Section 34, chapter 8, Laws of 1967 ex. sess. as amended by section 12, chapter 261, Laws of 1969 ex. sess. and section 2, chapter 283, Laws of 1969 ex. sess. and RCW 28.85.340 are each reenacted to read as follows:

In addition to the powers conferred under RCW 28.85.090, the community college state board is authorized and shall have the power:

(1) To permit the district boards of trustees to contract for the construction, reconstruction, erection, equipping, maintenance, demolition and major alterations of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances of the college as approved by the community college state board.

(2) To finance the same by the issuance of bonds secured by the pledge of up to sixty percent of the general tuition fees.

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or private corporation, association, or person to aid in defraying the costs of any such projects.

(4) To retain bond counsel and professional bond consultants to aid it in issuing bonds pursuant to RCW 28.85.340 through 28.85-.400.

Sec. 7. Section 35, chapter 8, Laws of 1967 ex. sess. as amended by section 35, chapter 232, Laws of 1969 ex. sess. and section 13, chapter 261, Laws of 1969 ex. sess. and RCW 28.85.350 are each reenacted to read as follows:

For the purpose of financing the cost of any projects, the college board is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance,

sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable.

Said bonds:

- (1) Shall not constitute
 - (a) an obligation, either general or special, of the state;

or

- (b) a general obligation of the college or of the college board;

- (2) Shall be

- (a) either registered or in coupon form; and

- (b) issued in denominations of not less than one hundred dollars; and

- (c) fully negotiable instruments under the laws of this state; and

- (d) signed on behalf of the college board with the manual or facsimile signature of the chairman of the board, attested by the secretary of the board, have the seal of the college board impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such chairman and the secretary;

- (3) Shall state

- (a) the date of issue; and

- (b) the series of the issue and be consecutively numbered within the series; and

- (c) that the bond is payable both principal and interest solely out of the bond retirement fund created for retirement thereof;

- (4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine at an effective rate not to exceed eight percent per annum over the life thereof, and no single interest or coupon rate shall exceed eight percent per annum;

- (5) Shall be payable both principal and interest out of the

bond retirement fund;

(6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;

(7) Shall be sold in such manner as the board may prescribe;

(8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon and such other terms, conditions, covenants and protective provisions safeguarding such payment, not inconsistent with RCW 28.85.330 through 28.85.400, and as found to be necessary by the board for the most advantageous sale thereof, which may include but not be limited to:

(a) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain amounts be set aside and maintained therein;

(b) A covenant that sufficient moneys may be transferred from the capital projects account of the college board issuing the bonds to the bond retirement fund of the college board when ordered by the board in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(c) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall be deposited in the state treasury to the credit of the capital projects account of the college board and shall be used solely for paying the costs of the projects, the costs of bond counsel and professional bond consultants incurred in issuing the bonds, and for the purposes set forth in (8) (b) above;

(9) Shall constitute a prior lien and charge against forty

percent of all general tuition fees of the community colleges.

Sec. 8. Section 36, chapter 8, Laws of 1967 ex. sess. as last amended by section 14, chapter 261, Laws of 1969 ex. sess. and section 1, chapter 276, Laws of 1969 ex. sess. and RCW 28.85.360 are each reenacted to read as follows:

There is hereby created in the state treasury a community college bond retirement fund. Within thirty-five days from the date of start of each quarter sixty percent of all general tuition fees of each such community college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board if issuing bonds payable out of general tuition fees shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community college bond retirement fund which fund as required, is hereby created in the state treasury. The amounts deposited in the bond retirement fund shall be used exclusively to pay and secure the payment of the principal of and interest on the tuition fee bonds issued by the college board as authorized by this chapter. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding general tuition fee bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) That portion of the sixty percent of all general tuition fees not required for or in excess of the amounts certified to the state treasurer as being required to pay and secure the payment of any of the bonds as provided in subsection (1) above shall be deposited in the community college capital projects account which ac-

count is hereby created in the general fund of the state treasury. The sums deposited in the capital projects account shall be appropriated and expended exclusively for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community college education in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, and for the payment of principal of and interest on any bonds issued for such purposes.

Sec. 9. Section 6, page 359, Laws of 1909 as amended by section 76, chapter 176, Laws of 1969 ex. sess. and section 47, chapter 199, Laws of 1969 ex. sess. and RCW 28.87.030 are each reenacted to read as follows:

In case the district clerk fails to make the reports as by law provided, at the proper time and in the proper manner, he shall forfeit and pay to the district the sum of twenty-five dollars for each and every such failure. He shall also be liable, if, through such neglect, the district fails to receive its just apportionment of school moneys, for the full amount so lost. Each and all of said forfeitures shall be recovered in a suit brought by the intermediate school district superintendent or by any citizen of such district, in the name of and for the benefit of such district, and all moneys so collected shall be paid over to the county treasurer and shall be by him placed to the credit of the general fund of the district to which it belongs: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 10. Section 1, page 357, Laws of 1909 as amended by section 78, chapter 176, Laws of 1969 ex. sess. and section 49, chapter 199, Laws of 1969 ex. sess. and RCW 28.87.070 are each reenacted to read as follows:

