

CHAPTER 91

[House Bill No. 1282]

COOPERATIVE SCHOOL TRANSPORTATION PILOT PROGRAM—
CEREBRAL PALSY TREATMENT ADMINISTRATION--
SCHOOL BUDGETS

AN ACT Relating to state government; providing for the transfer of certain powers, duties and functions of the superintendent of public instruction or the state board of education and certain school districts; establishing certain purposes hereof as within the scope of state reimbursement to school districts for transportation; providing for the transfer of certain moneys heretofore appropriated for certain specific purposes; amending sections 1 and 4, chapter 240, Laws of 1947 and RCW 70.82.010 and 70.82.040; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.65 RCW; declaring an emergency and making certain effective dates.

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

NEW SECTION. Section 1. On and after the effective date of this 1974 act, the superintendent of public instruction may initiate a cooperative school transportation pilot program for the remainder of the 1973-1975 biennium whereby one or more of the intermediate school districts within the state as designated by the superintendent of public instruction shall assume from the school districts within such intermediate school district such powers, duties and functions relating to the transporting of pupils and others within such school districts as the superintendent in such pilot program shall so determine; such pilot program shall inquire into: (1) A determination of the feasibility of reducing potential duplication among common transportation routes regardless of local district boundaries; (2) the potential for cost reductions through the establishment of consolidated maintenance activities; (3) the development of alternative state reporting systems with increased participation and consolidation of data at the intermediate school district level; (4) the advantages of cooperative equipment and insurance purchases; (5) an examination of transportation activities on the local level not receiving state support; (6) an exploration of cooperative transportation services for related community needs, including an evaluation of the advantages of contractual services; (7) the effect of such centralized assistance to local school districts in improving bus safety through improved maintenance; (8) the effect of such centralized assistance to local school districts

in establishing and maintaining proper inventory control; and (9) the effect of such centralized assistance to local school districts in fleet appraisal and the procurement of new buses. The staff of the superintendent of public instruction, pursuant to his direction and subject to the above purposes, shall promulgate the essential features of such pilot program and aid the intermediate school district and concerned school districts in any necessary transfer of respective powers, duties and functions relative thereto: PROVIDED, That a part of such program shall be a report prepared by the staff of the superintendent to be distributed to members of the legislature and the governor prior to the adoption of the 1975-77 biennial state budget setting forth staff findings from such pilot program. Notwithstanding any other provision of law, money appropriated and otherwise to be disbursed for such transportation purposes to the concerned school districts may be used by the intermediate school district, subject to approval of the superintendent of public instruction, to carry out those powers, duties, and functions necessarily so transferred herein. Nothing in this section shall be construed to transfer title to any transportation facilities or equipment or affect in any way contracts of school districts with personnel operating or servicing transportation equipment. Of those moneys appropriated by the forty-third legislature during any regular or special session thereof to the superintendent of public instruction or the state board of education for reimbursement to school districts for transportation costs under RCW 28A.41.160 or chapter 28A.24 RCW, not more than two hundred thousand dollars, or so much thereof as may be necessary, may be utilized to carry out the purposes of this section, and all such moneys so utilized shall be deemed, and are so recognized by the legislature, as such reimbursement to local school districts for transportation costs as set forth in the original appropriation therefor.

Sec. 2. Section 1, chapter 240, Laws of 1947 and RCW 70.82.010 are each amended to read as follows:

It is hereby declared to be of vital concern to the state of Washington that all persons who are bona fide residents of the state of Washington and who are afflicted with cerebral palsy in any degree be provided with facilities and a program of service for medical care, education, treatment and training to enable them to become normal individuals. In order to effectively accomplish such purpose the ((superintendent of public instruction and the)) department of ((health)) social and health services, hereinafter called the department ((s)), ((are)) is authorized and instructed and it shall be ((their)) its ((joint)) duty to establish and administer facilities and a program of service for the discovery, care, education,

hospitalization, treatment and training of educable persons afflicted with cerebral palsy, and to provide in connection therewith nursing, medical, surgical and corrective care, together with academic, occupational and related training. Such program shall extend to developing, extending and improving service for the discovery of such persons and for diagnostication and hospitalization and shall include cooperation with other agencies of the state charged with the administration of laws providing for any type of service or aid to handicapped persons, and with the United States government through any appropriate agency or instrumentality in developing, extending and improving such service, program and facilities. Such facilities shall include field clinics, diagnosis and observation centers, boarding schools, special classes in day schools, research facilities and such other facilities as shall be required to render appropriate aid to such persons. Existing facilities, buildings, hospitals and equipment belonging to or operated by the state of Washington shall be made available for these purposes when use therefor does not conflict with the primary use of such existing facilities. Existing buildings, facilities and equipment belonging to private persons, firms or corporations or to the United States government may be acquired or leased.

