

SENATE BILL REPORT

SB 5141

As Reported By Senate Committee On:
Early Learning, K-12 & Higher Education, February 16, 2005
Ways & Means, February 6, 2006

Title: An act relating to early intervention services for children with disabilities.

Brief Description: Providing for early intervention services for children with disabilities.

Sponsors: Senators Rasmussen, Schmidt, McAuliffe, Delvin, Rockefeller, Shin, Weinstein, Berkey, Pflug, Kohl-Welles, Hargrove, Kline, Regala, Thibaudeau and Spanel.

Brief History:

Committee Activity: Early Learning, K-12 & Higher Education: 2/2/05, 2/16/05 [DP-WM, DNP].

Ways & Means: 1/31/06, 2/6/06 [DPS].

SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair; Weinstein, Vice Chair; Berkey, Delvin, Eide, Kohl-Welles, Rasmussen, Rockefeller and Shin.

Minority Report: Do not pass.

Signed by Senator Pflug.

Staff: Ingrid Mungia (786-7423)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5141 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Fairley, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau.

Staff: Bryon Moore (786-7726)

Background: Special education is instruction and related services specially designed to meet the unique needs and abilities of students with disabilities. It is provided at no cost to eligible students in the state between 3 and 21 years of age.

School districts may provide early intervention services to eligible preschool-age children with a disability. School districts that provide these services are entitled to the regular apportionments from state and county school funds, as provided by law, in addition to

allocations from state excess cost funds made available for special services for children with disabilities.

If school districts opt to serve eligible preschool-age children, they must do so in the birth-to-three age group under state regulations implementing part C of the federal Individuals with Disabilities Education Act (IDEA).

The Department of Social and Health Services (DSHS) is the lead agency responsible for early intervention services to children with a disability in the birth-to-three age group.

Summary of Substitute Bill: By September 1, 2009, each school district is required to provide or contract for early intervention services to all eligible children with disabilities from birth to three years of age. Eligibility must be determined according to Part C of the IDEA and as specified in state regulation. School districts are required to provide or contract for early intervention services in partnership with local birth-to-three lead agencies and birth-to-three providers. The provided early intervention services must not supplant services or funding currently provided in the state for early intervention services to eligible children with disabilities from birth to three years of age. The state-designated birth-to-three lead agency must be payor of last resort for provided birth-to-three early intervention services. On September 1, 2009, special educational and training programs provided by the state and the school districts for children with disabilities shall be extended to include children of preschool age. The birth-to-three early intervention services are not part of the state's program of basic education pursuant to Article IX of the state Constitution.

Substitute Bill Compared to Original Bill: School district are required to provide or contract for early intervention services to all eligible children with disabilities from birth to three years of age by September 1, 2009 rather than September 1, 2008. The birth to three intervention services are declared to not be part of the state's program of basic education. A technical amendment is made to make the statute related to funding of birth-to-three services consistent with the new requirement for school districts to provide or contract for services beginning September 1, 2009. The emergency clause is removed. Provisions related to the creation of a Birth-To-Three Task Force are removed.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Testimony For: Early learning is critical for brain development. Early intervention works. Currently, services for children differ depending on what region you live in. This bill is needed to provide fair, consistent services to children birth to three with disabilities. Birth to three services are very important for children and families. It is a burden on families who have to travel a long distance for services. There is no downside for school districts because they would be reimbursed for the services provided to children birth to three. Research demonstrates the effectiveness of early intervention in preventing children from needing special education services once they reach school age.

Testimony Against: None.

Who Testified: PRO: Senator Marilyn Rasmussen, prime sponsor; Cassie Johnson, WEECARE; Ian Rooney, Kindering Center and parent of a disabled child; Danette Glassy, Washington Chapter of American Academy of Pediatrics; Rebecca Turnbull, Lewis County Special Education Cooperative; David Lewis, Tacoma Public Schools; Linda Lamkin, Pierce County Department of Disabilities; Kathrin Fortner, Holly Ridge Center; MaryJean Mitchell, Little Red School House; Seth Dawson, citizen; Cecile Lindquist, Washington Special Education Coalition; Pepsy Wirth, PTA; Diane Lindeen Smith, PTA; Greg Williamson, OSPI; Diana Stadden, Autism Society of Washington.