Any member of the state board of education, any employee of

the state of Washington, any intermediate school district superintendent or any employee of his office, who shall directly or indirectly disclose any question or questions prepared for the examination of teachers or of eighth grade pupils, or any teacher or other person connected with the instruction of or the examination of eighth grade pupils, who shall, before the time appointed for the use of the questions in the examination of such pupils, disclose the questions, or make known their character, or who shall directly or indirectly assist any such eighth grade pupil to answer any question submitted, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred nor more than five hundred dollars. Said fine shall be turned over to the county treasurer of the county in which it is collected, and shall be by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 11. Section 3, page 357, Laws of 1909 as amended by section 79, chapter 176, Laws of 1969 ex. sess. and section 50, chapter 199, Laws of 1969 ex. sess. and RCW 28.87.080 are each reenacted to read as follows:

Any officer or person collecting or receiving any fines, forfeitures or other moneys belonging to the schools of the state of Washington, or belonging to the school fund of any county, intermediate school district or school district in this state, and refusing or failing to pay over the same, as required by law, shall forfeit double the amount so withheld, and interest thereon at the rate of five percent per month during the time of so withholding the same; and it shall be a special duty of the intermediate school district superintendent to supervise and see that the provisions of this section are fully complied with, and report thereon to the county com-

missioners semiannually or oftener. Such fines and penalties, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 12. Section 28A.02.070, chapter 223, Laws of 1969 ex. sess. as amended by section 101, chapter 176, Laws of 1969 ex. sess., and section 24, chapter 283, Laws of 1969 ex. sess. and RCW 28A.02-.070 are each reenacted to read as follows:

On the Friday preceding the fourth Monday in October of each year, there shall be presented in each common school as defined in RCW 28A.01.060 a program suitable to the observance of Veterans' Day.

The responsibility for the preparation and presentation of such program approximating sixty minutes in length shall be with the principal or head teacher of each school building and such program shall embrace topics tending to instill a loyalty and devotion to the institutions and laws of this state and nation.

The superintendent of public instruction and each intermediate school district superintendent, by advice and suggestion, shall aid in the preparation of such programs if such aid be solicited.

NEW SECTION. Sec. 13. Notwithstanding any other provision of this 1970 amendatory act, the provisions of section 12 hereof shall not take effect until January 1, 1971 and only if at such time or thereafter chapter 223, Laws of 1969 ex.sess. is effective.

Sec. 14. Section 28A.27.102, chapter 223, Laws of 1969 ex. sess. as amended by section 107, chapter 176, Laws of 1969 ex. sess. and section 53, chapter 199, Laws of 1969 ex.sess. and RCW 28A.27.102 are each reenacted to read as follows:

Any school district superintendent, teacher or attendance officer who shall fail or refuse to perform the duties prescribed by

RCW 28A.27.010 through 28A.27.130 shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not less than twenty nor more than one hundred dollars: PROVIDED, That in case of a school district employee, such fine shall be paid to the appropriate county treasurer and by him placed to the credit of the school district in which said employee is employed, and in case of all other officers such fine shall be paid to the county treasurer of the county in which the intermediate school district headquarters is located and by him placed to the credit of the general school fund of the intermediate school district: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 15. Section 28A.48.010, chapter 223, Laws of 1969 ex.sess. as amended by section 108, chapter 176, Laws of 1969 ex.sess. and section 3, chapter 184, Laws of 1969 ex.sess. and RCW 28A.48.010 are each reenacted to read as follows:

On or before the last business day of September, 1969 and each month thereafter, the superintendent of public instruction shall apportion from the current state school fund and/or the state general fund to the several intermediate school districts of the state the proportional share of the total annual amount due and apportionable to such intermediate school districts for the school districts thereof as follows:

| | | |
|-----------------|-----|---|
| September | 10 | % |
| October | 8 | % |
| November | 6.5 | % |
| December | 6.5 | % |
| January | 13 | % |
| February | 13 | % |
| March | 11 | % |
| April | 5 | % |
| May | 5 | % |

| | |
|--------------|-------|
| June | 5 % |
| July | 8.5 % |
| August | 8.5 % |

The annual amount due and apportionable shall be the amount apportionable for all apportionment credits estimated to accrue to the schools during a year beginning September first and continuing through August thirty-first. Appropriations made for school districts for the biennium beginning July 1, 1969, and ending June 30, 1971, shall consist of the monthly apportionments due for July and August of 1969 plus the apportionments due for twenty-two months beginning with September, 1969. The apportionment from the state general fund for each month shall be an amount which together with the revenues of the current state school fund will equal the amount due and apportionable to the several intermediate school districts during such month: PROVIDED, That any school district may, through its intermediate school district superintendent, petition the superintendent of public instruction for an emergency advance of funds which may become apportionable to it but not to exceed five percent of the total amount to become due and apportionable during the school district's fiscal year. The superintendent of public instruction shall determine if the emergency warrants such advance, and if the funds are available therefor, and if he determines in the affirmative he may approve such advance and at the same time add such an amount to the apportionment for the intermediate school district in which the school district is located.

