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ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2025

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State of Washington

57th Legislature

2001 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Santos, Talcott, Quall, Keiser, Ogden, Tokuda, Schual-Berke and Kenney)

Read first time 03/08/2001. Referred to Committee on .

1 AN ACT Relating to students whose primary language is other than  
2 English; amending RCW 28A.180.030 and 28A.180.040; adding a new section  
3 to chapter 28A.180 RCW; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** (1) The superintendent of public instruction  
6 shall review:

7 (a) The criteria used to determine the point at which limited  
8 English proficient students are required to take the Washington  
9 assessment of student learning. The review shall be used to determine  
10 if the criteria are developmentally appropriate and in the best  
11 interest of the students.

12 (b) The criteria used to determine the point at which the results  
13 of the Washington assessment of student learning for students receiving  
14 instructional services in the state transitional bilingual instruction  
15 program should be included in a school district's and school's  
16 assessment results.

17 (2) In conducting the review, the superintendent shall consult with  
18 parents, teachers, principals, classroom instructional staff,

1 recognized experts in second-language instruction, and statewide ethnic  
2 organizations that represent second-language learners.

3 (3) Preliminary results of the review shall be reported to the  
4 education and fiscal committees of the legislature by December 1, 2001.  
5 Final results of the review shall be reported to the education and  
6 fiscal committees of the legislature by December 1, 2002.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.180  
8 RCW to read as follows:

9 The superintendent of public instruction shall develop an  
10 evaluation system designed to measure increases in the English and  
11 academic proficiency of eligible pupils. When developing the system,  
12 the superintendent shall:

13 (1) Require school districts to assess potentially eligible pupils  
14 within ten days of registration using an English proficiency assessment  
15 or assessments as specified by the superintendent of public  
16 instruction. Results of these assessments shall be made available to  
17 both the superintendent of public instruction and the school district;

18 (2) Require school districts to annually assess all eligible pupils  
19 at the end of the school year using an English proficiency assessment  
20 or assessments as specified by the superintendent of public  
21 instruction. Results of these assessments shall be made available to  
22 both the superintendent of public instruction and the school district;

23 (3) Develop a system to evaluate increases in the English and  
24 academic proficiency of students who are, or were, eligible pupils.  
25 This evaluation shall include students when they are in the program and  
26 after they exit the program until they finish their K-12 career or  
27 transfer from the school district. The purpose of the evaluation  
28 system is to inform schools, school districts, parents, and the state  
29 of the effectiveness of the transitional bilingual programs in school  
30 and school districts in teaching these students English and other  
31 content areas, such as mathematics and writing; and

32 (4) Report to the education and fiscal committees of the  
33 legislature by November 1, 2002, regarding the development of the  
34 systems described in this section and a timeline for the full  
35 implementation of those systems.

36 **Sec. 3.** RCW 28A.180.030 and 1990 c 33 s 164 are each amended to  
37 read as follows:

1 As used ((in RCW 28A.180.010 through 28A.180.080)) throughout this  
2 chapter, unless the context ((thereof)) clearly indicates ((to the  
3 contrary)) otherwise:

4 (1) "Transitional bilingual instruction" means:

5 (a) A system of instruction which uses two languages, one of which  
6 is English, as a means of instruction to build upon and expand language  
7 skills to enable the pupil to achieve competency in English. Concepts  
8 and information are introduced in the primary language and reinforced  
9 in the second language: PROVIDED, That the program shall include  
10 testing in the subject matter in English; or

11 (b) In those cases in which the use of two languages is not  
12 practicable as established by the superintendent of public instruction  
13 and unless otherwise prohibited by law, an alternative system of  
14 instruction which may include English as a second language and is  
15 designed to enable the pupil to achieve competency in English.

16 (2) "Primary language" means the language most often used by the  
17 student for communication in his/her home.

18 (3) "Eligible pupil" means any enrollee of the school district  
19 whose primary language is other than English and whose English language  
20 skills are sufficiently deficient or absent to impair learning.

21 **Sec. 4.** RCW 28A.180.040 and 1984 c 124 s 3 are each amended to  
22 read as follows:

23 Every school district board of directors shall:

24 (1) Make available to each eligible pupil transitional bilingual  
25 instruction to achieve competency in English, in accord with rules of  
26 the superintendent of public instruction.

27 (2) Wherever feasible, ensure that communications to parents  
28 emanating from the schools shall be appropriately bilingual for those  
29 parents of pupils in the bilingual instruction program.

30 (3) Determine, by administration of an English test approved by the  
31 superintendent of public instruction the number of eligible pupils  
32 enrolled in the school district at the beginning of a school year and  
33 thereafter during the year as necessary in individual cases. ((If,  
34 however, a preliminary interview indicates little or no English  
35 speaking ability, eligibility testing shall not be necessary.))

36 (4) Before the conclusion of each school year, measure each  
37 eligible pupil's improvement in learning the English language by means  
38 of a test approved by the superintendent of public instruction.

1 (5) Provide in-service training for teachers, counselors, and other  
2 staff, who are involved in the district's transitional bilingual  
3 program. Such training shall include appropriate instructional  
4 strategies for children of culturally different backgrounds, use of  
5 curriculum materials, and program models.

6 NEW SECTION. **Sec. 5.** If specific funding for the purposes of this  
7 act, referencing this act by bill or chapter number, is not provided by  
8 June 30, 2001, in the omnibus appropriations act, this act is null and  
9 void.

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