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**SUBSTITUTE SENATE BILL 5141**

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**State of Washington**

**59th Legislature**

**2006 Regular Session**

**By** Senate Committee on Ways & Means (originally sponsored by Senators Rasmussen, Schmidt, McAuliffe, Delvin, Rockefeller, Shin, Weinstein, Berkey, Pflug, Kohl-Welles, Hargrove, Kline, Regala, Thibaudeau and Spanel)

READ FIRST TIME 02/7/06.

1       AN ACT Relating to early intervention services for children with  
2 disabilities; amending RCW 28A.155.070; adding new sections to chapter  
3 28A.155 RCW; and providing an effective date.

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

5       NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.155  
6 RCW to read as follows:

7       The legislature finds an urgent and substantial need to enhance the  
8 development of all infants and toddlers with disabilities in Washington  
9 in order to minimize developmental delays and to maximize individual  
10 potential for learning and functioning.

11       NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.155  
12 RCW to read as follows:

13       (1) By September 1, 2009, each school district shall provide or  
14 contract for early intervention services to all eligible children with  
15 disabilities from birth to three years of age. Eligibility shall be  
16 determined according to Part C of the federal individuals with  
17 disabilities education act and as specified in the Washington  
18 Administrative Code. School districts shall provide or contract for

1 early intervention services in partnership with local birth-to-three  
2 lead agencies and birth-to-three providers. Services provided under  
3 this section shall not supplant services or funding currently provided  
4 in the state for early intervention services to eligible children with  
5 disabilities from birth to three years of age. The state-designated  
6 birth-to-three lead agency shall be payor of last resort for birth-to-  
7 three early intervention services provided under this section.

8 (2) The services in this section are not part of the state's  
9 program of basic education pursuant to Article IX of the state  
10 Constitution.

11 **Sec. 3.** RCW 28A.155.070 and 1995 c 77 s 13 are each amended to  
12 read as follows:

13 Special educational and training programs provided by the state and  
14 the school districts thereof for children with disabilities ((may))  
15 shall be extended to include children of preschool age. School  
16 districts (~~((which extend such special programs to children of preschool~~  
17 ~~age))~~) shall be entitled to the regular apportionments from state and  
18 county school funds, as provided by law, and in addition to allocations  
19 from state excess cost funds made available for such special services  
20 for those children with disabilities who are given such special  
21 services.

22 NEW SECTION. **Sec. 4.** Section 3 of this act takes effect September  
23 1, 2009.

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