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**SECOND SUBSTITUTE SENATE BILL 5607**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Wellman, Das, Kuderer, Nguyen, Randall, Hunt, Carlyle, Darneille, Cleveland, Keiser, Takko, Saldaña, Liias, Van De Wege, Hasegawa, and Wilson, C.)

AN ACT Relating to dual language learning in early learning and K-12 education; amending RCW 28A.300.574; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.655 RCW; adding new sections to chapter 43.216 RCW; and repealing 43.216.105.

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

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

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall develop and administer the K-12 dual language grant program to grow capacity for high quality dual language learning in the public schools, and as described in this section.

(b) A dual language program is an instructional model that provides content-based instruction to students in two languages: English and a target language other than English spoken in the local community, such as Spanish, Somali, Vietnamese, Russian, Arabic, native languages, or indigenous languages. The goal of a dual language program is for students to eventually become proficient and literate in both languages, while also meeting high academic standards in all subject areas. Typically, programs begin at kindergarten or first grade and continue through at least elementary school. Two-way dual language programs begin with a balanced number of native and nonnative speakers of the target language so that both groups of students serve in the role of language modeler and language learner at different times. One-way dual language programs serve only nonnative English speakers.

(2)(a) Within the K-12 dual language grant program, the office of the superintendent of public instruction shall establish two separate competitive grant application and award processes: One to establish dual language programs and one to expand existing dual language programs. Grant awards must be limited to one award per program per biennium.

(b) Beginning October 1, 2020, and by October 1st each even-numbered year thereafter, the office of the superintendent of public instruction must award up to:

(i) Ten two-year grants to local education agencies interested in establishing a two-way dual language program or a one-way dual language program in a target language that is one of the five most commonly spoken languages in the community, and in a school with predominantly English learners; and

(ii) Ten two-year grants to local education agencies interested in expanding a recently established two-way dual language program or a one-way dual language program in a target language that is one of the five most spoken languages in the community, and in a school with predominantly English learners.

(c) When awarding a grant to a local education agency proposing to establish or expand a dual language program in a target language other than Spanish, the office of the superintendent of public instruction must provide a bonus of up to five thousand dollars.

(d) The office of the superintendent of public instruction must:

(i) Identify criteria for awarding the grants, evaluate applicants, and award grant money; and

(ii) Select grantees with geographic, demographic, and enrollment diversity.

(e) The grant application must require, among other things, that the applicant describe:

(i) How the program will serve the applicant's English learner population in a target language that is one of the five most commonly spoken languages in the community;

(ii) The number of classrooms that the applicant expects to add with the grant money;

(iii) The planned use of the grant money;

(iv) The applicant's plan for student enrollment and outreach to families who speak the target language;

(v) The applicant's plan to recruit and support bilingual paraeducators, classified staff, parents, and high school students to become bilingual teachers in the local education agency;

(vi) The applicant's commitment to, and plan for, sustaining a dual language program beyond the grant period; and

(vii) Whether the governing body of the local education agency has expressed support for dual language programs.

(3) Each grant recipient must:

(a) Convene an advisory board to guide the development and continuous improvement of its dual language program. At least half the members of the board must be parents of English learner students. The other members of the board must represent teachers, students, school leaders, governing board members, and community-based organizations that support English learners;

(b) Use the grant money for: Dual language program start-up and expansion costs, such as staff and teacher training, teacher recruitment, development and implementation of a dual language learning model and curriculum, and other costs identified in the application as key for start-up; and advisory board costs. The grant money may not be used for ongoing program costs; and

(c) Work with the office of the superintendent of public instruction at the end of the grant period to draft the report required in subsection (5) of this section.

(4) The office of the superintendent of public instruction must notify local education agencies of the K-12 dual language grant program established under this section and provide ample time for the application process.