Sec. 3. Section 4, chapter 240, Laws of 1947 and RCW 70.82.040 are each amended to read as follows:

Persons shall be admitted to or be eligible for the services and facilities provided herein only after diagnosis according to procedures and regulations established and approved for this purpose by the ((joint action of the)) department((s)) of social and health services.

NEW SECTION. Sec. 4. All powers, duties and functions of the superintendent of public instruction or the state board of education relating to the Cerebral Palsy Center as referred to in chapter 39, Laws of 1973 2nd ex. sess. shall be transferred to the department of social and health services as created in chapter 43.20A RCW, and all unallocated funds within any account to the credit of the superintendent of public instruction or the state board of education for purposes of such Cerebral Palsy Center shall be transferred effective July 1, 1974 to the credit of the department of social and health services, which department shall hereafter expend such funds for such Cerebral Palsy Center purposes as contemplated in the appropriations therefor. All employees of the Cerebral Palsy Center on the effective date of this section who are classified employees under chapter 41.06 RCW, the state civil service law, shall be assigned and transferred to the department of social and health services to perform their usual duties upon the same terms as

formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state civil service law.

NEW SECTION. Sec. 5. All powers, duties and functions of any school district relating to the operation of a state supported environmental study center shall be transferred to that intermediate school district which the superintendent of public instruction deems will be in the best interest of the public for the utilization of such a center; any moneys heretofore appropriated for any such center purposes shall be expended for this purpose only upon the prior approval of the superintendent of public instruction: PROVIDED, That subsequent requests for state supported environmental education centers' activities shall be incorporated into the appropriate intermediate school districts' future budget requests, subject to usual provisions of law, and rules and regulations promulgated for the implementation thereof. All employees of any state supported environmental study center on the effective date of this section who are classified employees under chapter 41.06 RCW, the state civil service law, shall be assigned and transferred to the respective intermediate school district operating such a state supported environmental center to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state civil service law.

NEW SECTION. Sec. 6. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.65 RCW a new section to read as follows:

Notwithstanding any other provision of law or this chapter, chapter 28A.65 RCW, any school district may submit a request to the state superintendent of public instruction for authority to stipulate that the preliminary budget of such district shall become in fact the final budget thereof, such procedure being subject to rules and regulations as promulgated by the state superintendent of public instruction in accordance with chapter 34.04 RCW, the administrative procedure act.

NEW SECTION. Sec. 7. This 1974 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: PROVIDED, That sections 2 through 5 of this 1974 amendatory act shall not take effect until July 1, 1974.

NEW SECTION. Sec. 8. If any provision of this this 1974 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.

Passed the House February 8, 1974.
Passed the Senate February 5, 1974.
Approved by the Governor February 16, 1974.
Filed in Office of Secretary of State February 16, 1974.

CHAPTER 92

[House Bill No. 1296]

PRIVATE SCHOOLS—STATE SUPERVISION

AN ACT Relating to education; amending section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 215, Laws of 1971 ex. sess. and RCW 28A.04.120; amending sections 4, 5, 6 and 7, chapter 215, Laws of 1971 ex. sess. and RCW 28A.02.210, 28A.02.220, 28A.02.230 and 28A.02.240; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW; creating new sections; repealing section 3, chapter 215, Laws of 1971 ex. sess. and RCW 28A.02.200; repealing section 4, chapter 215, Laws of 1971 ex. sess. and RCW 28A.02.210; and declaring an emergency.

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

Section 1. Section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 215, Laws of 1971 ex. sess. and RCW 28A.04.120 are each amended to read as follows:

In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Approve the program of courses leading to teacher certification offered by all institutions of higher education within the state which may be accredited and whose graduates may become entitled to receive teachers' certification.

(2) Investigate the character of the work required to be performed as a condition of entrance to and graduation from any institution of higher education in this state relative to teachers' certification, and prepare an accredited list of those higher institutions of education of this and other states whose graduates may be awarded teachers' certificates.

(3) Supervise the issuance of teachers' certificates and specify the types and kinds of certificates necessary for the several departments of the common schools by rule or regulation in accordance with RCW 28A.70.005.

(4) Examine and accredit secondary schools and approve, subject to the provisions of ((RCW 28A.02.200)) section 2 of this 1974 amendatory act, private ((and/or parochial)) schools carrying