
SUBSTITUTE SENATE BILL 6180

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; adding a new section to chapter 28A.300 RCW;
3 adding new sections to chapter 28A.150 RCW; and creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 PART I

6 FAIR START PROGRAM

7 NEW SECTION. **Sec. 101.** (1) A student's ability to learn can be
8 adversely impacted by a number of factors, including but not limited
9 to: Lack of parent involvement and support; child abuse and neglect;
10 poverty, including parental unemployment or underemployment; family
11 transiency and homelessness; drug and alcohol abuse; poor health and
12 nutrition; crime; and peer influence. Such factors can be manifested
13 in forms such as underachievement and failure, absenteeism and truancy,

1 drug and alcohol abuse, delinquency, suicide, disruption of the
2 classroom learning environment, dropping out, teen pregnancy, and,
3 later in life, unemployment, a need for public assistance, treatment or
4 institutionalization for mental health reasons, involvement with the
5 judicial system, and possible imprisonment for criminal convictions.

6 (2) The legislature finds that:

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

13 (b) The provision of counseling and related prevention and
14 intervention services at the elementary school level can contribute to
15 enhancement of the classroom environment for students and teachers, and
16 better enable students to realize their academic and personal
17 potential.

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

20 NEW SECTION. **Sec. 102.** Unless the context clearly requires
21 otherwise, the definitions in this section apply throughout sections
22 102 through 109 of this act.

23 (1) "Child intervention specialist" or "community-based public or
24 private human service provider" means a person who provides early
25 intervention and prevention services and includes but is not limited to
26 services provided by licensed mental health professionals, child
27 psychiatrists, health care providers, social service caseworkers or
28 social workers, school counselors, school psychologists, school nurses,
29 and school social workers.

1 (2) "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 (3) "Elementary grades prevention and intervention program" means
5 a district-wide program or plan of early detection, prevention, and
6 intervention of learning, emotional, environmental, social, or physical
7 problems of elementary students, that addresses student and family
8 needs; the appropriate use and roles of child intervention specialists,
9 including training and necessary supervision; interprofessional
10 cooperation; and interagency, public and private, collaboration and
11 coordination of the planning, delivery, and evaluation of programs and
12 services.

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

17 (5) "Prevention services" means services that are provided to
18 address social and emotional factors that can affect student
19 performance and behavior and that are provided to students before
20 problems occur.

21 (6) "Superintendent" means the superintendent of public
22 instruction.

23 NEW SECTION. **Sec. 103.** (1) From funds appropriated by the
24 legislature, the superintendent shall establish the fair start program
25 to assist school districts in providing prevention and intervention
26 programs for elementary grade students. The fair start program shall
27 not become a part of the state's basic program of education obligation
28 as set forth under Article IX of the state Constitution.

1 (2) The superintendent shall distribute funds equitably to all
2 school districts based on the district's enrollment in grades
3 kindergarten through six. Fair start funds shall not be used to
4 replace funding for existing activities. However, any district
5 currently providing elementary students with prevention and
6 intervention services that loses the source of funding for those
7 services, for reasons beyond the control of the district, may use fair
8 start funds to continue or enhance the existing level of prevention and
9 intervention services.

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

16 NEW SECTION. **Sec. 104.** (1) School districts and educational
17 service districts accepting fair start funds shall submit not later
18 than June 1, 1993, the following information to the superintendent of
19 public instruction:

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

28 (b) Documentation of any written interagency agreement or contract
29 between school and educational service districts, and public or private

1 community-based human service providers to provide prevention and early
2 intervention services to students;

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

7 (d) Use of grant funds for prevention and intervention-related in-
8 service purposes, including, as necessary and appropriate,
9 multicultural in-service training; and

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

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

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

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

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

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

19 (3) School districts and educational service districts accepting
20 fair start funds shall enter into written interagency agreements with
21 community-based public or private human service providers to assure
22 delivery of appropriate services to students.

23 NEW SECTION. **Sec. 105.** (1) Districts shall use fair start funds
24 to provide prevention and intervention services to students with
25 priority given to students based on need. Districts shall establish
26 the criteria determining need and include this information in the
27 report required under section 108 of this act.

1 (2) Funds from the fair start program shall not be used for
2 providing services, referrals, or information regarding abortions,
3 contraceptives, or birth control.

4 (3) In developing their elementary grades prevention and
5 intervention programs, districts shall, as appropriate, take into
6 consideration the multicultural background and needs of students and,
7 as necessary, provide appropriate multicultural materials.

8 (4) Nothing under sections 102 through 109 of this act precludes a
9 district from incorporating a primary intervention program model or a
10 family support worker model as part of the district's fair start
11 program.

12 NEW SECTION. **Sec. 106.** (1) The superintendent shall develop
13 specific measures to evaluate the success of the grant projects and the
14 fair start program. The department of social and health services shall
15 provide the superintendent with information the superintendent may use
16 in developing measures to evaluate the fair start program and projects.

17 (2) The superintendent of public instruction and the department of
18 social and health services jointly shall conduct a longitudinal
19 evaluation of the fair start program. The first report shall be
20 submitted to the legislature and governor not later than December 1,
21 1993.

22 NEW SECTION. **Sec. 107.** (1) The superintendent of public
23 instruction shall adopt rules as necessary under chapter 34.05 RCW to
24 implement sections 103 through 108 of this act. The rules shall permit
25 school districts to provide prevention and intervention services
26 through the local educational service district. The rules shall
27 provide for appropriate coordination between the superintendent and the

1 department of social and health services regarding the primary
2 intervention program and the fair start program.

