
ENGROSSED SUBSTITUTE SENATE BILL 6180

State of Washington

52nd Legislature

1992 Regular Session

By Senate Committee on Education (originally sponsored by Senators Bailey, Erwin, Oke, Barr, Nelson and Skratek)

Read first time 02/04/92.

1 AN ACT Relating to education programs; adding new sections to
2 chapter 28A.600 RCW; and creating a new section.

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

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

10 (2) The legislature finds that:

11 (a) Prevention and intervention services at the elementary school
12 level can offer early identification, encouragement, and follow-up of
13 each child's special interests, creative talents, and particular
14 abilities as well as identification of and cooperative assistance with

1 learning, emotional, environmental, social, or physical obstacles to
2 normal child growth and development; and

3 (b) The provision of counseling and related prevention and
4 intervention services at the elementary school level can contribute to
5 enhancement of the classroom environment for students and teachers, and
6 better enable students to realize their academic and personal
7 potential.

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

10 NEW SECTION. **Sec. 2.** Unless the context clearly requires
11 otherwise, the definitions in this section apply throughout sections 2
12 through 9 of this act.

13 (1) "Child intervention specialist" or "community-based public or
14 private human service provider" means a person who provides early
15 intervention and prevention services and includes but is not limited to
16 services provided by licensed mental health professionals, child
17 psychiatrists, health care providers, social service caseworkers or
18 social workers, school counselors, school psychologists, school nurses,
19 and school social workers.

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

23 (3) "Elementary grades prevention and intervention program" means
24 a district-wide program or plan of early detection, prevention, and
25 intervention of learning, emotional, environmental, social, or physical
26 problems of elementary students, that addresses student and family
27 needs; the appropriate use and roles of child intervention specialists,
28 including training and necessary supervision; interprofessional
29 cooperation; and interagency, public and private, collaboration and

1 coordination of the planning, delivery, and evaluation of programs and
2 services.

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

7 (5) "Prevention services" means services that are provided to
8 address social and emotional factors that can affect student
9 performance and behavior and that are provided to students before
10 problems occur.

11 (6) "Superintendent" means the superintendent of public
12 instruction.

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

19 (2) The superintendent shall distribute funds equitably to all
20 school districts based on the district's enrollment in grades
21 kindergarten through six. Fair start funds shall not be used to
22 replace funding for existing activities. However, any district
23 currently providing elementary students with prevention and
24 intervention services that loses the source of funding for those
25 services, for reasons beyond the control of the district, may use fair
26 start funds to continue or enhance the existing level of prevention and
27 intervention services.

28 (3) Two or more school districts may submit a joint application for
29 the purpose of establishing or enhancing a cooperative prevention and

1 intervention program for elementary grades students. An educational
2 service district may submit an application on behalf of one or more
3 school districts for the purpose of establishing or enhancing an
4 elementary grades prevention and intervention program.

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

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

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

21 (c) Procedures for notifying parents or guardians regarding the
22 referral of students for prevention and intervention services and
23 liability issues relating to the provision of prevention and
24 intervention services to students outside school buildings;

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

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

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

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

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

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

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

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

13 NEW SECTION. **Sec. 5.** (1) Districts shall use fair start funds
14 to provide prevention and intervention services to students with
15 priority given to students based on need. Districts shall establish
16 the criteria determining need and include this information in the
17 report required under section 8 of this act.

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

21 (3) In developing their elementary grades prevention and
22 intervention programs, districts shall, as appropriate, take into
23 consideration the multicultural background and needs of students and,
24 as necessary, provide appropriate multicultural materials.

25 (4) Nothing under sections 2 through 9 of this act precludes a
26 district from incorporating a primary intervention program model or a
27 family support worker model as part of the district's fair start
28 program.

1 NEW SECTION. **Sec. 6.** (1) The superintendent shall develop
2 specific measures to evaluate the success of the grant projects and the
3 fair start program. The department of social and health services shall
4 provide the superintendent with information the superintendent may use
5 in developing measures to evaluate the fair start program and projects.

6 (2) The superintendent of public instruction and the department of
7 social and health services jointly shall conduct a longitudinal
8 evaluation of the fair start program. The first report shall be
9 submitted to the legislature and governor not later than December 1,
10 1993.

11 NEW SECTION. **Sec. 7.** (1) The superintendent of public
12 instruction shall adopt rules as necessary under chapter 34.05 RCW to
13 implement sections 3 through 8 of this act. The rules shall permit
14 school districts to provide prevention and intervention services
15 through the local educational service district. The rules shall
16 provide for appropriate coordination between the superintendent and the
17 department of social and health services regarding the primary
18 intervention program and the fair start program.

19 (2) The secretary of social and health services shall adopt rules
20 as necessary under chapter 34.05 RCW to provide for appropriate
21 coordination between the secretary and the superintendent regarding the
22 fair start program and the primary intervention program.

23 NEW SECTION. **Sec. 8.** (1) School districts and educational
24 service districts shall submit biennially to the superintendent a
25 report on their fair start programs. The first report shall include
26 the criteria established by districts to provide prevention and
27 intervention services to students on a priority basis based on need.

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

9 (3) The superintendent of public instruction shall report to the
10 legislature and the governor by January 15, 1993, the number of written
11 interagency agreements or contracts entered into between schools and
12 educational service districts and public or private community-based
13 human service providers to provide prevention and early intervention
14 services to students.

15 NEW SECTION. **Sec. 9.** Upon request, the superintendent shall
16 provide information to districts regarding how other districts have
17 used fair start funds locally or how other districts have established
18 formal agreements for coordinated case management under section 4 of
19 this act.

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

22 NEW SECTION. **Sec. 11.** If any provision of this act or its
23 application to any person or circumstance is held invalid, the
24 remainder of the act or the application of the provision to other
25 persons or circumstances is not affected.