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**SENATE BILL 5070**

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**State of Washington 66th Legislature 2019 Regular Session**

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

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

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

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

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

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

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

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

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

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

(1) Develop Spanish language arts standards;

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

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

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

(1) Every school district board of directors shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(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, for example Spanish, Somali, Vietnamese, Russian, Arabic, native languages, or indigenous languages. The goal of the 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) The office of the superintendent of public instruction shall develop and administer the grant program.

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

(c) The office of the superintendent of public instruction must identify criteria for awarding the grants, evaluate applicants, and award grant money. The office must select grantees that represent sufficient geographic, demographic, and enrollment diversity to produce meaningful data for the report required in section 6, chapter 236, Laws of 2017. The application must require, among other things, that the applicant describe: (i) How the program will serve the applicant's English learner population; (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 district or state-tribal compact school; (vi) the applicant's commitment to, and plan for, sustaining a dual language program beyond the grant period; and (vii) whether the school district board of directors or the governing body of a state-tribal compact school has expressed support for dual language programs.

(d) The grant money must be used 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. The grant money may not be used for ongoing program costs.

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

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

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

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

**--- END ---**