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

7 NEW SECTION. **Sec. 108.** (1) School districts and educational
8 service districts shall submit biennially to the superintendent a
9 report on their fair start programs. The first report shall include
10 the criteria established by districts to provide prevention and
11 intervention services to students on a priority basis based on need.

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 103 of this act. The first report shall be submitted not
15 later than December 1, 1993. The first report shall include
16 information on districts' criteria establishing students' needs to
17 receive prevention and intervention services on a priority basis.
18 Subsequent reports shall be submitted not later than December 1st in
19 even-numbered years.

20 (3) The superintendent of public instruction shall report to the
21 legislature and the governor by January 15, 1993, the number of written
22 interagency agreements or contracts entered into between schools and
23 educational service districts and public or private community-based
24 human service providers to provide prevention and early intervention
25 services to students.

26 NEW SECTION. **Sec. 109.** Upon request, the superintendent shall
27 provide information to districts regarding how other districts have
28 used fair start funds locally or how other districts have established

1 formal agreements for coordinated case management under section 104 of
2 this act.

3 NEW SECTION. **Sec. 110.** Sections 102 through 109 of this act are
4 each added to chapter 28A.600 RCW.

5 PART II

6 LOCAL EDUCATION PROGRAM ENHANCEMENT FUNDS

7 NEW SECTION. **Sec. 201.** A new section is added to chapter 28A.300
8 RCW to read as follows:

9 (1) The superintendent of public instruction shall establish a
10 program to provide school districts, from appropriated funds, local
11 education program enhancement funds.

12 (2) A school district shall be eligible to receive an allocation
13 from appropriated funds if the school district's board of directors
14 has:

15 (a) Assessed the needs of the schools within the district;

16 (b) Prioritized the identified needs; and

17 (c) Developed an expenditure plan for the allocation and an
18 evaluation methodology to assess benefits to students.

19 (3) School districts receiving moneys pursuant to this section
20 shall expend such moneys to meet educational needs identified by the
21 district within the following program areas:

22 (a) Prevention and intervention services in the elementary grades;

23 (b) Reduction of class size;

24 (c) Early childhood education;

25 (d) Student-at-risk programs, including dropout prevention and
26 retrieval, and substance abuse awareness and prevention;

27 (e) Staff development and in-service programs;

- 1 (f) Student logical reasoning and analytical skill development;
- 2 (g) Programs for highly capable students;
- 3 (h) Programs involving students in community services;
- 4 (i) Senior citizen volunteer programs;
- 5 (j) Those sections under this act requiring a match of local funds
- 6 to state funds; and
- 7 (k) Other purposes that enhance a school district's basic education
- 8 program.

9 (4) Program enhancements funded pursuant to this section do not
10 fall within the definition of basic education for purposes of Article
11 IX of the state Constitution and the state's funding duty thereunder.

12 (5)(a) Allocations to eligible school districts shall be calculated
13 on the basis of average annual full time equivalent enrollment. For
14 school districts enrolling not more than one hundred average annual
15 full time equivalent students, and for small school plants within any
16 school district designated as remote and necessary schools, the
17 allocations shall be determined as follows:

18 (i) Enrollment of not more than sixty average annual full time
19 equivalent students in grades kindergarten through six shall generate
20 funding based on sixty full time equivalent students;

21 (ii) Enrollment of not more than twenty average annual full time
22 equivalent students in grades seven and eight shall generate funding
23 based on twenty full time equivalent students; and

24 (iii) Enrollment of sixty or fewer average annual full time
25 equivalent students in grades nine through twelve shall generate
26 funding based on sixty full time equivalent students.

27 (b) Allocations shall be distributed on a school-year basis
28 pursuant to RCW 28A.510.250.

1 PART III

2 VOCATIONAL EDUCATION INSTRUCTION--STUDENT/TEACHER RATIO

3 NEW SECTION. **Sec. 301.** A new section is added to chapter 28A.150
4 RCW to read as follows:

5 Commencing with the 1992-93 school year, the formula adopted by the
6 legislature pursuant to RCW 28A.150.260 shall include a ratio of
7 ninety-two one-hundredths certificated instructional staff and eight
8 one-hundredths certificated administrative staff to sixteen and sixty-
9 seven one-hundredths annual average full-time equivalent students in
10 grades nine through twelve enrolled in vocational education programs
11 approved by the superintendent of public instruction: PROVIDED, That
12 any increase in funds generated by the change in the ratio of
13 certificated personnel to annual average full-time equivalent
14 vocational students shall be used by local school districts to provide
15 additional state support for their vocational education programs
16 commencing with the 1992-93 school year.

17 NEW SECTION. **Sec. 302.** A new section is added to chapter 28A.150
18 RCW to read as follows:

19 The superintendent of public instruction shall adopt rules that
20 establish general program approval standards for determining the terms
21 and conditions under which school districts are eligible to receive
22 state funds for secondary vocational education. The standards shall
23 include a provision regarding the use of extended or supplemental
24 contracts for certificated vocational education instructors in
25 vocational fields and provide assistance to districts in determining
26 when to offer such contracts.

PART IV

MISCELLANEOUS

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3 NEW SECTION. **Sec. 401.** Part headings as used in this act
4 constitute no part of the law.

5 NEW SECTION. **Sec. 402.** If any provision of this act or its
6 application to any person or circumstance is held invalid, the
7 remainder of the act or the application of the provision to other
8 persons or circumstances is not affected.