
SUBSTITUTE HOUSE BILL 2695

State of Washington

52nd Legislature

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By House Committee on Education (originally sponsored 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 02/05/92.

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, and,
13 later in life, unemployment, a need for public assistance, treatment or

1 institutionalization for mental health reasons, involvement with the
2 judicial system, and possible 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 through a comprehensive system that uses
16 school-based and community-based service providers.

17 (4) The purpose of this act is to establish the fair start program
18 to assist school districts in developing comprehensive programs for
19 prevention and intervention services. School districts must
20 collaborate with community-based service providers in developing the
21 fair start program and must enter into written agreements with
22 community-based service providers to deliver appropriate services to
23 elementary students. Services provided may include, but are not
24 limited to, school counseling, school-based social services, case
25 management, referrals, family support efforts, mental health services,
26 and health services.

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

1 (1) "Early grades," "elementary grades," and "elementary level"
2 mean kindergarten through grade six and may include preschool age
3 children served by the school district.

4 (2) "Elementary grades prevention and intervention program" means
5 a program of early detection, prevention, and intervention of learning,
6 emotional, environmental, social, or physical problems of elementary
7 students.

8 (3) "Superintendent" means the superintendent of public
9 instruction.

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

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

25 (3) Two or more school districts may cooperatively administer a
26 prevention and intervention program for elementary grades students. An
27 educational service district may administer a prevention and
28 intervention program on behalf of one or more school districts.

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

5 (a) District goals relating to prevention and early intervention
6 services for elementary students and the district's plan, based on the
7 goals, for providing prevention and early intervention services to
8 students. To ensure delivery of appropriate services to students
9 through a coordinated network of service providers, districts shall
10 document that community-based public or private human service
11 providers, district level and building level staff and administrators,
12 and parents participated in developing the goals and plan;

13 (b) Documentation of any written interagency agreement or contract
14 between school districts or educational service districts, and public
15 or private community-based human service providers to provide
16 prevention and early intervention services to students;

17 (c) Procedures for notifying parents or guardians regarding the
18 referral of students for prevention and intervention services and
19 liability issues relating to providing prevention and intervention
20 services to students outside school buildings;

21 (d) Use of grant funds for prevention and intervention-related
22 inservice purposes including, as necessary and appropriate,
23 multicultural inservice training; and

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

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

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

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

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

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

4 (3) When using school personnel to provide prevention and
5 intervention services, school districts are encouraged to utilize
6 paraprofessionals.

7 (4) School districts and educational service districts accepting
8 fair start funds shall enter into written interagency agreements with
9 community-based public or private human service providers to assure
10 delivery of appropriate services to students.

11 NEW SECTION. **Sec. 5.** Nothing under sections 2 through 9 of
12 this act precludes a district from incorporating a primary intervention
13 program model, a children's mental health delivery system developed
14 under chapter 71.36 RCW, or a family support worker model as part of
15 the district's fair start program.

16 NEW SECTION. **Sec. 6.** The superintendent shall develop
17 specific measures to evaluate the success of the grant projects and the
18 fair start program. The department of social and health services shall
19 provide the superintendent with information the superintendent may use
20 in developing measures to evaluate the fair start program and projects.

21 NEW SECTION. **Sec. 7.** The superintendent of public instruction
22 shall adopt rules as necessary under chapter 34.05 RCW to implement
23 sections 3 through 9 of this act. The rules shall permit school
24 districts to provide prevention and intervention services through the
25 local educational service district.

1 NEW SECTION. **Sec. 8.** The department of social and health
2 services shall, to the extent practical, assist with the development of
3 school district elementary grades prevention and intervention programs
4 by rotating or loaning department employees to schools to serve as
5 prevention and early intervention service providers.

6 NEW SECTION. **Sec. 9.** (1) School districts and educational
7 service districts shall submit biennially to the superintendent a
8 report on their fair start programs. The reports shall include updated
9 information as required in section 4(1) of this act. The reports shall
10 be submitted not later than June 1, 1994, and in even-numbered years
11 thereafter.

12 (2) The superintendent shall submit biennially a report to the
13 governor and the legislature on the fair start program established
14 under section 3 of this act. The first report shall be submitted not
15 later than December 30, 1993. Subsequent reports shall be submitted
16 not later than December 30, 1994, and in even-numbered years
17 thereafter. The reports shall include information on school district
18 efforts to maximize the use of community-based service providers and to
19 provide services on a twelve-month basis.

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