

# SENATE BILL REPORT

## SB 5159

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As Reported by Senate Committee On:  
Early Learning & K-12 Education, February 22, 2019

**Title:** An act relating to the definition of eligible pupil for purposes of the transitional bilingual instruction program.

**Brief Description:** Concerning the definition of eligible pupil for purposes of the transitional bilingual instruction program.

**Sponsors:** Senators McCoy, Zeiger, Wellman, Hasegawa, Nguyen and Van De Wege; by request of Superintendent of Public Instruction.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 2/06/19, 2/22/19 [DP-WM, w/oRec].

**Brief Summary of Bill**

- Changes the definition of eligible pupil for purposes of the Transitional Bilingual Instruction Program

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt, McCoy, Mullet, Pedersen and Salomon.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Hawkins, Ranking Member; Holy, Padden and Wagoner.

**Staff:** Alex Fairfortune (786-7416)

**Background:** Transitional Bilingual Instruction Program. English learners in Washington receive supplemental instruction through the Transitional Bilingual Instruction Program (TBIP), which is part of the state's program of basic education. Except where it is not practicable, TBIP provides instruction in two languages so that students can achieve competency in English. In general, concepts and information are introduced in a student's

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primary language and reinforced in English. A student's primary language is the language most often used for communication in the student's home.

At the beginning of each school year, school districts must determine the number of enrolled students eligible for TBIP. Students are eligible for TBIP if (1) their primary language is not English; and (2) their English language skills are sufficiently deficient or absent to impair learning. Before the end of each school year, districts must measure each eligible student's improvement in learning English. In addition, districts must provide up to two years of additional instructional support to exited students—those who have achieved English proficiency for purposes of TBIP—who need assistance in reaching grade-level performance in academic subjects.

**Summary of Bill:** The definition of "eligible pupil" is changed to mean the enrollee of a school district who:

- was not born in the United States or whose primary language is not English;
- is a Native American, Alaska Native, or native resident and comes from an environment where a language other than English had a significant impact on their level of English language proficiency; or
- is migratory, whose primary language is not English, and who comes from an environment where a language other than English is dominant.

In addition, an enrollee's difficulties in speaking, reading, writing, or understanding English may be sufficient to deny the individual:

- the ability to meet the state's proficient level of achievement on state assessments;
- the ability to successfully achieve in classrooms where the language of instruction is English; or
- the opportunity to participate fully in society.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Many native students are coming to school with rich funds of knowledge in subjects that have been transmitted orally, but proficiency in academic English requires proficiency in listening, speaking, reading, and writing. Also, many relatives of Native students were taught English but not for the purpose of their success in the academic setting. This bill closes the opportunity gap for Native students by providing them with academic literacy instruction that is needed for them to be successful in school, college, career, and beyond. This should have been done long ago to make sure all students that are not native English speakers have a chance to succeed in our schools. This bill costs some money because it realigns the full system to ensure that all students who need support get it. It is also critical because in this program students do not lose their native language. If you lose your language you can lose your culture, your family, and your nation.

**Persons Testifying:** PRO: Senator John McCoy, Prime Sponsor; Latifah Phillips, Office of Superintendent of Public Instruction; Lucinda Young, Washington Education Association.

**Persons Signed In To Testify But Not Testifying:** No one.