Sec. 16. Section 28A.67.070, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 15, Laws of 1969 ex. sess., section 12, chapter 34, Laws of 1969 ex. sess. and section 143, chapter 176, Laws of 1969 ex. sess. and RCW 28A.67.070 are each reenacted 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 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 intermediate school district superintendent, and one copy to be delivered to the employee thereafter. No contract shall be offered by any board nor approved and registered by the intermediate school district superintendent for the employment of any teacher who has previously signed a contract to teach for that same term in another school district of the state of Washington unless such teacher shall have been released from his obligations under such previous contract by the board of directors of the school district to which he was obligated. Any contract signed in violation of this provision shall be void.

Every board of directors determining that there is probable cause or causes that the employment contract of an employee should not be renewed by the district for the next ensuing term shall notify that employee in writing on or before April 15th preceding the commencement of such term of that determination of the board of directors, which notification shall specify the cause or causes for nonrenewal of contract. Such notice shall be served upon the 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 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 established by a preponderance of the evidence at the hearing to be sufficient cause or causes for nonrenewal. If any such notification 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. 17. Section 28B.50.140, chapter 223, Laws of 1969 ex. sess. as amended by section 23, chapter 261, Laws of 1969 ex. sess. and section 30, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.140 are each reenacted to read as follows:

Each community college board of trustees:

(1) Shall operate all existing community colleges and vocational-technical institutes in its district;

(2) Shall create comprehensive programs of community college education and training and maintain an open-door policy in accordance with the provisions of RCW 28B.50.090(3);

(3) Shall employ for a period to be fixed by the board a college president for each community college, a director for each vocational-technical institute or school operated by a community college, a district president, if deemed necessary by the board, in the event there is more than one college and/or separated institute or school located in the district, members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties;

(4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand;

(5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community college;

(6) May, with the approval of the college board, borrow money and issue and sell revenue bonds or other evidences of indebtedness for the construction, reconstruction, erection, equipping with permanent fixtures, demolition and major alteration of buildings or other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected with the operation of the community college in accordance with the provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

(7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the government thereof, not inconsistent with the rules and regulations of the college board; each board of trustees operating a community college may enter into agreements, subject to rules and regulations of the college board, with owners of facilities to be used for housing regarding the management, operation, and government of such fa-

cilities, and any board entering into such an agreement may:

(a) Make rules and regulations for the government, management and operation of such housing facilities deemed necessary or advisable; and

(b) Employ necessary employees to govern, manage and operate the same;

(8) May receive such gifts, grants, conveyances, devises and bequests of personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs as specified by law and the regulations of the state college board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof;

(9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community college purposes;

(10) May make rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the community college district;

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community college or colleges under its control, and notwithstanding any other provision of law, publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, nonbaccalaureate degree or certificate;

(13) Shall enforce the rules and regulations prescribed by

the state board for community college education for the government of community colleges, students and teachers, and promulgate such rules and regulations and perform all other acts not inconsistent with law or rules and regulations of the state board for community college education as the board of trustees may in its discretion deem necessary or appropriate to the administration of community college districts: PROVIDED, That such rules and regulations shall include, but not be limited to, rules and regulations relating to housing, scholarships, conduct at the various community college facilities, and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community colleges students who refuse to obey any of the duly promulgated rules and regulations;

(14) May, by written order filed in its office, delegate to the president or district president any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised in the name of the district board.

(15) May perform such other activities consistent with this chapter and not in conflict with the directives of the college board;

(16) Shall be authorized to pay dues to any association of trustees that may be formed by the various boards of trustees; and

(17) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

Sec. 18. Section 28B.50.340, chapter 223, Laws of 1969 ex. sess. as amended by section 6, chapter 238, Laws of 1969 ex. sess. and section 26, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50-.340 are each reenacted to read as follows:

In addition to the powers conferred under RCW 28B.50.090, the community college state board is authorized and shall have the power:

(1) To permit the district boards of trustees to contract for the construction, reconstruction, erection, equipping, maintenance, demolition and major alterations of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, im-

provements or appurtenances of the college as approved by the community college state board.

(2) To finance the same by the issuance of bonds secured by the pledge of up to sixty percent of the general tuition fees.

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or private corporation, association, or person to aid in defraying the costs of any such projects.

(4) To retain bond counsel and professional bond consultants to aid it in issuing bonds pursuant to RCW 28B.50.340 through 28B-.50.400.

Sec. 19. Section 28B.50.350, chapter 223, Laws of 1969 ex. sess. as amended by section 106, chapter 232, Laws of 1969 ex. sess. and section 27, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.350 are each reenacted to read as follows:

For the purpose of financing the cost of any projects, the college board is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable.

