

(3) Suspend, expel, or discipline pupils in accordance with RCW 28A.04.132.

Passed the House April 26, 1979.

Passed the Senate April 11, 1979.

Approved by the Governor May 14, 1979.

Filed in Office of Secretary of State May 14, 1979.

CHAPTER 174

[Substitute House Bill No. 437]

EDUCATIONAL CLINICS—STUDENT ELIGIBILITY—LEGISLATIVE REPORT

AN ACT Relating to educational clinics; amending section 2, chapter 341, Laws of 1977 ex. sess. and RCW 28A.97.020; amending section 4, chapter 341, Laws of 1977 ex. sess. and RCW 28A.97.040; creating new sections; and adding a new section to chapter 341, Laws of 1977 ex. sess. and to chapter 28A.97 RCW.

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

Section 1. Section 2, chapter 341, Laws of 1977 ex. sess. and RCW 28A.97.020 are each amended to read as follows:

Only eligible common school dropouts shall be enrolled in a certified educational clinic for reimbursement by the superintendent of public instruction as provided in RCW 28A.97.040. No person shall be considered an eligible common school dropout who (1) has completed high school, (2) who has not reached his or her thirteenth birthday or has passed his ((eighteenth)) or her twentieth birthday, or (3) shows proficiency beyond the high school level in a test approved by the superintendent of public instruction to be given as part of the initial diagnostic procedure, or (4) until ((three)) one month((s)) has passed after he or she has dropped out of any common school and the educational clinic has received written verification from a school official of the common school last attended in this state that such person is no longer in attendance at such school, unless such clinic has been requested to admit such person by written communication of the board of directors or ((the superintendent)) its designee, of that common school, or unless such person is unable to attend a particular common school because of disciplinary reasons, including suspension and/or expulsion therefrom. The fact that any person may be subject to chapter 28A.27 RCW shall not affect his or her qualifications as an eligible common school dropout under this chapter.

Sec. 2. Section 4, chapter 341, Laws of 1977 ex. sess. and RCW 28A.97.040 are each amended to read as follows:

From funds appropriated for that purpose, the superintendent of public instruction shall pay to a certified clinic on a monthly basis for each student enrolled in compliance with RCW 28A.97.020, fees in accordance with the following conditions:

(1) (a) The fee for the initial diagnostic procedure shall be not more than fifty dollars per student, and hourly fees for each student shall be sixteen dollars if the class size is no greater than one, ten dollars if the class size is at least two and no greater than five, and five dollars if the class size is at least six: **PROVIDED**, That revisions in such fees proposed by an education clinic shall become effective after thirty days notice unless the superintendent finds such a revision is unreasonable in which case the revision shall not take effect: **PROVIDED FURTHER**, That an education clinic may, within fifteen days after such a finding by the superintendent, file notification of appeal with the state board of education which shall, no later than its second regularly scheduled meeting following notification of such appeal, either grant or deny the proposed revision: **AND PROVIDED FURTHER**, That the administration of any general education development test shall not be a part of such initial diagnostic procedure.

(b) Reimbursements shall not be made for students who are absent (~~Absences will be paid for, but after three consecutive absences or two unexcused absences in any one week, the student's enrollment will be terminated and no further fees will be payable: PROVIDED, That students may be re-enrolled at any time~~).

(c) No clinic shall make any charge to any student, or his parent, guardian or custodian, for whom a fee is being received under the provisions of this section.

(2) Payments shall be made from available funds first to those clinic(s) which have in the judgment of the superintendent demonstrated superior performance based upon consideration of students' educational gains taking into account such students' backgrounds, and upon consideration of cost effectiveness. In considering the cost effectiveness of nonprofit clinics the superintendent shall take into account not only payments made under this section but also factors such as tax exemptions, direct and indirect subsidies or any other cost to taxpayers at any level of government which result from such nonprofit status.

(3) To be eligible for such payment, every such clinic, without prior notice, shall permit a review of its accounting records by personnel of the state auditor during normal business hours.

(4) If total funds for this purpose approach depletion, the superintendent shall notify the clinics of the date after which further funds for reimbursement of the clinics' services will be exhausted.

NEW SECTION. Sec. 3. There is added to chapter 341, Laws of 1977 ex. sess. and to chapter 28A.97 RCW a new section to read as follows:

The legislative budget committee shall prepare a report to the legislature before each regular session, detailing the fiscal impact of the several certified educational clinics receiving reimbursements from the state pursuant to the provisions of this chapter. The legislative budget committee shall require such clinics to furnish such information as it deems necessary to

meet the requirements of this section. Included within the information to be reported by the legislative budget committee on each clinic shall be the following:

- (1) The dollar amount of reimbursement received by the clinic from the state for each month available of the then current, and past, biennium;
- (2) An analysis of the cost per student, the progress they have achieved, and comparisons with other educational and institutional alternatives; and
- (3) A statement which identifies the owners of the clinic. In the case of profit or nonprofit corporations the officers, directors, and shareholders of record as of the close of the corporation's fiscal year shall be furnished.

NEW SECTION. Sec. 4. If any provision of this 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 April 27, 1979.

Passed the Senate April 20, 1979.

Approved by the Governor May 14, 1979.

Filed in Office of Secretary of State May 14, 1979.

CHAPTER 175

[House Bill No. 622]

MUNICIPAL PUBLIC TRANSPORTATION MOTOR VEHICLE EXCISE TAX— BONDS RETIREMENT—STATE REMITTANCE OF REVENUES

AN ACT Relating to motor vehicle excise taxes; amending section 7, chapter 270, Laws of 1975 1st ex. sess. and RCW 35.58.2721; amending section 8, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.273; amending section 14, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.279; amending section 1, chapter 87, Laws of 1972 ex. sess. as amended by section 5, chapter 54, Laws of 1974 ex. sess. and RCW 82.44.150; providing an effective date; and declaring an emergency.

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

Section 1. Section 7, chapter 270, Laws of 1975 1st ex. sess. and RCW 35.58.2721 are each amended to read as follows:

In addition to any other authority now provided by law, and subject only to constitutional limitations, the governing body of any municipality shall be authorized to acquire, construct, operate, and maintain a public transportation system and additions and betterments thereto, and to issue general obligation bonds for public mass transportation capital purposes including but not limited to replacement of equipment: PROVIDED, That the general indebtedness incurred under this section when considered together with all the other outstanding general indebtedness of the municipality shall not exceed the amounts of indebtedness authorized by chapter 39.36 RCW and chapter 35.58 RCW, as now or hereafter amended, to be incurred without and with the assent of the voters.