

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 6180

Chapter 196, Laws of 1992

52nd Legislature
1992 Regular Session

FAIR START PROGRAM

EFFECTIVE DATE: 6/11/92

Passed by the Senate March 12, 1992
Yeas 25 Nays 20

JOEL PRITCHARD

President of the Senate

Passed by the House March 12, 1992
Yeas 97 Nays 0

JOE KING

**Speaker of the
House of Representatives**

Approved April 2, 1992

BOOTH GARDNER

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6180** as passed by the Senate and the House of Representatives on the dates hereon set forth.

GORDON A. GOLOB

Secretary

FILED

April 2, 1992 - 11:31 a.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 6180

AS AMENDED BY THE HOUSE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Senate Committee on Education (originally sponsored by Senators
Bailey, Erwin, Oke, Barr, Nelson and Skratek)

Read first time 02/04/92.

1 AN ACT Relating to education programs; 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 peer influence.

10 (2) The legislature finds that:

11 (a) Prevention and intervention services at the elementary school
12 level can offer early identification, encouragement, and follow-up of
13 each child's special interests, creative talents, and particular
14 abilities as well as identification of and cooperative assistance with

1 learning, emotional, environmental, social, or physical obstacles to
2 normal child growth and development; and

3 (b) The provision of counseling and related prevention and
4 intervention services at the elementary school level can contribute to
5 enhancement of the classroom environment for students and teachers, and
6 better enable students to realize their academic and personal
7 potential.

8 (c) The legislature finds that services should be provided to the
9 extent possible by public or private human service agencies.

10 NEW SECTION. **Sec. 2.** Unless the context clearly requires
11 otherwise, the definitions in this section apply throughout sections 2
12 through 7 of this act.

13 (1) "Child intervention specialist" or "community-based public or
14 private human service provider" means a person who provides early
15 intervention and prevention services and includes but is not limited to
16 services provided by licensed mental health professionals, child
17 psychiatrists, health care providers, social service caseworkers or
18 social workers, school counselors, school psychologists, school nurses,
19 and school social workers.

20 (2) "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 (3) "Elementary grades prevention and intervention program" means
24 a district-wide program or plan of early detection, prevention, and
25 intervention of learning, emotional, environmental, social, or physical
26 problems of elementary students, that addresses student and family
27 needs; the appropriate use and roles of child intervention specialists,
28 including training and necessary supervision; interprofessional
29 cooperation; and interagency, public and private, collaboration and

1 coordination of the planning, delivery, and evaluation of programs and
2 services.

3 (4) "Early intervention services" means services that are provided
4 to address social and emotional factors that can affect student
5 performance and behavior and that are provided when problems just begin
6 to emerge.

7 (5) "Prevention services" means services that are provided to
8 address social and emotional factors that can affect student
9 performance and behavior and that are provided to students before
10 problems occur.

11 (6) "Superintendent" means the superintendent of public
12 instruction.

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

19 (2) The superintendent shall distribute funds equitably to all
20 school districts based on the district's enrollment in grades
21 kindergarten through six. However, the allocations for school
22 districts enrolling fewer than one thousand full-time equivalent
23 students shall be distributed to the educational service district in
24 which the district is located. The educational service district shall
25 use the allocation to provide early intervention and prevention
26 services under a cooperative agreement between the district and the
27 educational service district. Educational service districts shall
28 coordinate the use of staff and resources to serve school districts.
29 Fair start funds shall not be used to replace funding for existing

1 activities. However, any district currently providing elementary
2 students with prevention and intervention services that loses the
3 source of funding for those services, for reasons beyond the control of
4 the district, may use fair start funds to continue or enhance the
5 existing level of prevention and intervention services.

6 (3) Two or more school districts may cooperatively administer an
7 elementary prevention and intervention program. An educational service
8 district may administer a program on behalf of one or more school
9 districts.

10 NEW SECTION. **Sec. 4.** (1) School districts and educational
11 service districts accepting fair start funds shall submit not later
12 than June 1, 1993, the following information to the superintendent of
13 public instruction:

14 (a) District goals relating to prevention and early intervention
15 services for elementary students and the district's plan, based on the
16 goals, for providing prevention and early intervention services to
17 students. To ensure delivery of appropriate services to students
18 through a coordinated network of service providers, districts shall
19 document that community-based public and/or private human service
20 providers, district-level and building-level staff and administrators,
21 and parents participated in developing the goals and plan;

22 (b) Documentation of written interagency agreements or contracts
23 between school and educational service districts, and public and/or
24 private community-based human service providers to provide prevention
25 and early intervention services to students;

26 (c) Procedures for notifying parents or guardians regarding the
27 referral of students for prevention and intervention services and
28 liability issues relating to the provision of prevention and
29 intervention services to students outside school buildings;

1 (d) Use of grant funds for prevention and intervention-related
2 inservice purposes, including as necessary and appropriate,
3 multicultural in-service training; and

4 (e) Other information as requested by the superintendent.

5 (2) To the greatest extent possible, the delivery of prevention and
6 early intervention services to students:

7 (a) Shall not be duplicative of other programs;

8 (b) Shall be consistent with the applicable children's mental
9 health delivery system developed under chapter 71.36 RCW;

10 (c) Shall emphasize the most efficient and cost-effective use of
11 fair start funds; and

12 (d) Shall be provided on a twelve-month basis.

13 (3) When using school personnel to provide prevention and
14 intervention services, school districts are encouraged to utilize
15 paraprofessionals.

16 (4) School districts and educational service districts accepting
17 fair start funds shall enter into written interagency agreements with
18 community-based public and/or private human service providers to assure
19 delivery of appropriate services to students.

20 NEW SECTION. **Sec. 5.** (1) Districts shall use fair start funds
21 to provide prevention and intervention services to students with
22 priority given to students based on need. Districts shall establish
23 the criteria determining need.

24 (2) Funds from the fair start program regarding health care shall
25 be used only for services and information relating to nutrition and
26 poor health.

27 (3) Nothing under sections 2 through 7 of this act precludes a
28 district from incorporating a primary intervention program model or a

1 family support worker model as part of the district's fair start
2 program.

3 NEW SECTION. **Sec. 6.** The superintendent of public instruction
4 may adopt rules as necessary under chapter 34.05 RCW to implement
5 sections 2 through 5 of this act.

6 NEW SECTION. **Sec. 7.** Upon request, the superintendent shall
7 provide information to districts regarding how other districts have
8 used fair start funds locally or how other districts have established
9 interagency agreements with community-based public and/or private human
10 service providers under section 4 of this act.

11 NEW SECTION. **Sec. 8.** Sections 2 through 7 of this act are
12 each added to chapter 28A.600 RCW.

13 NEW SECTION. **Sec. 9.** If any provision of this act or its
14 application to any person or circumstance is held invalid, the
15 remainder of the act or the application of the provision to other
16 persons or circumstances is not affected.

Passed the Senate March 12, 1992.

Passed the House March 12, 1992.

Approved by the Governor April 2, 1992.

Filed in Office of Secretary of State April 2, 1992.