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HOUSE BILL 2695

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State of Washington

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By Representatives G. Fisher, Peery, Brough, Vance, Belcher, G. Cole, Roland, Basich, Riley, Sheldon, Ludwig, Paris, Wineberry, Winsley, Nelson, Franklin, Jones, Pruitt, Wynne, Brekke, J. Kohl, Orr, Leonard, O'Brien and Rasmussen

Read first time 01/24/92. Referred to Committee on Education.

1 AN ACT Relating to the fair start program; 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 negative peer influence. Such factors can be  
10 manifested in behavior such as underachievement and failure,  
11 absenteeism and truancy, drug and alcohol abuse, delinquency, suicide,  
12 disruption of the classroom learning environment, dropping out, teen  
13 pregnancy, and, later in life, unemployment, a need for public  
14 assistance, treatment or institutionalization for mental health

1 reasons, involvement with the judicial system, and possible  
2 imprisonment for criminal convictions.

3 (2) The legislature finds that:

4 (a) Prevention and intervention services at the elementary school  
5 level can offer early identification, support, and follow-up of each  
6 child's special interests, creative talents, and particular abilities  
7 as well as identification of and cooperative assistance with learning,  
8 emotional, environmental, social, or physical obstacles to normal child  
9 growth and development; and

10 (b) Counseling and related prevention and intervention services at  
11 the elementary school level can contribute to enhancement of the  
12 classroom environment for students and teachers, and better enable  
13 students to realize their academic and personal potential.

14 (3) The legislature finds that early intervention and prevention  
15 services should be provided to the extent possible by community-based  
16 public or private human service agencies.

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

20 (1) "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 (2) "Elementary grades prevention and intervention program" means  
24 a program of early detection, prevention, and intervention of learning,  
25 emotional, environmental, social, or physical problems of elementary  
26 students.

27 (3) "Superintendent" means the superintendent of public  
28 instruction.

1 (4) "Community-based service provider network" means a formal or  
2 informal organization of locally based service providers, currently  
3 existing or created to fulfill the purposes of sections 3 through 9 of  
4 this act, including but not limited to social service providers, health  
5 services providers, mental health services providers, juvenile justice  
6 representatives, employment service providers, and educators.

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

13 (2) The superintendent shall distribute funds equitably to all  
14 school districts based on the districts' enrollment in grades  
15 kindergarten through six. Fair start funds shall not be used to  
16 replace funding for activities existing on the effective date of this  
17 section. However, any district providing elementary students with  
18 prevention and intervention services on the effective date of this  
19 section that loses the source of funding for those services for reasons  
20 beyond the control of the district, may use fair start funds to  
21 continue or enhance the level of prevention and intervention services.

22 (3) School districts accepting fair start funds shall submit within  
23 six months of receipt of the funds the following information to the  
24 superintendent:

25 (a) District goals relating to prevention and intervention services  
26 for elementary students and the district's plan, based on the goals,  
27 for providing prevention and intervention services to students. The  
28 goals and plan shall be developed with the participation of, but not

1 limited to, district and building-level staff and administrators, and  
2 a community-based service providers network;

3 (b) Procedures for notifying parents or guardians regarding the  
4 referral of students for prevention and intervention services and  
5 liability issues relating to providing prevention and intervention  
6 services to students outside school buildings;

7 (c) Use of grant funds for prevention and intervention related  
8 inservice purposes, including, as necessary and appropriate,  
9 multicultural inservice training for school-based fair start service  
10 providers;

11 (d) Other information as requested by the superintendent.

12 (4) Two or more school districts may submit a joint application for  
13 the purpose of establishing or enhancing a cooperative prevention and  
14 intervention program for elementary grades students. An educational  
15 service district may submit an application on behalf of one or more  
16 school districts for the purpose of establishing or enhancing an  
17 elementary grades prevention and intervention program.

18 NEW SECTION. **Sec. 4.** School districts and educational service  
19 districts accepting fair start funds shall enter into written  
20 interagency agreements with community-based public or private human  
21 service providers to assure delivery of appropriate services to  
22 students. To the greatest extent possible, the delivery of services to  
23 students shall not be duplicative of other programs, shall maximize the  
24 use of community-based service providers, shall emphasize the most  
25 efficient and cost-effective use of fair start funds, and shall be  
26 provided on a twelve-month basis. School districts and educational  
27 service districts are strongly encouraged to contract with public or  
28 private community-based human service providers to provide elementary

1 students with prevention and intervention services under the local fair  
2 start program.

3 NEW SECTION. **Sec. 5.** Nothing under sections 2 through 9 of  
4 this act precludes a district from incorporating a primary intervention  
5 program model or a family support worker model as part of the  
6 district's fair start program.

7 NEW SECTION. **Sec. 6.** The superintendent shall develop  
8 specific measures to evaluate the success of the grant projects and the  
9 fair start program. The department of social and health services shall  
10 provide the superintendent with information the superintendent may use  
11 in developing measures to evaluate the fair start program and projects.

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

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

24 (3) The department of social and health services shall, to the  
25 extent practical, assist with the development of school district  
26 elementary grades prevention and intervention programs by rotating or

1 loaning department employees to schools to serve as child intervention  
2 specialists.

3 NEW SECTION. **Sec. 8.** (1) School districts and educational  
4 service districts shall submit biennially to the superintendent a  
5 report on their fair start programs.

6 (2) The superintendent shall submit biennially a report to the  
7 governor and the legislature on the fair start program established  
8 under section 3 of this act. The first report shall be submitted not  
9 later than December 1, 1993. The first report shall include  
10 information on districts' criteria establishing students' needs to  
11 receive prevention and intervention services on a priority basis. The  
12 report shall also include information on school district efforts to  
13 maximize the use of community-based service providers and to provide  
14 services on a twelve-month basis. Subsequent reports shall be submitted  
15 not later than December 1st in even-numbered years.

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

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