

CERTIFICATION OF ENROLLMENT
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2025

Chapter 6, Laws of 2001

57th Legislature
2001 First Special Legislative Session

LIMITED ENGLISH PROFICIENT STUDENTS

EFFECTIVE DATE: 8/23/01

Passed by the House May 24, 2001
Yeas 95 Nays 0

FRANK CHOPP
Speaker of the House of Representatives

CLYDE BALLARD
Speaker of the House of Representatives

Passed by the Senate May 23, 2001
Yeas 40 Nays 1

BRAD OWEN
President of the Senate

Approved June 11, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2025** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

CYNTHIA ZEHNDER
Chief Clerk

FILED

June 11, 2001 - 3:06 p.m.

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2025

AS AMENDED BY THE SENATE

Passed Legislature - 2001 First Special Session

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. The legislature shall approve and
36 provide funding for the evaluation system in subsection (3) of this
37 section before any implementation of the system developed under
38 subsection (3) of this section may occur.

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

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

6 (1) "Transitional bilingual instruction" means:

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

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

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

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

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

25 Every school district board of directors shall:

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

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

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

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

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

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

Passed the House May 24, 2001.

Passed the Senate May 23, 2001.

Approved by the Governor June 11, 2001.

Filed in Office of Secretary of State June 11, 2001.