Said bonds:

(1) Shall not constitute

(a) an obligation, either general or special, of the state; or

(b) a general obligation of the college or of the college

board;

(2) Shall be

(a) either registered or in coupon form; and

(b) issued in denominations of not less than one hundred dollars; and

(c) fully negotiable instruments under the laws of this state; and

(d) signed on behalf of the college board with the manual or facsimile signature of the chairman of the board, attested by the

secretary of the board, have the seal of the college board impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such chairman and the secretary;

(3) Shall state

(a) the date of issue; and

(b) the series of the issue and be consecutively numbered within the series; and

(c) that the bond is payable both principal and interest solely out of the bond retirement fund created for retirement thereof;

(4) Each series of bonds shall bear interest, payable either annually or semiannually, as the board may determine at an effective rate not to exceed eight percent per annum over the life thereof, and no single interest or coupon rate shall exceed eight percent per annum;

(5) Shall be payable both principal and interest out of the bond retirement fund;

(6) Shall be payable at such times over a period of not to exceed forty years from date of issuance, at such place or places, and with such reserved rights of prior redemption, as the board may prescribe;

(7) Shall be sold in such manner as the board may prescribe;

(8) Shall be issued under and subject to such terms, conditions and covenants providing for the payment of the principal thereof and interest thereon and such other terms, conditions, covenants and protective provisions safeguarding such payment, not inconsistent with RCW 28B.50.330 through 28B.50.400, and as found to be necessary by the board for the most advantageous sale thereof, which may include but not be limited to:

(a) A covenant that a reserve account shall be created in the bond retirement fund to secure the payment of the principal of and interest on all bonds issued and a provision made that certain

amounts be set aside and maintained therein;

(b) A covenant that sufficient moneys may be transferred from the capital projects account of the college board issuing the bonds to the bond retirement fund of the college board when ordered by the board in the event there is ever an insufficient amount of money in the bond retirement fund to pay any installment of interest or principal and interest coming due on the bonds or any of them;

(c) A covenant fixing conditions under which bonds on a parity with any bonds outstanding may be issued.

The proceeds of the sale of all bonds, exclusive of accrued interest which shall be deposited in the bond retirement fund, shall be deposited in the state treasury to the credit of the capital projects account of the college board and shall be used solely for paying the costs of the projects, the costs of bond counsel and professional bond consultants incurred in issuing the bonds, and for the purposes set forth in (8) (b) above;

(9) Shall constitute a prior lien and charge against forty percent of all general tuition fees of the community colleges.

Sec. 20. Section 28B.50.360, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 238, Laws of 1969 ex. sess. and section 28, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50-.360 are each reenacted to read as follows:

There is hereby created in the state treasury a community college bond retirement fund. Within thirty-five days from the date of start of each quarter sixty percent of all general tuition fees of each such community college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board if issuing bonds payable out of general tuition fees shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community college bond retirement fund

which fund as required, is hereby created in the state treasury. The amounts deposited in the bond retirement fund shall be used exclusively to pay and secure the payment of the principal of and interest on the tuition fee bonds issued by the college board as authorized by this chapter. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding general tuition fee bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) That portion of the sixty percent of all general tuition fees not required for or in excess of the amounts certified to the state treasurer as being required to pay and secure the payment of any of the bonds as provided in subsection (1) above shall be deposited in the community college capital projects account which account is hereby created in the general fund of the state treasury. The sums deposited in the capital projects account shall be appropriated and expended exclusively for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community college education in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, and for the payment of principal of and interest on any bonds issued for such purposes.

Sec. 21. Section 28A.87.030, chapter 223, Laws of 1969 ex. sess. as amended by section 147, chapter 176, Laws of 1969 ex. sess. and section 56, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87-.030 are each reenacted to read as follows:

In case any school district superintendent fails to make reports as by law or rule or regulation promulgated thereunder provided, at the proper time and in the proper manner, he shall forfeit and pay

to the district the sum of twenty-five dollars for each and every such failure. He shall also be liable, if, through such neglect, the district fails to receive its just apportionment of school moneys, for the full amount so lost. Each and all of said forfeitures shall be recovered in a suit brought by the intermediate school district superintendent or by any citizen of such district, in the name of and for the benefit of such district, and all moneys so collected shall be paid over to the county treasurer and shall be by him placed to the credit of the general fund of the district to which it belongs: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 22. Section 28A.87.080, chapter 223, Laws of 1969 ex. sess. as amended by section 149, chapter 176, Laws of 1969 ex. sess. and section 59, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87-.080 are each reenacted to read as follows:

Any person collecting or receiving any fines, forfeitures or other moneys belonging to the schools of the state of Washington, or belonging to the school fund of any county, school district or intermediate school district in this state, and refusing or failing to pay over the same as required by law, shall be liable for double the amount so withheld, and in addition thereto, interest thereon at the rate of five percent per month during the time of so withholding the same; and it shall be a special duty of the intermediate school district superintendent to supervise and see that the provisions of this section are fully complied with, including the initiation of court actions therefor, and report thereon to the appropriate county commissioners at least semiannually. Fines and penalties, exclusive of any moneys recovered belonging to the school fund of any county, school district or intermediate school district in this state, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer who shall place the

same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 23. Section 28A.10.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.10.080 are each amended to read as follows:

(1) The state agency may purchase, from any source, by contract, vocational rehabilitation services for handicapped persons, payments for such services to be made subject to procedures and fiscal controls approved by the ((budget))director of of program planning and fiscal management. The performance of and payment for such services shall be subject to post audit review by the state auditor.

