

CERTIFICATION OF ENROLLMENT

**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1153**

Chapter 107, Laws of 2022

(partial veto)

67th Legislature  
2022 Regular Session

PUBLIC SCHOOLS—LANGUAGE ACCESS

EFFECTIVE DATE: June 9, 2022

Passed by the House March 8, 2022  
Yeas 86 Nays 12

LAURIE JINKINS

**Speaker of the House of  
Representatives**

Passed by the Senate March 2, 2022  
Yeas 43 Nays 5

DENNY HECK

**President of the Senate**

Approved March 23, 2022 3:55 PM with  
the exception of section 15, which is  
vetoed.

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1153** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

March 23, 2022

**Secretary of State  
State of Washington**

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**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1153**

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AS AMENDED BY THE SENATE

Passed Legislature - 2022 Regular Session

**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Orwall, Gregerson, Davis, Hackney, Macri, Callan, Pollet, Ramos, Bergquist, Thai, J. Johnson, Simmons, and Valdez)

READ FIRST TIME 02/01/22.

1 AN ACT Relating to language access in public schools; adding a  
2 new section to chapter 28A.710 RCW; adding a new section to chapter  
3 72.40 RCW; adding a new chapter to Title 28A RCW; creating new  
4 sections; and repealing RCW 28A.155.230.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

7 (a) It is the policy of the state to welcome and encourage the  
8 presence of diverse cultures and the use of diverse languages and  
9 modalities of communication in business, government, and private  
10 affairs in this state. To this end, the state has developed  
11 interpreter credentialing programs for court, medical, and social  
12 service settings.

13 (b) According to a report from the United States department of  
14 education, 50 years of research has shown that family engagement has  
15 beneficial impacts on student grades, test scores, drop-out rates,  
16 students' sense of competence, and beliefs about the importance of  
17 education. In Washington, many students' family members have language  
18 access barriers because they prefer to communicate in a language  
19 other than English or require communication assistance services.  
20 Washington public schools' ability to effectively communicate with  
21 students and their family members who have language access barriers

1 plays a vital role in reducing educational opportunity gaps. Failure  
2 to provide language access hinders communication between schools and  
3 families, which leads to long-term economic costs when a substantial  
4 fraction of the students in Washington are not able to realize their  
5 full potential.

6 (c) Effective two way communication between school staff and  
7 student's families in educational settings outside the classroom is  
8 not taking place for a variety of reasons, including: (i) Some school  
9 districts do not consistently assess the language needs of their  
10 communities or consistently evaluate the effectiveness of their  
11 language access services; (ii) resources, including time and money,  
12 are often not prioritized to engage families with language access  
13 barriers; and even when language access is a priority, some districts  
14 do not know the best practices for engaging families with language  
15 access barriers; (iii) school staff are often not trained on how to  
16 engage families with language access barriers, how to engage and use  
17 interpreters in educational settings outside the classroom, or when  
18 to provide translated documents; and (iv) there are not enough  
19 interpreters qualified to work in educational settings outside the  
20 classroom.

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

28 (2) Therefore, the legislature intends to require public schools  
29 to implement a language access plan and program for culturally  
30 responsive, systemic family engagement developed through meaningful  
31 stakeholder engagement. The legislature intends to provide training,  
32 tools, and other technical assistance to public schools to support  
33 the development, implementation, and evaluation of their language  
34 access plans and programs. In addition, the legislature intends to  
35 direct the development and implementation of credentialing for spoken  
36 and sign language interpreters for students' families in educational  
37 settings outside the classroom, with the goal of creating a  
38 professional interpreter workforce guided by a code of ethics and  
39 standards of practice. Finally, the legislature intends to establish

1 an ongoing advisory committee to guide, monitor, and report on the  
2 implementation of these new policies.

3 NEW SECTION. **Sec. 2.** The definitions in this section apply  
4 throughout this chapter unless the context clearly requires  
5 otherwise.

6 (1) "Interpreter" means a spoken language or sign language  
7 interpreter working in a public school, as defined in RCW  
8 28A.150.010, to interpret for students' families, students, and  
9 communities in educational settings outside the classroom.

10 (2) "Qualified interpreter" means an interpreter who is able to  
11 interpret effectively, accurately, and impartially, both receptively  
12 and expressively using any necessary specialized vocabulary until the  
13 office of the superintendent of public instruction and the Washington  
14 professional educator standards board establish a different  
15 definition in rule making.

16 (3) "2020 and 2021 reports of the language access work group"  
17 means the reports of the language access work group created by  
18 section 2, chapter 256, Laws of 2019, and reconvened and expanded by  
19 section 501(3)(g), chapter 334, Laws of 2021.

