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SENATE BILL 5141

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State of Washington                      59th Legislature                      2005 Regular Session

By Senators Rasmussen, Schmidt, McAuliffe, Delvin, Rockefeller, Shin, Weinstein, Berkey, Pflug, Kohl-Welles, Hargrove, Kline, Regala, Thibaudeau and Spanel

Read first time 01/14/2005. Referred to Committee on Early Learning, K-12 & Higher Education.

1            AN ACT Relating to early intervention services for children with  
2 disabilities; adding new sections to chapter 28A.155 RCW; and declaring  
3 an emergency.

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           By September 1, 2008, 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 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.155  
9 RCW to read as follows:

10 (1) There is established a birth-to-three task force to make  
11 recommendations concerning policies, procedures, and regulations in  
12 order to ensure implementation of an equitable statewide comprehensive  
13 system for all eligible children with disabilities from birth to three  
14 years of age.

15 (2) Members of the task force shall be jointly appointed by the  
16 governor and the superintendent of public instruction by July 1, 2005,  
17 and shall include, at a minimum, the following:

18 (a) Representatives of the following: Special education operations  
19 within the office of superintendent of public instruction; the  
20 Washington association of school administrators; the Washington state  
21 school directors' association; an educational service district; a large  
22 school district; the special education advisory council; the infant  
23 toddler early intervention program within the department of social and  
24 health services; the developmental disabilities section of the  
25 association of county human services; the medical assistance  
26 administration within the department of social and health services; the  
27 governor's head start state collaboration office; the division of child  
28 care and early learning within the department of social and health  
29 services; the children with special health care needs program within  
30 the department of health; a local health department/district; an Indian  
31 tribe providing early intervention services; the Washington state  
32 chapter of the American academy of pediatrics; the early childhood  
33 development association of Washington; the neurodevelopmental centers  
34 of Washington; a nonprofit local birth-to-three lead agency, which is  
35 not already represented in the membership of the task force; and an  
36 advocacy group for children with disabilities from birth to three years  
37 of age and their families; and

1 (b) A special education director from a school district providing  
2 early intervention services; a special education director from a school  
3 district not providing early intervention services; and four members of  
4 the state interagency coordinating council for infants and toddlers  
5 with disabilities and their families, three of whom shall be parents.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.155  
7 RCW to read as follows:

8 The birth-to-three task force shall submit a report to the governor  
9 and the superintendent of public instruction by December 1, 2006,  
10 outlining their recommendations.

11 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
12 preservation of the public peace, health, or safety, or support of the  
13 state government and its existing public institutions, and takes effect  
14 immediately.

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