(2) Notwithstanding any other provision of RCW 28A.10.080, 28A.10.100, 28A.10.105 and 28A.10.110, when the division determines that a mentally retarded, severely handicapped, or disadvantaged person can reasonably be expected to benefit from, or in his best interests reasonably requires extended sheltered employment or supervised work furnished by an approved nonprofit organization, the division is authorized to contract with such organization for the furnishing of such sheltered employment or supervised work to such mentally retarded, severely handicapped, or disadvantaged person. The division is authorized to expend for or toward the cost of providing such sheltered employment or supervised work a sum or sums not to exceed one thousand five hundred dollars per annum for each such mentally retarded, severely handicapped, or disadvantaged person in order to maintain him as a contributing and self-supporting member of society as an alternative to dependency.

(3) The determination of eligibility for such service shall be made for each individual by the division. The mentally retarded, severely handicapped and disadvantaged individuals served under this law shall be construed to be poor or infirm within the meaning of

the term as used in the state Constitution.

(4) The division shall maintain a register of nonprofit organizations which it has inspected and certified as meeting required standards and as qualifying to serve the needs of such mentally retarded, severely handicapped, or disadvantaged persons. Eligibility of such organizations to receive the funds hereinbefore specified shall be based upon standards and criteria promulgated by the division.

(5) The division of vocational rehabilitation, with the approval of the coordinating council for occupational education, is authorized to promulgate such rules and regulations as it may deem necessary or proper to carry out the provisions of this section.

Sec. 24. Section 1, chapter 105, Laws of 1969 as codified in RCW 28A.10.100 and RCW 28A.10.110 are each amended to read as follows:

The purpose of (~~section 2, chapter 105, Laws of 1969 (RCW 28A.10.080)~~) section 23 of this 1970 amendatory act, RCW 28A.10.100, 28A.10.105 and 28A.10.110 is to encourage the development, improvement, and expansion of sheltered employment and supervised work programs for mentally retarded, severely handicapped and disadvantaged individuals to enable them to become contributing and self-supporting members of society as an alternative to dependency.

The condition of the mentally retarded, severely handicapped and disadvantaged is such that after laborious training in the schools and otherwise, they reach the point in their lives where they can and should, under proper and continued guidance, engage in sheltered employment and/or supervised work to help them become contributing members of society instead of being dependent. For such persons, retention in sheltered employment or supervised work may constitute satisfactory placement. Such training and placement is often a suitable alternative to institutionalization or idleness and its consequences. By keeping these individuals within their communities and in touch with their families, a worthwhile dimension is added to their lives and they are thus spared the anxieties naturally at-

tached to separation. All of these factors have also been shown to reflect tangible benefits upon the mentally retarded, severely handicapped or disadvantaged person by improving his overall well-being.

Sec. 25. Section 4, chapter 105, Laws of 1969 as codified in RCW 28A.10.110 and RCW 28A.10.110 are each amended to read as follows:

It is further provided that any federal funds available may be used to supplement (~~section 2, chapter 105, Laws of 1969 (RCW 28A.10.080)~~) section 23 of this 1970 amendatory act, RCW 28A.10.100, 28A.10.105 and 28A.10.110.

Sec. 26. Section 28A.47.784, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 77, Laws of 1969 and RCW 28A.47.784 are each amended to read as follows:

For the purpose of furnishing funds for state assistance to school districts in providing common school plant facilities and modernization of existing common school plant facilities, there shall be issued and sold limited obligation bonds of the state of Washington in the sum of twenty-two million dollars to be paid and discharged (~~not more than twenty years after the date of issuance~~) in accordance with terms to be established by the finance committee.

The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee: PROVIDED, That no part of the twenty-two million dollar bond issue shall be sold unless there are insufficient funds in the common school construction fund to meet appropriations authorized by RCW 28A.47.784 through 28A.47.791 as evidenced by a joint agreement entered into between the governor and the superintendent of public instruction.

The state finance committee is authorized to prescribe the forms of such bonds; the provisions of sale of all or any portion or portions of such bonds; the terms, provisions, and covenants of said bonds, and the sale, issuance and redemption thereof. The covenants of said bonds may include but not be limited to a covenant for the creation, maintenance and replenishment of a reserve account or accounts within the common school building bond redemption fund of

1967 to secure the payment of the principal of and interest on said bonds, into which it shall be pledged there will be paid, from the same sources pledged for the payment of such principal and interest, such amounts at such times which in the opinion of the state finance committee are necessary for the most advantageous sale of said bonds; a covenant that additional bonds which may be authorized by the legislature payable out of the same source or sources may be issued on a parity with the bonds authorized in RCW 28A.47.784 through 28A.47-.791 upon compliance with such conditions as the state finance committee may deem necessary to effect the most advantageous sale of the bonds authorized in RCW 28A.47.784 through 28A.47.791 and such additional bonds; and if found reasonably necessary by the state finance committee to accomplish the most advantageous sale of the bonds authorized herein or any issue or series thereof, such committee may select a trustee for the owners and holders of such bonds or issue or series thereof and shall fix the rights, duties, powers and obligations of such trustee. The money in such reserve account or accounts and in such common school construction fund may be invested in any investments that are legal for the permanent common school fund of the state, and any interest earned on or profits realized from the sale of any such investments shall be deposited in such common school building bond redemption fund of 1967. None of the bonds herein authorized shall be sold for less than the par value thereof.