20 NEW SECTION. **Sec. 3.** The principles of an effective language  
21 access program for culturally responsive, systemic family engagement  
22 are as follows:

23 (1) Accessibility and equity. Schools provide access to all; two-  
24 way communication is a priority and is woven into the design of all  
25 programs and services;

26 (2) Accountability and transparency. The language access program  
27 and decision-making processes at all levels are: Open, accessible,  
28 and useable to families; proactive, not reactive; continuously  
29 improved based on ongoing feedback from families and staff; and  
30 regulated by a clear and just complaint process;

31 (3) Responsive culture. Schools are safe, compassionate places  
32 where each family's opinions are heard, needs are met, and  
33 contributions are valued. School staff are humble and empathetic  
34 towards families; and

35 (4) Focus on relationships. Schools seek to relate to families on  
36 an individual level, building trust through respectful relationships  
37 that recognize the unique strengths that each family and student  
38 possesses.

1        NEW SECTION.    **Sec. 4.**    (1) The center for the improvement of  
2 student learning established in RCW 28A.300.130 must implement a  
3 language access technical assistance program for culturally  
4 responsive, systemic family engagement that meets the requirements of  
5 this section.

6        (2) Subject to the availability of amounts appropriated for this  
7 specific purpose, the language access technical assistance program  
8 must:

9        (a) Adhere to the principles of an effective language access  
10 program for culturally responsive, systemic family engagement  
11 established in section 3 of this act;

12        (b) Provide training and technical assistance to support the  
13 implementation of language access programs for culturally responsive,  
14 systemic family engagement required under sections 5 and 8 of this  
15 act;

16        (c) Develop and maintain training modules for interpreters on  
17 interpreting for students' families and students in educational  
18 settings outside the classroom;

19        (d) Develop, periodically update, and publish a language access  
20 toolkit that includes the following resources:

21        (i) A self-assessment for evaluating the provision of language  
22 access services;

23        (ii) A guide for the development, implementation, and evaluation  
24 of a language access policy, procedures, and plan that meets the  
25 specific needs of families and the community;

26        (iii) Best practices for using interpreter services provided by  
27 dual role staff and contract interpreters, for using remote  
28 interpretation, and for translating documents;

29        (iv) Language access service evaluation templates for spoken and  
30 sign languages;

31        (v) Information for students' families about their language  
32 access rights, translated into English, Spanish, and at least the  
33 next nine languages most commonly used by students and their  
34 families; and

35        (vi) Sample job description of school district language access  
36 coordinators and building points of contact for language access  
37 services;

38        (e) Develop, periodically update, and publish bilingual  
39 glossaries of education terminology;

1 (f) Analyze and publish language access and language access  
2 service information submitted as required under section 6 of this  
3 act. In addition to disaggregation by the student race and ethnicity  
4 categories and subcategories described in RCW 28A.300.042 (1) and  
5 (3), the published information must be disaggregated, to the extent  
6 possible, by language, school district and school, type of meeting,  
7 and other demographics or categories; and

8 (g) Provide staff support for the language access advisory  
9 committee established in section 10 of this act.

10 (3) The activities of and resources provided by the language  
11 access technical assistance program must take into consideration the  
12 recommendations in the 2020 and 2021 reports of the language access  
13 work group.

14 NEW SECTION. **Sec. 5.** (1) Each school district must designate a  
15 language access liaison to facilitate district compliance with state  
16 and federal laws related to family engagement, including the  
17 requirements under this section and section 6 of this act. If a  
18 school district has a language access coordinator with duties as  
19 described in subsection (4)(c) of this section, the language access  
20 coordinator may also be the language access liaison.

21 (2) By October 1, 2022, each school district must adopt a  
22 language access policy and procedures that adheres to the principles  
23 of an effective language access program for culturally responsive,  
24 systemic family engagement established in section 3 of this act and  
25 incorporates the model policy and procedures described in section 9  
26 of this act.