(5) Beginning December 1, 2022, and by December 1st each even-numbered year thereafter, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction must submit a report to the appropriate committees of the legislature that details the grant period's successes, best practices, lessons learned, and outcomes, including how many more children were educated in dual language classrooms as a result of the K-12 dual language grant program.

(6) The superintendent of public instruction may adopt rules to implement this section.

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

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall develop and administer the heritage language grant program to grow capacity for students to receive high quality heritage language learning, and as described in this section.

(b) A heritage language is a target language other than English, spoken by an individual, a family, or a community, including the indigenous languages of native communities or the home languages of immigrant or refugee communities. A heritage language program is a program designed to support language development of heritage language learners in the target language.

(2)(a) Within the heritage language grant program, the office of the superintendent of public instruction shall establish two separate competitive grant application and award processes: One for heritage language programs for immigrant and refugee students and one for indigenous language programs for native students. Grant awards must be limited to one award per program per biennium.

(b) Beginning October 1, 2020, and by October 1st each even-numbered year thereafter, the office of the superintendent of public instruction must award up to:

(i) Five two-year grants to create heritage language programs for immigrant and refugee students, with up to two-thirds of the amount awarded in the first year of the grant period; and

(ii) Five two-year grants to create indigenous language programs for native students, with up to two-thirds of the amount awarded in the first year of the grant period.

(c) The office of the superintendent of public instruction must identify criteria for awarding the grants, evaluate applicants, and award grant funds in compliance with the following requirements:

(i) Applicants wishing to create heritage language programs for immigrants or refugees must be local education agencies;

(ii) The office of the superintendent of public instruction must prioritize applicants that partner with community-based organizations;

(iii) Applications for a heritage language program for immigrants or refugees must describe how the program will support English learners whose target language is one of the five most commonly spoken languages in the community, but is not supported with school-based enrichment opportunities for the language, such as a dual language program;

(iv) Applicants wishing to create indigenous language programs must be state-tribal compact schools or school districts in partnership with an Indian tribe or nation;

(v) Applicants may create programs for any grade level, and may offer the program during the school day, before or after school, during the weekends, or during the summer;

(vi) Applicants must agree to inform students and families of options to earn world language credits or the Washington state seal of biliteracy, established under RCW 28A.300.575, by, among other things, demonstrating proficiency in a language other than English; and

(vii) Applicants must agree to work with the office of the superintendent of public instruction at the end of the grant period to draft the report required in subsection (4) of this section.

(3) The office of the superintendent of public instruction must promote the heritage language grant program established under this section by reaching out to immigrant and refugee communities and native communities, including by notifying the state-tribal compact schools, tribal governments, and the tribal leaders congress on education.

(4) Beginning December 1, 2022, and by December 1st each even-numbered year thereafter, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction must submit a report to the appropriate committees of the legislature that details the grant period's successes, best practices, lessons learned, and outcomes, including the impact of the heritage language and indigenous language programs on participating students' language gains and overall academic outcomes, and the use of the grant funds.

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

**Sec.**  RCW 28A.300.574 and 2017 c 236 s 3 are each amended to read as follows:

(1)(a) Within existing resources, the office of the superintendent of public instruction shall facilitate dual language professional learning ((~~cohorts for school districts and state-tribal compact schools establishing or expanding~~)) communities to promote statewide collaboration among staff administering and working in dual language programs under section 1 of this act and heritage language programs under section 2 of this act.

(b) The office ((~~must~~)) of the superintendent of public instruction shall provide technical assistance and support to ((~~school districts and state-tribal compact schools implementing dual language programs, including those establishing or expanding dual language programs under section 1 of this act~~)) dual language programs under section 1 of this act and heritage language programs under section 2 of this act. Technical assistance and support must include professional development, sharing resources and best practices, and guidance for programs to be self-sustaining through the use of state basic education or federal funding.

(2) The superintendent of public instruction may adopt rules to implement this section.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.655 RCW to read as follows:

By September 1, 2021, the office of the superintendent of public instruction shall adopt essential academic learning requirements and grade level expectations for biliteracy development that are aligned with the essential academic learning requirements for English language arts and the statewide student assessments. These essential academic learning requirements and grade level expectations must be periodically updated to incorporate best practices in biliteracy development.