The committee may provide that the bonds, or any of them, may be called prior to the maturity date thereof under such terms, conditions, and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and upon any coupons attached thereto. Such bonds shall be payable at such places as the state finance committee may provide.

Sec. 27. Section 28B.10.280, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 222, Laws of 1969 ex. sess. and RCW 28B.10.280 are each amended to read as follows:

The boards of regents of the state universities and the boards of trustees of the state colleges and community college districts may each create student loan funds, and qualify and participate in the National Defense Education Act of 1958 and such other similar federal student aid programs as are or may be enacted from time to time, and to that end may comply with all of the laws of the United States, and all of the rules, regulations and requirements promulgated pursuant thereto.

NEW SECTION. Sec. 28. There is added to chapter 28B.40 RCW a new section to read as follows:

Each board of trustees of the state colleges may:

(1) Contract for such fire protection services as may be necessary for the protection and safety of the students, staff and property of the college;

(2) By agreement pursuant to the provisions of chapter 239, Laws of 1967 (chapter 39.34 RCW), as now or hereafter amended, join together with other agencies or political subdivisions of the state or federal government and otherwise share in the accomplishment of any of the purposes of subsection (1) of this section:

PROVIDED, HOWEVER, That neither the failure of the trustees to exercise any of its powers under this section nor anything herein shall detract from the lawful and existing powers and duties of political subdivisions of the state to provide the necessary fire protection equipment and services to persons and property within their jurisdiction.

NEW SECTION. Sec. 29. Sections 28B.75.010 through 28B.75.070, chapter 223, Laws of 1969 ex. sess. and RCW 28B.75.010 through 28B.75.070 are each hereby repealed.

NEW SECTION. Sec. 30. Notwithstanding any other provision of this 1970 amendatory act, sections 1 through 11 hereof shall remain law until chapter 223, Laws of 1969 ex. sess. becomes effective, at which time sections 1 through 11 hereof shall become void and of no effect and sections 12 through 29 of this 1970 amendatory act

shall become effective.

NEW SECTION. Sec. 31. This 1970 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 immediately.

NEW SECTION. Sec. 32. If any provision of this 1970 amendatory 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.

EXPLANATORY NOTE

Section 1. RCW 28.27.102 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 176 § 39 amended section to provide for the disposition of certain fines which would thereafter go to the county treasurer "of the county in which the intermediate school district headquarters office is located" and placed to credit of the "intermediate school district".

(2) 1969 ex.s. c 199 § 42 added the last proviso in the present section providing for disposition of certain fines collected or assessed in justice court because of a violation of state law.

Sec. 2. RCW 28.48.010 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 176 § 40 amended section substituting "intermediate school districts" for "counties" or "county superintendents" as medium for the apportionment of certain state funds to school districts (formerly county superintendents abolished elsewhere within the bill, was medium).

(2) 1969 ex.s. c 184 § 1 amended actual amounts to be distributed to school districts for each month of the year, and more particularly for the school years 1969-70 and 1970-71.

Sec. 3. RCW 28.58.100 was twice amended during the 1969 legislature, once during the regular session and again during the extraordinary session, each without reference to the other.

(1) 1969 c 53 § 1 amended subsection (14) thereof permitting joint agencies to issue interest bearing warrants in payment of obligations owed.

(2) 1969 ex.s. c 153 § 1 added a new paragraph to subsection (11) relating to the use of school buses under prescribed conditions to other users engaged in conducting certain educational or recreational programs.

Sec. 4. RCW 28.67.070 was thrice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 15 § 1 amended the section by adding two new sentences at the end of the second paragraph thereof making void any teachers' contracts entered into or approved when such teacher had already entered into a

contract to teach for the same term with another school district.

(2) 1969 ex.s. c 34 § 1 amended the section with relation to the nonrenewal of employment contracts and hearings thereon.

(3) 1969 ex.s. c 176 § 69 amended the section by changing "county or intermediate district superintendent" to "intermediate school district superintendent" through-out.

Sec. 5. RCW 28.85.140 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 261 § 8 amended subsection (3) thereof adding the words "if deemed necessary by the board" relating to hiring of a district president, and added a new subsection (16) permitting payment of dues by boards of community college trustees to any association they might form, and renumbered former subsection "(16)" to "(17)".

(2) 1969 ex.s. c 283 § 22 amended the first proviso to subsection (13) by including in the scope of rules and regulations the board must act on that relating to "conduct at the various community college facilities".

Sec. 6. RCW 28.85.340 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 238 § 2 amended subsection (2) by substituting "sixty" percent for "forty" percent in relation to the amount of general tuition fees pledged to secure issue of bonds.