27 (3) Beginning with the 2023-24 school year, each school district  
28 must implement a language access program for culturally responsive,  
29 systemic family engagement. Implementation of a language access  
30 program requires that a school district, at a minimum, complete the  
31 following activities:

32 (a) Adopt a language access plan that outlines how the school  
33 district identifies language access needs, allocates resources,  
34 establishes standards for providing language access services, and  
35 monitors the effectiveness of the language access program;

36 (b) Administer the self-assessment for evaluating the provision  
37 of language access services, which is part of the toolkit described  
38 in section 4 of this act;

1 (c) Use the guide for the development, implementation, and  
2 evaluation of a language access policy, procedures, and plan, which  
3 is part of the toolkit described in section 4 of this act. The  
4 processes for developing and evaluating the language access policy,  
5 procedures, and plan must engage staff, students' families, and other  
6 community members in ways likely to result in timely and meaningful  
7 feedback, for example partnering with community based organizations  
8 and providing translation and interpretation in common languages  
9 understood by students' families;

10 (d) Review, periodically, the language access policy and  
11 procedures adopted as required under subsection (2) of this section  
12 to incorporate updates made to the model policy and procedures  
13 described in section 9 of this act;

14 (e) Collaborate with community-based organizations on how to work  
15 effectively with interpreters; and

16 (f) Review, update, and publish, at least annually, information  
17 about the school district's language access plan, policy and  
18 procedures, and language access services, including the need for, and  
19 spending on, language access services. The information must include  
20 notice to families about their right to free language access services  
21 and the contact information for any school district language access  
22 coordinator and any building points of contact for language access  
23 services. The information must be translated into common languages  
24 understood by students' families.

25 (4)(a) Except as required under (b) of this subsection, school  
26 districts are encouraged to have a language access coordinator with  
27 the duties described in (c) of this subsection.

28 (b) Beginning with the 2023-24 school year, school districts with  
29 at least 50 percent English learner enrollment or greater than 75  
30 languages used by students or families must either: (i) Have a full-  
31 time language access coordinator with the duties described in (c) of  
32 this subsection; or (ii) annually report to the office of the  
33 superintendent of public instruction the total number of hours school  
34 district staff spent performing the language access coordinator  
35 duties described in (c) of this subsection and other information as  
36 required by the office of the superintendent of public instruction.

37 (c) The duties of the school district language access coordinator  
38 are to: (i) Serve as the primary contact for families, community  
39 members, school district staff responsible for monitoring compliance  
40 with chapter 28A.642 RCW, the office of the superintendent of public

1 instruction, and the office of the education ombuds on issues related  
2 to language access needs and language access services; (ii)  
3 collaborate with any building points of contact for language access  
4 services; (iii) receive training and technical assistance provided  
5 under section 4 of this act; and (iv) deliver language access  
6 training and support to school district staff.

7 (5) The requirements in this section do not apply to school  
8 districts with both fewer than 1,000 enrolled students and less than  
9 10 percent English learner enrollment.

10 NEW SECTION. **Sec. 6.** (1) School districts must annually collect  
11 the following language access and language access service information  
12 for use by the school district:

13 (a) The language in which each student and student's family  
14 prefers to communicate;

15 (b) Whether a qualified interpreter for the student's family was  
16 requested for and provided at meetings reported in the longitudinal  
17 student data system established under RCW 28A.300.500; and

18 (c) Other data on provision of language access services.

19 (2) School districts must submit the information collected under  
20 subsection (1) of this section at the time and in the manner required  
21 by the office of the superintendent of public instruction.

22 (3) Beginning in the 2023-24 school year, school districts must  
23 provide an opportunity for participants in each interpreted meeting  
24 to provide feedback on the effectiveness of the interpretation and  
25 the provision of language access services.

26 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.710  
27 RCW to read as follows:

28 Sections 5 and 6 of this act govern school operation and  
29 management under RCW 28A.710.040 and apply to charter schools  
30 established under this chapter.

31 NEW SECTION. **Sec. 8.** A new section is added to chapter 72.40  
32 RCW to read as follows:

33 The center for deaf and hard of hearing youth and the state  
34 school for the blind must comply with the requirements in sections 5  
35 and 6 of this act.



1        NEW SECTION.    **Sec. 9.**    (1) By August 1, 2022, and periodically  
2 thereafter, the Washington state school directors' association must  
3 collaborate with the office of the superintendent of public  
4 instruction to update a model policy and procedures for implementing  
5 a language access program for culturally responsive, systemic family  
6 engagement.

7        (a) When updating the model policy and procedures, the Washington  
8 state school directors' association must perform a racial equity  
9 impact analysis that involves the community.

10       (b) The model policy and procedure must include procedures for  
11 the school district board of directors to annually review the  
12 spending on and the need for language access services.

13       (c) The model policy and procedure must address procedures for  
14 effective communication with students' families who are deaf, deaf  
15 and blind, blind, hard of hearing, or need other communication  
16 assistance.

17       (d) The elements of the model policy and procedures must take  
18 into consideration the recommendations in the 2020 and 2021 reports  
19 of the language access work group.

20       (2) The office of the superintendent of public instruction and  
21 the Washington state school directors' association must maintain the  
22 model policy and procedures on each agency's website, at no cost to  
23 school districts.

