
SENATE BILL 5070

State of Washington

66th Legislature

2019 Regular Session

By Senators Wellman, Zeiger, Wilson, C., Kuderer, and Saldaña; by request of Superintendent of Public Instruction

Prefiled 01/03/19. Read first time 01/14/19. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to K-12 dual language and bilingual education;
2 amending RCW 28A.180.040 and 28A.630.095; adding new sections to
3 chapter 28A.180 RCW; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.180
6 RCW to read as follows:

7 (1) Certificated instructional staff who have attained a
8 bilingual education endorsement shall receive a bonus each year they
9 maintain the endorsement. The annual bonus shall be five thousand
10 dollars in the 2019-20 school year. Thereafter, the annual bonus
11 shall increase by inflation.

12 (2) Instructional paraeducators who have attained an English
13 language learner certificate under RCW 28A.413.080 and demonstrate
14 proficiency in a language other than English on a standardized test,
15 achieving a level of proficiency comparable to that expected of
16 students who earn the Washington state seal of biliteracy, shall
17 receive a bonus each year they maintain the certification. The annual
18 bonus shall be one thousand five hundred dollars in the 2019-20
19 school year. Thereafter, the annual bonus shall increase by
20 inflation.

1 (3) The bonuses provided under this section are in addition to
2 compensation received under a school district's salary schedule
3 adopted in accordance with RCW 28A.405.200 and may not be included in
4 calculations of a school district's average salary and associated
5 salary limitations under RCW 28A.400.200.

6 (4) The bonuses provided under this section shall be paid in a
7 lump sum amount.

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

10 Subject to funds appropriated for this specific purpose, by the
11 end of fiscal year 2020, the office of the superintendent of public
12 instruction shall:

13 (1) Develop Spanish language arts standards;

14 (2) Contract with an organization to conduct a bias and
15 sensitivity review of the proposed Spanish language arts standards;
16 and

17 (3) Provide professional learning outreach to school districts to
18 help educators implement the Spanish language arts standards.

19 **Sec. 3.** RCW 28A.180.040 and 2016 c 72 s 301 are each amended to
20 read as follows:

21 (1) Every school district board of directors shall:

22 (a) Make available to each eligible pupil transitional bilingual
23 instruction to achieve competency in English, in accord with rules of
24 the superintendent of public instruction;

25 (b) Wherever feasible, ensure that communications to parents
26 emanating from the schools shall be appropriately bilingual for those
27 parents of pupils in the bilingual instruction program;

28 (c) Determine, by administration of an English test approved by
29 the superintendent of public instruction the number of eligible
30 pupils enrolled in the school district at the beginning of a school
31 year and thereafter during the year as necessary in individual cases;

32 (d) Ensure that a student who is a child of a military family in
33 transition and who has been assessed as in need of, or enrolled in, a
34 bilingual instruction program, the receiving school shall initially
35 honor placement of the student into a like program.

36 (i) The receiving school shall determine whether the district's
37 program is a like program when compared to the sending school's
38 program; and

1 (ii) The receiving school may conduct subsequent assessments
2 pursuant to RCW 28A.180.090 to determine appropriate placement and
3 continued enrollment in the program;

4 (e) Before the conclusion of each school year, measure each
5 eligible pupil's improvement in learning the English language by
6 means of a test approved by the superintendent of public instruction;

7 (f) Provide in-service training for teachers, counselors, and
8 other staff, who are involved in the district's transitional
9 bilingual program. Such training shall include appropriate
10 instructional strategies for children of culturally different
11 backgrounds, use of curriculum materials, and program models; and

12 (g) Make available a program of instructional support for up to
13 two years immediately after pupils exit from the program, for exited
14 pupils who need assistance in reaching grade-level performance in
15 academic subjects even though they have achieved English proficiency
16 for purposes of the transitional bilingual instructional program.

17 (2)(a) Beginning in the 2019-20 school year, all classroom
18 teachers assigned using funds for the transitional bilingual
19 instruction program to provide supplemental instruction for eligible
20 pupils must hold an endorsement in bilingual education or English
21 language learner, or both.

