
SENATE BILL 5787

State of Washington 64th Legislature 2015 Regular Session

By Senators Jayapal, Fain, McAuliffe, Darneille, and Hasegawa

Read first time 02/03/15. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to a model policy and procedures for language
2 access by limited-English proficient parents of students; amending
3 RCW 28A.300.580; adding a new section to chapter 28A.320 RCW; and
4 repealing RCW 28A.345.032.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.320
7 RCW to read as follows:

8 (1) By July 1, 2016, the Washington state school directors'
9 association, with the assistance of the office of the superintendent
10 of public instruction, shall develop a model policy and procedures
11 for language access by limited-English proficient parents. In
12 developing the model policy and procedures, the school directors'
13 association shall consider any guidance materials created by the
14 United States department of justice regarding how school districts
15 can effectively assess their language access needs and how to develop
16 appropriately tailored language access plans. The model policy and
17 procedures must at a minimum address:

18 (a) Guidance and procedures for timely and accurate
19 identification of limited-English proficient parents and guardians
20 and their language access needs;

1 (b) A recommended process and procedures for when and how to
2 access an interpreter;

3 (c) A prohibition on the use of students or children as
4 interpreters for school-related communications;

5 (d) Procedures to ensure appropriate staff are aware of parents'
6 or guardians' need for language assistance, including guidance for
7 all school administrators, teachers, and other appropriate staff
8 regarding when and how to access an interpreter or translation
9 services in a timely manner;

10 (e) A process for communicating with parents and guardians about
11 their rights under federal and state law to be provided with
12 accessible information that allows them to make informed choices
13 regarding their child's education and how to access the resources and
14 services available to them.

15 (2) Beginning July 1, 2016, the office of the superintendent of
16 public instruction shall convene an advisory committee with
17 representatives of parents, school administrators, school principals,
18 classified and certificated staff, and other appropriate parties with
19 interest in language access for limited-English parents to develop
20 sample materials for school districts to disseminate to both school
21 employees and parents regarding parents' rights under the model
22 policy developed by the Washington state school directors'
23 association and the resources available to assist parents and
24 guardians in accessing the services available to them.

25 (3) The school directors' association shall post the model policy
26 and procedures developed under subsection (1) of this section and a
27 link to the sample materials developed by the advisory committee
28 under subsection (2) of this section on its web site.

29 (4) Each school district board of directors shall establish its
30 own language access policy and procedures by January 1, 2017, and
31 shall make the policy and procedures available on the district's web
32 site. The language access policy and procedures adopted by each
33 school district shall at a minimum include the five minimum
34 requirements found in subsection (1) of this section.

35 (a) Each school district that does not adopt the model policy,
36 procedures, and sample materials posted by the Washington state
37 school directors' association shall provide to the office of the
38 superintendent of public instruction a brief summary of its policies,
39 procedures, and materials developed under subsections (1) and (2) of
40 this section including a summary of the differences as compared to

1 the model policy, procedures, and sample materials and must also
2 document that the minimum requirements established in subsection (1)
3 of this section have been met. Each school district shall also
4 provide the superintendent with a link to the school district's web
5 site for further information.

6 (b) Each school district that has adopted the model policy,
7 procedures, and sample materials posted by the Washington state
8 school directors' association shall notify the office of the
9 superintendent of public instruction of such adoption and the link to
10 the school district's web site where the policy is posted.

11 (c) The office of the superintendent of public instruction shall
12 maintain and have available upon request a list of school districts
13 that have adopted the Washington state school directors'
14 association's model policy and those that have not.

15 (5) The office of the superintendent of public instruction shall
16 adopt rules regarding school districts' communication of the language
17 access policy and procedure to parents, students, employees, and
18 volunteers.

19 **Sec. 2.** RCW 28A.300.580 and 2014 c 150 s 4 are each amended to
20 read as follows:

21 (1) The office of the superintendent of public instruction and
22 the office of the education ombuds shall develop a list of and post
23 information on the agency's web site regarding:

24 (a) Language access services providers available to school
25 districts, including but not limited to, the phone interpretation
26 vendors on contract with the state of Washington, including contact
27 information; and

28 (b) Training programs that are available to support school
29 districts in preparing employees for how to access and effectively
30 use an interpreter.

31 (2) The list created under subsection (1) of this section shall
32 be updated and sent to all school districts annually. School
33 districts shall make this list available to school personnel on an
34 annual basis.

35 (3) School districts are encouraged to use the phone
36 interpretation services addressed in subsection (1) of this section
37 to communicate with student's parents, legal guardians, and family
38 members who have limited English proficiency.

1 NEW SECTION. **Sec. 3.** RCW 28A.345.032 (Model family language
2 access policy and procedure) and 2014 c 150 s 3 are each repealed.

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