(2) 1969 ex.s. c 261 § 12 added a new subsection (4) thereto relating to retention of bond counsel and professional bond consultants.

Sec. 7. RCW 28.85.350 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 232 § 35 amended subsection (4) by substituting "eight" percent for "six" percent with relation to interest payable on bonds.

(2) 1969 ex.s. c 261 § 13 amended subsection (8)(c) by including in allotted costs for use of bond proceeds "the costs of bond counsel and professional bond consultants...".

Sec. 8. RCW 28.85.360 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 261 § 14 from Substitute Engrossed House Bill No. 480 derived from section 15 of the original House Bill 480 which did indeed amend RCW 28.85.360, but when the substitute engrossed bill came out such amendment had been deleted, thus leaving section in its prior form.

(2) 1969 ex.s. c 276 § 1 amended the first paragraph of the section by substituting "sixty" percent for "forty" percent with relation to general tuition fees payable into the state treasury.

Sec. 9. RCW 28.87.030 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 176 § 76 amended section by changing "county superintendent" to "intermediate school district superintendent".

(2) 1969 ex.s. c 199 § 47 amended section by adding proviso thereto providing for disposition of fines and

penalties collected or assessed by justice courts because of violation of a state law.

Sec. 10. RCW 28.87.070 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 176 § 78 amended section by changing "county superintendent" to "intermediate school district superintendent".

(2) 1969 ex.s. c 199 § 49 amended section by adding proviso thereto providing for disposition of fines and penalties collected or assessed by justice courts because of violation of a state law.

Sec. 11. RCW 28.87.080 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 176 § 79 amended section by changing "county superintendent" to "intermediate school district superintendent".

(2) 1969 ex.s. c 199 § 50 amended section by adding proviso thereto providing for disposition of fines and penalties collected or assessed by justice courts because of violation of a state law.

Sec. 12. RCW 28A.02.070 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 176 § 101 amended section by changing "county superintendent" to "intermediate school district superintendent".

(2) 1969 ex.s. c 283 § 24 amended section by providing particular Friday in each year when program suitable to Veterans' Day will be held.

Sec. 13. This new section is added because in the amendment of RCW 28A.02.070 above by 1969 ex.s. c 283 § 24 the last paragraph of the amendatory section read "The provision of the 1969 amendment to this section shall not take effect until January 1, 1971." In RCW language this statement is only confusing since the reader would have no idea what the 1969 amendment was (without reference back to the 1969 session law). The effective date of the amendment should have been a separate section and thus we have omitted such language in our reenactment of RCW 28A.02.070 above and set forth this separate section.

Sec. 14. RCW 28A.27.102 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 176 § 107 amended section to provide for the disposition of certain fines which would thereafter go to the county treasurer "of the county in which the intermediate school district headquarters office is located" and placed to credit of the "intermediate school district".

(2) 1969 ex.s. c 199 § 53 added the last proviso in the present section providing for disposition of certain fines collected or assessed in justice court because of a violation of state law.

Sec. 15. RCW 28A.48.010 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 176 § 108 amended section substituting "intermediate school districts" for "counties" or "county superintendents" as medium for the apportionment of certain state funds to school districts (formerly county superintendents, abolished elsewhere within the bill, was medium).

(2) 1969 ex.s. c 184 § 3 amended actual amounts to be distributed to school districts for each month of the year, and more particularly, for the school years 1969-70 and 1970-71.

Sec. 16. RCW 28A.67.070 was thrice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 15 § 2 amended the section by adding two new sentences at the end of the second paragraph thereof making void any teachers' contracts entered into or approved when such teacher had already entered into a contract to teach for the same term with another school district.

(2) 1969 ex.s. c 34 § 12 amended the section with relation to the nonrenewal of employment contracts and hearings thereon.

(3) 1969 ex.s. c 176 § 143 amended the section by changing "county or intermediate district superintendent" to "intermediate school district superintendent" throughout.

Sec. 17. RCW 28B.50.140 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 261 § 23 amended subsection (3) thereof adding the words "if deemed necessary by the board" relating to the hiring of a district president, and added a new subsection (16) permitting payment of dues by boards of community college trustees to any association they might form, and renumbered former subsection "(16)" to "(17)".

(2) 1969 ex.s. c 283 § 30 amended the first proviso to subsection (13) by including in the scope of rules and regulations the board must act on that relating to "conduct at the various community college facilities".

Sec. 18. RCW 28B.50.340 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 238 § 6 amended subsection (2) by substituting "sixty" percent for "forty" percent in relation to the amount of general tuition fees pledged to secure issue of bonds.

(2) 1969 ex.s. c 261 § 26 added a new subsection (4) thereto relating to retention of bond counsel and professional bond consultants.

Sec. 19. RCW 28B.50.350 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 232 § 106 amended subsection (4) by substituting "eight" percent for "six" percent with relation to interest payable on bonds.

(2) 1969 ex.s. c 261 § 27 amended subsection (8) (c) by including in allotted costs for use of bond proceeds "the costs of bond counsel and professional bond consultants...".

