

2 **ESSB 6180 - H AMD 0404 ADOPTED 3-12-92**

3 By Representatives G. Fisher, Brough, and Peery

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. Sec. 1. (1) A student's ability to learn can be
8 adversely impacted by a number of factors, including but not limited
9 to: Lack of parent involvement and support; child abuse and neglect;
10 poverty, including parental unemployment or underemployment; family
11 transiency and homelessness; drug and alcohol abuse; poor health and
12 nutrition; crime; and peer influence.

13 (2) The legislature finds that:

14 (a) Prevention and intervention services at the elementary school
15 level can offer early identification, encouragement, and follow-up of
16 each child's special interests, creative talents, and particular
17 abilities as well as identification of and cooperative assistance with
18 learning, emotional, environmental, social, or physical obstacles to
19 normal child growth and development; and

20 (b) The provision of counseling and related prevention and
21 intervention services at the elementary school level can contribute to
22 enhancement of the classroom environment for students and teachers, and
23 better enable students to realize their academic and personal
24 potential.

25 (c) The legislature finds that services should be provided to the
26 extent possible by public or private human service agencies."

1 "NEW SECTION. Sec. 2. Unless the context clearly requires
2 otherwise, the definitions in this section apply throughout sections 2
3 through 7 of this act.

4 (1) "Child intervention specialist" or "community-based public or
5 private human service provider" means a person who provides early
6 intervention and prevention services and includes but is not limited to
7 services provided by licensed mental health professionals, child
8 psychiatrists, health care providers, social service caseworkers or
9 social workers, school counselors, school psychologists, school nurses,
10 and school social workers.

11 (2) "Early grades," "elementary grades," and "elementary level"
12 mean kindergarten through grade six and may include preschool age
13 children served by the school district.

14 (3) "Elementary grades prevention and intervention program" means
15 a district-wide program or plan of early detection, prevention, and
16 intervention of learning, emotional, environmental, social, or physical
17 problems of elementary students, that addresses student and family
18 needs; the appropriate use and roles of child intervention specialists,
19 including training and necessary supervision; interprofessional
20 cooperation; and interagency, public and private, collaboration and
21 coordination of the planning, delivery, and evaluation of programs and
22 services.

23 (4) "Early intervention services" means services that are provided
24 to address social and emotional factors that can affect student
25 performance and behavior and that are provided when problems just begin
26 to emerge.

27 (5) "Prevention services" means services that are provided to
28 address social and emotional factors that can affect student
29 performance and behavior and that are provided to students before
30 problems occur.

1 (6) "Superintendent" means the superintendent of public
2 instruction."

3 "NEW SECTION. Sec. 3. (1) From funds appropriated by the
4 legislature, the superintendent shall establish the fair start program
5 to assist school districts in providing prevention and intervention
6 programs for elementary grade students. The fair start program shall
7 not become a part of the state's basic program of education obligation
8 as set forth under Article IX of the state Constitution.

9 (2) The superintendent shall distribute funds equitably to all
10 school districts based on the district's enrollment in grades
11 kindergarten through six. However, the allocations for school
12 districts enrolling fewer than one thousand full-time equivalent
13 students shall be distributed to the educational service district in
14 which the district is located. The educational service district shall
15 use the allocation to provide early intervention and prevention
16 services under a cooperative agreement between the district and the
17 educational service district. Educational service districts shall
18 coordinate the use of staff and resources to serve school districts.
19 Fair start funds shall not be used to replace funding for existing
20 activities. However, any district currently providing elementary
21 students with prevention and intervention services that loses the
22 source of funding for those services, for reasons beyond the control of
23 the district, may use fair start funds to continue or enhance the
24 existing level of prevention and intervention services.

25 (3) Two or more school districts may cooperatively administer an
26 elementary prevention and intervention program. An educational service
27 district may administer a program on behalf of one or more school
28 districts."

1 "NEW SECTION. Sec. 4. (1) School districts and educational
2 service districts accepting fair start funds shall submit not later
3 than June 1, 1993, the following information to the superintendent of
4 public instruction:

5 (a) District goals relating to prevention and early intervention
6 services for elementary students and the district's plan, based on the
7 goals, for providing prevention and early intervention services to
8 students. To ensure delivery of appropriate services to students
9 through a coordinated network of service providers, districts shall
10 document that community-based public and/or private human service
11 providers, district-level and building-level staff and administrators,
12 and parents participated in developing the goals and plan;

13 (b) Documentation of written interagency agreements or contracts
14 between school and educational service districts, and public and/or
15 private community-based human service providers to provide prevention
16 and early intervention services to students;

17 (c) Procedures for notifying parents or guardians regarding the
18 referral of students for prevention and intervention services and
19 liability issues relating to the provision of prevention and
20 intervention services to students outside school buildings;

21 (d) Use of grant funds for prevention and intervention-related
22 inservice purposes, including as necessary and appropriate,
23 multicultural in-service training; and

24 (e) Other information as requested by the superintendent.

25 (2) To the greatest extent possible, the delivery of prevention and
26 early intervention services to students:

27 (a) Shall not be duplicative of other programs;

28 (b) Shall be consistent with the applicable children's mental
29 health delivery system developed under chapter 71.36 RCW;

1 (c) Shall emphasize the most efficient and cost-effective use of
2 fair start funds; and

3 (d) Shall be provided on a twelve-month basis.

4 (3) When using school personnel to provide prevention and
5 intervention services, school districts are encouraged to utilize
6 paraprofessionals.

7 (4) School districts and educational service districts accepting
8 fair start funds shall enter into written interagency agreements with
9 community-based public and/or private human service providers to assure
10 delivery of appropriate services to students."

11 "NEW SECTION. **Sec. 5.** (1) Districts shall use fair start funds
12 to provide prevention and intervention services to students with
13 priority given to students based on need. Districts shall establish
14 the criteria determining need.

15 (2) Funds from the fair start program regarding health care shall
16 be used only for services and information relating to nutrition and
17 poor health.

18 (3) Nothing under sections 2 through 7 of this act precludes a
19 district from incorporating a primary intervention program model or a
20 family support worker model as part of the district's fair start
21 program."

22 "NEW SECTION. **Sec. 6.** The superintendent of public instruction
23 may adopt rules as necessary under chapter 34.05 RCW to implement
24 sections 2 through 5 of this act."

25 "NEW SECTION. **Sec. 7.** Upon request, the superintendent shall
26 provide information to districts regarding how other districts have
27 used fair start funds locally or how other districts have established

1 interagency agreements with community-based public and/or private human
2 service providers under section 4 of this act."

3 "NEW SECTION. Sec. 8. Sections 2 through 7 of this act are
4 each added to chapter 28A.600 RCW."

5 "NEW SECTION. Sec. 9. If any provision of this act or its
6 application to any person or circumstance is held invalid, the
7 remainder of the act or the application of the provision to other
8 persons or circumstances is not affected."

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10 By Representative G. Fisher

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12 On page 1, line 1 of the title, after "programs;" strike the
13 remainder of the title and insert "adding new sections to chapter
14 28A.600 RCW; and creating a new section."