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## Early Learning & Human Services Committee

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### ESSB 6257

**Brief Description:** Developing a funding model for early intervention services for eligible children.

**Sponsors:** Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Billig, Zeiger, Kuderer, Keiser, Palumbo and Saldaña).

<p style="text-align: center;"><b>Brief Summary of Engrossed Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Requires specified agencies to develop a funding model to be used to determine budget allocations after July 1, 2019, for early intervention services for children ages birth through 2 years.</li></ul>
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**Hearing Date:** 2/15/18

**Staff:** Dawn Eychaner (786-7135).

**Background:**

Early Support for Infants and Toddlers.

Part C of the federal Individuals with Disabilities Education Act (IDEA) requires individual and family intervention services for children ages birth through 2 years who have a disability or developmental delay. The Department of Early Learning (DEL) is the lead agency for IDEA Part C and the delivery of early intervention services through the state's Early Support for Infants and Toddlers (ESIT) program.

Early intervention services include:

- family resource coordination;
- developmental services;
- occupational or physical therapy; and
- speech or language therapy.

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*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.*

The DEL receives federal Part C funding and some state funding for early intervention services. Additional state funding for early intervention services is distributed to school districts through the Office of the Superintendent of Public Instruction (OSPI). School districts are required to provide or contract for early intervention services. Early intervention services are not considered part of basic education under Article IX of the state Constitution.

Part C of the IDEA requires that federal funds be a payer of last resort and may not be used to satisfy a financial commitment for services that would otherwise have been paid for from another public or private source. The DEL rules require providers to bill all applicable funding sources, including public and private insurance and families, prior to using state and federal funds for early intervention services.

Referrals to services are provided through Local Lead Agencies (LLAs) serving a specific geographic area. The LLAs either provide direct services or contract for services to be provided to children and families. The LLAs include county health and human services agencies, nonprofit agencies, and educational service districts.

The DEL has the authority to develop and adopt rules to establish minimum requirements for the ESIT services, including allowable allocations and expenditures for transitions into the IDEA, Part B services when a child turns age 3. School districts must ensure that students with disabilities who are ages 3 through 21 years receive special education services under Part B of the IDEA.

#### Caseload Forecast Council.

The Caseload Forecast Council (CFC) prepares the official state caseload forecasts for special education programs, including special education for children ages birth through 2 years.

#### State Interagency Coordinating Council.

The State Interagency Coordinating Council (SICC) works with the DEL and other state agencies that provide early intervention services to infants and toddlers with disabilities and their families to ensure agencies coordinate and collaborate in the planning and delivery of such services.

#### Department of Children, Youth, and Families.

On July 1, 2018, all powers, duties, and functions of the DEL will be transferred to the Department of Children, Youth, and Families (DCYF).

#### **Summary of Bill:**

The DCYF must consult with the DEL, the OSPI, the Office of Financial Management (OFM), the CFC, and legislative fiscal staff to develop a funding model used to determine the amount of annual allocations appropriated in the biennial operating budget after July 1, 2019, for early intervention services for children ages birth through 2 years. The DCYF must seek advice and assistance from the SICC in the development of the funding model.

By September 1, 2018, the DCYF must submit a final report with the agreed-upon funding model and any necessary statutory changes to the OFM and the fiscal committees of the Legislature.

The Act expires July 1, 2020.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.