NEW SECTION. **Sec.**  A new section is added to chapter 43.216 RCW to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, the department shall develop and administer the early learning dual language grant program to grow capacity for high quality dual language learning in child care and early childhood education and assistance programs in order to better meet the needs of English learners, and as described in this section.

(b) A dual language program is an instructional model that provides content-based instruction to students in two languages: English and a target language other than English spoken in the local community, such as Spanish, Somali, Vietnamese, Russian, Arabic, native languages, or indigenous languages. At least fifty percent of the instruction must be in the target language. The dual language program must prioritize students who speak a language other than English at home. The goal of the dual language program is to support bilingualism from an early age.

(2)(a) Within the early learning dual language grant program, the department shall establish two separate competitive grant application and award processes: One for early childhood education and assistance program contractors and one for eligible child care providers. Grant awards must be limited to one award per contractor or provider per biennium.

(b) Beginning September 1, 2020, and by September 1st each even-numbered year thereafter, the department must award up to:

(i) Five two-year grants to eligible child care providers interested in establishing or converting to a dual language program; and

(ii) Five two-year grants to early childhood education and assistance program contractors to support new early childhood education and assistance program dual language classrooms. At least two of the five grants must be awarded to tribal early childhood education and assistance program contractors.

(c) The department shall identify criteria for awarding the grants, evaluate applicants, and award grant funds.

(d) The application must require that the applicant describe:

(i) How the dual language early learning program will reflect the languages spoken in the classroom, the school, and the community;

(ii) The applicant's dual language early learning program family engagement strategy, which may include capacity building, supporting native language, and literacy activities;

(iii) The applicant's plan for student enrollment and outreach to families who speak the target language;

(iv) The number of classrooms that the applicant will convert to dual language instruction; and

(v) The applicant's spending plan for the grant funds, including specific professional development and training supports.

(e) Grant funds must be used to support professional development and capacity-building activities, including: Curriculum development; training and professional development for teachers, coaches, and supervisors; and materials.

(f) Throughout the two-year grant period, grantees must participate in department-conducted evaluations of program effectiveness.

(3) The department may adopt rules to implement this section.

(4) For the purposes of this section, "eligible child care provider" means a provider who accepts state child care subsidy and is an active participant with the early achievers program as described in this chapter.

NEW SECTION. **Sec.**  A new section is added to chapter 43.216 RCW to read as follows:

The department must establish one full-time employee dual language specialist position to administer the early learning dual language grant program as described in section 5 of this act. The dual language specialist must coordinate:

(1) Culturally responsive training, technical assistance, and related resources for providers and early childhood education and assistance program contractors who are eligible to apply for an early learning dual language grant under section 5 of this act. Resources must include developmentally appropriate practices, language, and literacy resources;

(2) Training, in collaboration with the statewide child care resource and referral organization, on effective dual language classrooms for coaches participating in the early achievers program; and

(3) Outreach, engagement, and education for parents and families about the benefits of native language development, retention, and dual language learning.

NEW SECTION. **Sec.**  A new section is added to chapter 43.216 RCW to read as follows:

The department shall:

(1) Provide early learning providers with professional development materials translated into target languages other than English. Examples of target languages include Spanish, Somali, Vietnamese, Russian, Arabic, native languages, or indigenous languages;

(2) Work with community partners to support outreach, engagement, and education for parents and families about the benefits of native language development, retention, and dual language learning; and

(3) Build upon its existing programmatic infrastructure to support the growth of dual language child care and early childhood education and assistance program classrooms across the state.

NEW SECTION. **Sec.**  RCW 43.216.105 (Native language development and retention—Dual language learning—Rules) and 2018 c 58 s 44 & 2017 c 236 s 5 are each repealed.

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