

such other state by law or reciprocal agreement extends a like comity to cases arising in Washington.

Passed the Senate February 18, 1985.

Passed the House April 8, 1985.

Approved by the Governor April 17, 1985.

Filed in Office of Secretary of State April 17, 1985.

CHAPTER 49

[Senate Bill No. 3547]

SCHOOL IMMUNIZATION

AN ACT Relating to school immunization programs; amending RCW 28A.31.104, 28A.31.102, and 28A.31.114; adding new sections to chapter 28A.31 RCW; repealing RCW 28A.31.108; and declaring an emergency.

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

Sec. 1. Section 3, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.104 are each amended to read as follows:

The attendance of every child at every public and private school in the state and licensed day care center shall be conditioned upon the presentation (~~((within forty-five days of))~~) before or on each child's first day of attendance at a particular school or center, of proof of either (1) full immunization, (2) the initiation of and compliance with a schedule of immunization, as required by rules of the state board of health, or (3) a certificate of exemption as provided for in RCW 28A.31.106. The attendance at the school or the day care center during any subsequent school year of a child who has initiated a schedule of immunization shall be conditioned upon the presentation of proof of compliance with the schedule on the child's first day of attendance during the subsequent school year. Once proof of full immunization or proof of completion of an approved schedule has been presented, no further proof shall be required as a condition to attendance at the particular school or center.

Sec. 2. Section 2, chapter 118, Laws of 1979 ex. sess. as amended by section 4, chapter 40, Laws of 1984 and RCW 28A.31.102 are each amended to read as follows:

As used in RCW 28A.31.100 through 28A.31.120:

(1) "Chief administrator" shall mean the person with the authority and responsibility for the immediate supervision of the operation of a school or day care center as defined in this section or, in the alternative, such other person as may hereafter be designated in writing for the purposes of RCW 28A.31.100 through 28A.31.120 by the statutory or corporate board of directors of the school district, school, or day care center or, if none, such other persons or person with the authority and responsibility for the general supervision of the operation of the school district, school or day care center.

(2) "Full immunization" shall mean immunization against certain vaccine-preventable diseases in accordance with schedules and with immunizing agents approved by the state board of health.

(3) "Local health department" shall mean the city, town, county, district or combined city-county health department, board of health, or health officer which provides public health services.

(4) "School" shall mean and include each building, facility, and location at or within which any or all portions of a preschool, kindergarten and grades one through twelve program of education and related activities are conducted for two or more children by or in behalf of any public school district and by or in behalf of any private school or private institution subject to approval by the state board of education pursuant to RCW 28A.04.120(4) and 28A.02.201 through 28A.02.260, each as now or hereafter amended.

(5) "Day care center" shall mean an agency which regularly provides care for a group of thirteen or more children for periods of less than twenty-four hours and is licensed pursuant to chapter 74.15 RCW.

(6) "Child" shall mean any person, regardless of age, in attendance at a public or private school or a licensed day care center.

Sec. 3. Section 8, chapter 118, Laws of 1979 ex. sess. as amended by section 8, chapter 40, Laws of 1984 and RCW 28A.31.114 are each amended to read as follows:

~~((Upon notification by the local health department;))~~ It shall be the duty of the chief administrator of every public and private school and day care center to prohibit the further presence at the school or day care center for any and all purposes of each child for whom proof of immunization, certification of exemption, or proof of compliance with an approved schedule of immunization has not been provided in accordance with RCW 28A.31.104 and to continue to prohibit the child's presence until such proof of immunization, certification of exemption, or approved schedule has been provided. The exclusion of a child from a school shall be accomplished in accordance with rules of the state board of education. The exclusion of a child from a day care center shall be accomplished in accordance with rules of the department of social and health services. Prior to the exclusion of a child ~~((from a)),~~ each school or day care center ~~((each local health department))~~ shall provide written notice to the parent(s) or legal guardian(s) of each child or to the adult(s) in loco parentis to each child, who is not in compliance with the requirements of RCW 28A.31.104. The notice shall fully inform such person(s) of the following: (1) The requirements established by and pursuant to RCW 28A.31.100 through 28A.31.120; (2) the fact that the child will be prohibited from further attendance at the school unless RCW 28A.31.104 is complied with; (3) such procedural due process rights as are hereafter established pursuant to RCW 28A.31.118 and/or 28A.31.120, as appropriate; and (4) the immunization services that are

available from or through the local health department and other public agencies.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.31 RCW to read as follows:

The superintendent of public instruction shall provide for information about the immunization program and requirements under RCW 28A.31.100 through 28A.31.120 to be widely available throughout the state in order to promote full use of the program.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.31 RCW to read as follows:

The superintendent of public instruction by rule shall provide procedures for schools to quickly verify the immunization records of students transferring from one school to another before the immunization records are received.

NEW SECTION. Sec. 6. Section 5, chapter 118, Laws of 1979 ex. sess., section 6, chapter 40, Laws of 1984 and RCW 28A.31.108 are each repealed.

NEW SECTION. Sec. 7. This 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.

Passed the Senate April 9, 1985.

Passed the House April 5, 1985.

Approved by the Governor April 17, 1985.

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CHAPTER 50

[Substitute Senate Bill No. 4229]

JUVENILES IN ADULT HOLDING FACILITIES—CONDITIONS

AN ACT Relating to juveniles; adding a new section to chapter 13.04 RCW; and repealing RCW 13.04.115.

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

NEW SECTION. Sec. 1. A new section is added to chapter 13.04 RCW to read as follows:

(1) A juvenile shall not be confined in a jail or holding facility for adults, except:

(a) For a period not exceeding twenty-four hours excluding weekends and holidays and only for the purpose of an initial court appearance in a county where no juvenile detention facility is available, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates; or