

# HOUSE BILL REPORT

## SHB 2230

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### As Passed House:

March 12, 2007

**Title:** An act relating to early intervention services for children who are three years old.

**Brief Description:** Regarding early intervention services for children three years old.

**Sponsors:** By House Committee on Early Learning & Children's Services (originally sponsored by Representatives Ericks, Bailey, Schual-Berke, Williams, Kagi, Moeller, Lantz, Hasegawa, Green, Morrell, Linville, Blake, Upthegrove, Hunt, O'Brien, Roach, Goodman, Simpson, Ormsby and Santos).

### Brief History:

#### Committee Activity:

Early Learning & Children's Services: 2/23/07, 2/27/07 [DPS].

#### Floor Activity:

Passed House: 3/12/07, 97-0.

### Brief Summary of Substitute Bill

- Requires development of a policy to prevent children with disabilities from experiencing a gap in services when transitioning out of birth-to-three early intervention programs and into special education programs.

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## HOUSE COMMITTEE ON EARLY LEARNING & CHILDREN'S SERVICES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Kagi, Chair; Haler, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Appleton, Hinkle, Pettigrew and Roberts.

**Staff:** Sydney Forrester (786-7120).

### Background:

Early intervention services to Washington's children with disabilities who are between the ages of birth and three years are available through the Department of Social and Health Services (DSHS) and through some school districts in the state. The DSHS early intervention

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services are administered under the Infant and Toddler Early Intervention Program (ITEIP). School district early intervention programs are typically provided as part of a continuum of special education services to children with disabilities. School districts may work in partnership with the ITEIP and provide services directly or through contracts with local birth-to-three agencies and providers.

Beginning September 1, 2009, each school district must provide or contract for early intervention services to all eligible children with disabilities from birth to three years of age.

School districts currently are required to provide special education services to eligible children with disabilities between the ages of three and 21 years. Approximately three-quarters of children who receive birth-to-three special education services also qualify for three-to-21 services when they enter the K-12 system. Special education statutes require a transition plan to be in place for these children by their third birthday in order to facilitate exit from the birth-to-three program and entry into the three-to-21 program. Due to limited school districts' services or programming during the summer months, some children with birthdays during the late spring and summer months may experience a gap in receiving these special education services as they exit the ITEIP program upon reaching age three.

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**Summary of Substitute Bill:**

The Department of Social and Health Services (DSHS) and the Office of the Superintendent of Public Instruction (OSPI) must jointly confer and consult with appropriate entities and report back to the Legislature by October 1, 2007, regarding a policy to ensure children who are eligible for special education services do not experience a gap in services when transitioning from ITEIP to special education programs.

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**Appropriation:** None.

**Fiscal Note:** Requested on February 28, 2007.

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

**Staff Summary of Public Testimony:**

(In support) Children with summer birthdays who exit the Infant Toddler Early Intervention Program (ITEIP) may have a gap in services while waiting for the school district to enroll them in a special education program. For some of the children these programs are intended to serve, a one, two, or three month gap in services can erase or diminish the gains previously made. It does not make sense to allow a gap in service for these children simply because the bureaucracies are not in synch when a child moves from ITEIP to special education.

It is important to recognize there is a gap in the special education system for all children because the school district services usually run just nine months per year. This creates a great

deal of stress for families to coordinate all the systems to help their children get what they need to continue progressing. The current birth-to-three program is very important and we want to make sure the funding for these services is stable. We also want to try and solve the gap in services problem.

(Opposed with concerns) We recognize the need for consistency and services to children with disabilities. We would like to make sure we recognize that school districts are required to, and are funded to, prevent these gaps in services. Early intervention programs usually run for 12 months but special education programs may not. We must make sure we do not jeopardize federal ITEIP funding by serving children beyond the age of three years. If the ITEIP services are extended to children beyond three years we would not have the funding. Special education programs should pick-up these children when they exit ITEIP.

(Opposed) None.

**Persons Testifying:** (In support) Representative Ericks, prime sponsor; and Cassie Johnston and Cecile Lindquist, Wee Care Coalition.

(Opposed with concerns) Sandy L. Morris, Department of Social and Health Services, Infant Toddler Early Intervention Program.

**Persons Signed In To Testify But Not Testifying:** None.