22 (b) Teachers with less than one year of teaching experience, who
23 do not have the endorsement required under (a) of this subsection,
24 may be funded by the transitional bilingual instruction program for a
25 period of twenty-four months, if the teacher is enrolled in a
26 bilingual education endorsement program or an English language
27 learner endorsement program within six months of the teacher's date
28 of transfer or hire.

29 (3) The definitions in Article II of RCW 28A.705.010 apply to
30 subsection (1)(d) of this section.

31 **Sec. 4.** RCW 28A.630.095 and 2017 c 236 s 2 are each amended to
32 read as follows:

33 (1)(a) The K-12 dual language grant program is created to grow
34 capacity for high quality dual language learning in the common
35 schools and in state-tribal compact schools.

36 (b) A dual language program is an instructional model that
37 provides content-based instruction to students in two languages:
38 English and a target language other than English spoken in the local
39 community, for example Spanish, Somali, Vietnamese, Russian, Arabic,

1 native languages, or indigenous languages. The goal of the program is
2 for students to eventually become proficient and literate in both
3 languages, while also meeting high academic standards in all subject
4 areas. Typically, programs begin at kindergarten or first grade and
5 continue through at least elementary school. Two-way dual language
6 programs begin with a balanced number of native and nonnative
7 speakers of the target language so that both groups of students serve
8 in the role of language modeler and language learner at different
9 times. One-way dual language programs serve only nonnative English
10 speakers.

11 (2)(a) The office of the superintendent of public instruction
12 shall develop and administer the grant program.

13 (b) Subject to the availability of amounts appropriated for this
14 specific purpose, by October 1, 2017, the office of the
15 superintendent of public instruction must award grants of up to two
16 hundred thousand dollars each through a competitive process to school
17 districts or state-tribal compact schools proposing to: (i) Establish
18 a two-way dual language program or a one-way dual language program in
19 a school with predominantly English learners; or (ii) expand a
20 recently established two-way dual language program or a one-way dual
21 language program in a school with predominantly English learners.
22 When awarding a grant to a school district or a state-tribal compact
23 school proposing to establish a dual language program in a target
24 language other than Spanish, the office must provide a bonus of up to
25 twenty thousand dollars.

26 (c) The office of the superintendent of public instruction must
27 identify criteria for awarding the grants, evaluate applicants, and
28 award grant money. The office must select grantees that represent
29 sufficient geographic, demographic, and enrollment diversity to
30 produce meaningful data for the report required in section 6, chapter
31 236, Laws of 2017. The application must require, among other things,
32 that the applicant describe: (i) How the program will serve the
33 applicant's English learner population; (ii) the number of classrooms
34 that the applicant expects to add with the grant money; (iii) the
35 planned use of the grant money; (iv) the applicant's plan for student
36 enrollment and outreach to families who speak the target language;
37 (v) the applicant's plan to recruit and support bilingual
38 paraeducators, classified staff, parents, and high school students to
39 become bilingual teachers in the district or state-tribal compact
40 school; (vi) the applicant's commitment to, and plan for, sustaining

1 a dual language program beyond the grant period; and (vii) whether
2 the school district board of directors or the governing body of a
3 state-tribal compact school has expressed support for dual language
4 programs.

5 (d) The grant money must be used for dual language program start-
6 up and expansion costs, such as staff and teacher training, teacher
7 recruitment, development and implementation of a dual language
8 learning model and curriculum, and other costs identified in the
9 application as key for start-up. The grant money may not be used for
10 ongoing program costs.

11 (3) The grant period is two years. At the end of the grant
12 period, the grantees must work with the office of the superintendent
13 of public instruction to draft the report required in section 6,
14 chapter 236, Laws of 2017.

15 (4) The office of the superintendent of public instruction must
16 notify school districts and state-tribal compact schools of the grant
17 program established under this section and provide ample time for the
18 application process.

19 (5) The superintendent of public instruction may adopt rules to
20 implement this section.

21 (6) This section expires July 1, (~~2020~~) 2026.

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