

2 SSB 6180 - S AMD

3 By Senators Bailey, Rinehart and Gaspard

4 ADOPTED 3/11/92

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 9 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. Fair start funds shall not be used to  
12 replace funding for existing activities. However, any district  
13 currently providing elementary students with prevention and  
14 intervention services that loses the source of funding for those  
15 services, for reasons beyond the control of the district, may use fair  
16 start funds to continue or enhance the existing level of prevention and  
17 intervention services.

18       (3) Two or more school districts may submit a joint application for  
19 the purpose of establishing or enhancing a cooperative prevention and  
20 intervention program for elementary grades students. An educational  
21 service district may submit an application on behalf of one or more  
22 school districts for the purpose of establishing or enhancing an  
23 elementary grades prevention and intervention program."

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

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

9 (b) Documentation of any written interagency agreement or contract  
10 between school and educational service districts, and public or private  
11 community-based human service providers to provide prevention and early  
12 intervention services to students;

13 (c) Procedures for notifying parents or guardians regarding the  
14 referral of students for prevention and intervention services and  
15 liability issues relating to the provision of prevention and  
16 intervention services to students outside school buildings;

17 (d) Use of grant funds for prevention and intervention-related in-  
18 service purposes, including, as necessary and appropriate,  
19 multicultural in-service training; and

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

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

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

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

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

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

29 (3) School districts and educational service districts accepting  
30 fair start funds shall enter into written interagency agreements with

1 community-based public or private human service providers to assure  
2 delivery of appropriate services to students."

3 "NEW SECTION. Sec. 5. (1) Districts shall use fair start funds  
4 to provide prevention and intervention services to students with  
5 priority given to students based on need. Districts shall establish  
6 the criteria determining need and include this information in the  
7 report required under section 8 of this act.

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

11 (3) In developing their elementary grades prevention and  
12 intervention programs, districts shall, as appropriate, take into  
13 consideration the multicultural background and needs of students and,  
14 as necessary, provide appropriate multicultural materials.

15 (4) Nothing under sections 2 through 9 of this act precludes a  
16 district from incorporating a primary intervention program model or a  
17 family support worker model as part of the district's fair start  
18 program."

19 "NEW SECTION. Sec. 6. (1) The superintendent shall develop  
20 specific measures to evaluate the success of the grant projects and the  
21 fair start program. The department of social and health services shall  
22 provide the superintendent with information the superintendent may use  
23 in developing measures to evaluate the fair start program and projects.

24 (2) The superintendent of public instruction and the department of  
25 social and health services jointly shall conduct a longitudinal  
26 evaluation of the fair start program. The first report shall be  
27 submitted to the legislature and governor not later than December 1,  
28 1993."

1        "NEW SECTION. Sec. 7.        (1) The superintendent of public  
2 instruction shall adopt rules as necessary under chapter 34.05 RCW to  
3 implement sections 3 through 8 of this act. The rules shall permit  
4 school districts to provide prevention and intervention services  
5 through the local educational service district. The rules shall  
6 provide for appropriate coordination between the superintendent and the  
7 department of social and health services regarding the primary  
8 intervention program and the fair start program.

9        (2) The secretary of social and health services shall adopt rules  
10 as necessary under chapter 34.05 RCW to provide for appropriate  
11 coordination between the secretary and the superintendent regarding the  
12 fair start program and the primary intervention program."

13       "NEW SECTION. Sec. 8.        (1) School districts and educational  
14 service districts shall submit biennially to the superintendent a  
15 report on their fair start programs. The first report shall include  
16 the criteria established by districts to provide prevention and  
17 intervention services to students on a priority basis based on need.

18        (2) The superintendent shall submit biennially a report to the  
19 governor and the legislature on the fair start program established  
20 under section 3 of this act. The first report shall be submitted not  
21 later than December 1, 1993. The first report shall include  
22 information on districts' criteria establishing students' needs to  
23 receive prevention and intervention services on a priority basis.  
24 Subsequent reports shall be submitted not later than December 1st in  
25 even-numbered years.

26        (3) The superintendent of public instruction shall report to the  
27 legislature and the governor by January 15, 1993, the number of written  
28 interagency agreements or contracts entered into between schools and  
29 educational service districts and public or private community-based

1 human service providers to provide prevention and early intervention  
2 services to students."

3 "NEW SECTION. Sec. 9. Upon request, the superintendent shall  
4 provide information to districts regarding how other districts have  
5 used fair start funds locally or how other districts have established  
6 formal agreements for coordinated case management under section 4 of  
7 this act."

8 "NEW SECTION. Sec. 10. Sections 2 through 9 of this act are  
9 each added to chapter 28A.600 RCW."

10 "NEW SECTION. Sec. 11. If any provision of this act or its  
11 application to any person or circumstance is held invalid, the  
12 remainder of the act or the application of the provision to other  
13 persons or circumstances is not affected."

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17 On page 1, line 1 of the title, after "programs;" strike the  
18 remainder of the title and insert "adding new sections to chapter  
19 28A.600 RCW; and creating a new section."