CERTIFICATION OF ENROLLMENT

**ENGROSSED SUBSTITUTE HOUSE BILL 1130**

Chapter 256, Laws of 2019

66th Legislature

2019 Regular Session

PUBLIC SCHOOL LANGUAGE ACCESS

EFFECTIVE DATE: July 28, 2019

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| Passed by the House April 18, 2019  Yeas 95 Nays 0  FRANK CHOPP  **Speaker of the House of Representatives**  Passed by the Senate April 12, 2019  Yeas 47 Nays 0  CYRUS HABIB  **President of the Senate** | CERTIFICATE  I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1130** as passed by the House of Representatives and the Senate on the dates hereon set forth.  BERNARD DEAN  Chief Clerk |
| Approved May 7, 2019 10:11 AM | May 13, 2019 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**ENGROSSED SUBSTITUTE HOUSE BILL 1130**

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AS AMENDED BY THE SENATE

Passed Legislature - 2019 Regular Session

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

**By** House Education (originally sponsored by Representatives Orwall, McCaslin, Pollet, Ryu, Lovick, Stanford, and Valdez)

AN ACT Relating to language access in public schools; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.155 RCW; creating a new section; and providing an expiration date.

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

NEW SECTION. **Sec.**  The legislature finds that:

(1) It is the policy of the state to welcome and encourage the presence of diverse cultures and the use of diverse languages and modalities of communication in business, government, and private affairs in this state;

(2) Washington public schools' ability to effectively communicate with students and their family members who have language access barriers impacts the schools' ability to engage students and families effectively in the education process and contributes to inequalities and increased gaps in student achievement;

(3) Effective communication is not taking place for a variety of reasons, including: (a) Some school districts do not consistently assess the language needs of their communities or consistently evaluate the effectiveness of their language access services; (b) resources, including time and money, are often not prioritized to engage families with language access barriers; and even when language access is a priority, some districts do not know the best practices for engaging families with language access barriers; (c) school staff are often not trained on how to engage families with language access barriers, how to engage and use interpreters, or when to provide translated documents; and (d) there are not enough interpreters qualified to work in educational settings; and

(4) Providing meaningful, equitable access to students and their family members who have language access barriers will not only help schools meet their civil rights obligations, but will help students meet the state's basic education goals under RCW 28A.150.210 resulting in a decrease in the educational opportunity gap between learners with language access barriers and other students, because student outcomes improve when families are engaged in the student's education.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.630 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction and the office of the education ombuds must jointly convene a work group to improve meaningful, equitable access for public school students and their family members who have language access barriers.

(2) The work group must advise the office of the superintendent of public instruction and the Washington state school directors' association on the following topics:

(a) The elements of an effective language access program for systemic family engagement and a plan for the implementation of this program;

(b) The components of a technical assistance program for language access and a plan for the implementation of this program;

(c) The development and sharing of a tool kit to help public schools:

(i) Assess the language needs of their communities; and

(ii) Develop, implement, and evaluate their language access plans and language services;

(d) The development and sharing of educational terminology glossaries that improve all families' access to the public school system; and

(e) The development and sharing of best practices or strategies for improving meaningful, equitable access for public school students and their family members who have language access barriers, including effective use of interpreters and when to provide translated documents in other formats.

(3) The work group must develop recommendations for practices and policies that should be adopted at the state or local level to improve meaningful, equitable access for public school students and their family members who have language access barriers, including recommendations on the following topics:

(a) Standards for interpreters working in education settings, including familiarity with legal concepts related to, and service requirements of, Part B of the federal individuals with disabilities education improvement act and section 504 of the federal rehabilitation act of 1973;

(b) Development and assessment of interpreters' knowledge of education terminology;

(c) The feasibility and cost-effectiveness of adapting another state agency's interpreter program to test, train, or both, interpreters for educational purposes;

(d) Updates to the Washington state school directors' association's model language access policy;

(e) Use of remote interpreter services, including the conditions under which remote interpreter services may be used to provide high quality interpreter services; and

(f) Data collection and use necessary to create and improve state and local language access programs.

(4) The office of the superintendent of public instruction and the office of the education ombuds must select up to twenty-five work group members who:

(a) Are geographically diverse and represent people with a variety of language access barriers; and

(b) Represent the following groups: The educational opportunity gap oversight and accountability committee; the state school for the blind; the childhood center for deafness and hearing loss; the special education advisory council at the office of the superintendent of public instruction; the Washington state school directors' association; a state association of teachers; a state association of principals; a state association of parents; the Washington state commissions on African-American affairs, Asian Pacific American affairs, and Hispanic affairs; the governor's office of Indian affairs; interpreters working in education settings; interpreter unions; families with language access barriers; and community-based organizations supporting families with language access barriers.

(5) The office of the superintendent of public instruction and the office of the education ombuds must provide staff support to the work group.

(6) The work group may form subcommittees and consult with necessary experts.

(7) By October 1, 2020, and in compliance with RCW 43.01.036, the work group must report its findings and recommendations to the appropriate committees of the legislature.

(8) This section expires December 31, 2020.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.155 RCW to read as follows:

(1) Beginning in the 2019-20 school year, school districts must document the language in which families of special education students prefer to communicate and whether a qualified interpreter for the student's family was provided at any planning meeting related to a student's individualized education program or plan developed under section 504 of the rehabilitation act of 1973 and meetings related to school discipline and truancy.

(2) For the purposes of this section, "qualified interpreter" means someone who is able to interpret effectively, accurately, and impartially, both receptively and expressively using any necessary specialized vocabulary.

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Passed by the House April 18, 2019.

Passed by the Senate April 12, 2019.

Approved by the Governor May 7, 2019.

Filed in Office of Secretary of State May 13, 2019.