Sec. 20. RCW 28B.50.360 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 261 § 28 from Substitute Engrossed House Bill No. 480 derived from section 29 of the original House Bill 480 which did indeed amend RCW 28B.50.360 but when the substitute engrossed bill came out such amendment had been deleted, thus leaving section in its prior form.

(2) 1969 ex.s. c 238 § 7 amended the first paragraph of the section and the first line of subsection (2) by substituting "sixty" percent for "forty" percent with relation to general tuition fees payable into the state treasury.

Sec. 21. RCW 28A.87.030 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 176 § 147 amended section by changing "county superintendent" to "intermediate school district superintendent".

(2) 1969 ex.s. c 199 § 56 amended section by adding proviso thereto providing for disposition of fines and penalties collected or assessed by justice courts because of violation of a state law.

Sec. 22. RCW 28A.87.080 was twice amended during the 1969 extraordinary session, each without reference to the other.

(1) 1969 ex.s. c 176 § 149 amended section by changing "county superintendent" to "intermediate school district superintendent" throughout.

(2) 1969 ex.s. c 199 § 59 amended section by adding proviso thereto providing for disposition of fines and penalties collected or assessed by justice courts because of violation of a state law.

Sec. 23.)

Sec. 24.) RCW 28A.10.080, 28A.10.100 and 28A.10.110

Sec. 25.) are amended because 1969 c 105 amended

RCW 28.10.080 but not RCW 28A.10.080, the like 1969 school code section; to obtain an integrated new school code the new sections of 1969 c 105 were placed in chapter 28A.10 and translations to include the reference to RCW 28.10.080 were made therein, thus the necessity to amend RCW 28A.10.100 and 28A.10.110.

Sec. 26. RCW 28A.47.784 is amended to include language which was added to 1969 c 77 § 1, amending RCW 28.47.784, but was not included in 1969 c 77 § 4, amending RCW 28A.47.784, the like 1969 school code section.

Sec. 27. RCW 28B.10.280 is amended to include language which was added to 1969 ex.s. c 222 § 1, amending RCW 28.10.280, but was not included in 1969 ex.s. c 222 § 2, amending RCW 28B.10.280, the like 1969 school code section.

Sec. 28. 1969 c 24 § 1 was codified as RCW 28.81-.190 in the 1969 supplement but through inadvertence was not codified in chapter 28B.40, the similar chapter for state colleges in the new school code; we are thus expressly adding it to chapter 28B.40 herein.

Sec. 29. RCW 28B.75.010 through 28B.75.070 is repealed because 1969 ex.s. c 263 § 13 in repealing RCW 28.90.010 through 28.90.070 did not repeal 28B.75.010 through 28B.75.070, like sections in the 1969 school code.

Note: All the 1969 amendments integrated into sections reenacted above have appeared to the Code Reviser's office to affect different aspects of the RCW section amended and thus not contrary in policy, thereby allowing the drafter of this bill to give effect to each 1969 amendment by reenacting each section with said amendments

included in it, together with required technical changes, if any.

Passed the House January 27, 1970
Passed the Senate February 4, 1970
Approved by the Governor February 12, 1970
Filed in Office of Secretary of State February 12, 1970

CHAPTER 16
[House Bill No. 42]
EDUCATION--CODE CORRECTIONS

AN ACT Relating to education; repealing section 2, chapter 97, page 262, Laws of 1909 as amended by section 1, chapter 71, Laws of 1969 and RCW 28.05.010; repealing section 2, chapter 71, Laws of 1969 and RCW 28.05.015; repealing sections 1, 4 and 5, chapter 56, Laws of 1967 ex. sess. as amended by sections 1,2 and 3,chapter 77,Laws of 1969 and RCW 28.47.784,28.47.787 and 28.47.788;repealing section 1,chapter 54,Laws of 1965 as amended by section 1, chapter 97, Laws of 1969 and RCW 28.02-.120; repealing section 31, chapter 157, Laws of 1955 as last amended by section 2, chapter 105, Laws of 1969 and RCW 28.10-.080; repealing section 5, chapter 169, Laws of 1947 as last amended by section 1, chapter 125, Laws of 1969 and RCW 28.58-.360; repealing section 10, chapter 266, Laws of 1947 as last amended by section 4, chapter 131, Laws of 1969 and RCW 28.57-.338; repealing sections 5 and 6, chapter 131, Laws of 1969 and RCW 28.57.425 and 28.57.426; repealing section 13, chapter 268, Laws of 1959 as amended by section 7, chapter 131, Laws of 1969 and RCW 28.57.430; repealing section 2, chapter 154, Laws of 1965 ex. sess. as last amended by section 1, chapter 138, Laws of 1969 and RCW 28.41.130; repealing section 1, page 324, Laws of 1909 as last amended by section 1, chapter 142, Laws of 1969 and RCW 28.51.010; repealing section 1, chapter 92, Laws of 1951 as amended by section 1, chapter 2, Laws of 1969 ex. sess. and RCW 28.13.010; repealing section 6, chapter 154, Laws of 1965 ex. sess. as amended by section 1, chapter 3, Laws of 1969 ex. sess. and RCW 28.41-