

SENATE BILL REPORT

SB 5879

As Amended by House, March 1, 2016

Title: An act relating to early intervention services for infants and toddlers with disabilities and their families.

Brief Description: Concerning early intervention services for infants and toddlers with disabilities and their families.

Sponsors: Senators Billig, McAuliffe and Kohl-Welles; by request of Department of Early Learning.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/16/15, 2/19/15 [DP].

Passed Senate: 1/20/16, 48-0.

Passed House: 3/01/16, 92-5.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig, Fain, Hill, Mullet, Rivers and Rolfes.

Staff: Ailey Kato (786-7434)

Background: Early Support for Infants and Toddlers (ESIT). In accordance with the Individuals with Disabilities Education Act (IDEA), Part C, children from birth to three years of age who have been diagnosed with a disability or developmental delays and their families are entitled to intervention services. The program in Washington that provides these services is called the ESIT program. In 2010 the program was transferred from the Department of Social and Health Services to the Department of Early Learning (DEL).

Current law states that each school district must provide or contract for early intervention services to all eligible children with disabilities from birth to three years of age. Eligibility for these services must be determined according to IDEA or other applicable federal and state law, and as specified in the Washington Administrative Code adopted by the state lead agency. Current law also states that school districts must provide or contract for early intervention services in partnership with local birth-to-three agencies and birth-to-three providers.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

State Interagency Coordinating Council for Infants and Toddlers with Disabilities and Their Families (Council). In accordance with the IDEA, Part C, the Council was re-established by Executive Order 14-03 on March 13, 2014. The mission of the Council is to coordinate and foster development of a comprehensive statewide system of accessible local early intervention services for children birth to age three who have disabilities or are at risk for developing disabilities and their families, and to coordinate transition of these children into programs for children ages three to six.

Current law states that the Council addresses children from birth to age six.

Summary of Bill: ESIT. The state lead agency for ESIT is identified as DEL. School districts may both provide and contract for early intervention services. A technical change is made to accurately reflect the name of federal law.

Council. The Council addresses children from birth to age three.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This agency-request bill clarifies what is already in practice. This bill makes technical corrections in current law. These corrections will provide clarity to providers.

Persons Testifying: PRO: Senator Billig, prime sponsor; Justin Montermini, DEL.

Persons Signed In To Testify But Not Testifying: No one.

House Amendment(s): The Office of Superintendent of Public Instruction (OSPI) must provide DEL with a full accounting of the school district expenditures from the 2013-14 and 2014-15 school years, disaggregated by districts, for birth-to-three early intervention services. The report expenditures must include, but are not limited to, per student allocations; per student expenditures; the number of children served; detailed information on services provided by school districts and contracted for by school districts; coordination and transition services; and administrative costs. DEL must provide a full accounting of the ESIT expenditures from the 2013-14 and 2014-15 school years, which must include OSPI's reported expenditures. By December 15, 2016, DEL must develop and submit a plan to the appropriate committees of the Legislature on comprehensive and coordinated early intervention services for all eligible children with disabilities in accordance with IDEA. The plan must include, but is not limited to, the full accounting provided by DEL and OSPI; identification and proposal for coordination of all available public financial resources within the state; a design for an integrated early learning intervention system for all eligible infants and toddlers who have been diagnosed with a disability or developmental delays and their families; development of procedures that ensure

services are provided to all eligible infants and toddlers and their families in a consistent and timely manner; and a proposal for the integration of early support for infants and toddlers services with other critical services available for children birth to age three and their families. As the lead agency for IDEA, DEL's duties include developing and adopting rules that establish minimum requirements for the services offered through IDEA, including allowable allocations and expenditures for transition.