24       NEW SECTION.    **Sec. 10.**    (1) The office of the superintendent of  
25 public instruction shall establish the language access advisory  
26 committee to guide and monitor the implementation of this act and to  
27 recommend changes to requirements, policies, and procedures related  
28 to language access and language access services for students'  
29 families, students, and communities in educational settings outside  
30 the classroom.

31       (2) At a minimum, the advisory committee must guide, monitor, and  
32 make recommendations on the following topics:

33       (a) The effectiveness of language access policies, procedures,  
34 and programs;

35       (b) Family and community engagement, with a focus on  
36 multicultural families, families whose students have multiple  
37 barriers to student achievement, and families least engaged with  
38 their schools;

39       (c) The definition of "qualified interpreter";

1 (d) Supply of and demand for interpreters;  
2 (e) Training for interpreters;  
3 (f) Credentialing requirements for interpreters, including a code  
4 of professional conduct;  
5 (g) Grants to cover nonstate controlled interpreter credentialing  
6 requirement costs;  
7 (h) Language access and language access service data collection  
8 and analysis; and  
9 (i) Evidence-based practices regarding language access, including  
10 best practice for using state and federal funding to provide language  
11 access services.

12 (3) (a) The members of the advisory committee must include  
13 representatives from spoken and sign language services users,  
14 community organizations that provide direct services to non-English  
15 speaking families, interpreters for students' families, interpreter  
16 preparation programs, advocacy organizations, schools, and school  
17 districts.

18 (b) Members of the advisory committee must be reimbursed for  
19 travel expenses in accordance with RCW 43.03.050 and 43.03.060.  
20 Subject to available funding and as determined by the office of the  
21 superintendent of public instruction, members of the advisory  
22 committee who do not receive compensation from their employer or  
23 contractor for attendance, either in person or virtually, at a  
24 meeting of the advisory committee are eligible for a stipend.

25 (4) Staff support for the advisory committee must be provided by  
26 the language access technical assistance program described in section  
27 4 of this act, except with respect to credentialing requirements for  
28 interpreters, for which staff support must also be provided by the  
29 Washington professional educator standards board.

30 (5) The advisory committee must collaborate with the Washington  
31 professional educator standards board, the Washington state office of  
32 equity established in RCW 43.06D.020, the educational opportunity gap  
33 oversight and accountability committee created in RCW 28A.300.136,  
34 and other office of the superintendent of public instruction  
35 committees that focus on ensuring equity in access to opportunities  
36 for all students.

37 (6) By November 1, 2024, and periodically thereafter, the  
38 advisory committee must submit, in compliance with RCW 43.01.036, a  
39 report on implementation of this chapter to the office of the  
40 superintendent of public instruction, the Washington professional

1 educator standards board, the governor, and the appropriate  
2 committees of the legislature.

3 NEW SECTION. **Sec. 11.** (1) The office of the superintendent of  
4 public instruction and the Washington professional educator standards  
5 board shall collaborate to establish credentialing requirements for  
6 interpreters as described in this section.

7 (2) Prior to establishing new credentialing requirements for  
8 interpreters, the office of the superintendent of public instruction  
9 and the Washington professional educator standards board must consult  
10 with the language access advisory committee established in section 10  
11 of this act.

12 (3) The credentialing requirements for interpreters must take  
13 into consideration the recommendations in the 2020 and 2021 reports  
14 of the language access work group.

15 (4) Credentialing requirements for interpreters, which must  
16 include minimum employment requirements, may be phased in as training  
17 and testing options become available and may be tiered based on the  
18 structure and significance of the interaction between school staff  
19 and the student's family.

20 (5) The office of the superintendent of public instruction and  
21 the Washington professional educator standards board must establish,  
22 and periodically update, a definition of "qualified interpreter" for  
23 purposes of this chapter and for other purposes.

24 (6) Once a code of professional conduct for interpreters is  
25 established, the superintendent of public instruction has the power  
26 to issue, suspend, and revoke interpreter credentials to which the  
27 code applies and to take other disciplinary actions against  
28 interpreters to which the code applies.

29 (7) Any activities provided by the office of the superintendent  
30 of public instruction or the professional educator standards board  
31 that are required to meet credentialing requirements, including  
32 training, testing, and applications, must be made available at no  
33 cost to people who want to be interpreters.

34 (8) The electronic educator certification process must be adapted  
35 to include interpreter credentials.

36 NEW SECTION. **Sec. 12.** The office of the superintendent of  
37 public instruction and the Washington professional educator standards

1 board may adopt rules under chapter 34.05 RCW that are necessary for  
2 the effective and efficient implementation of this chapter.

3 NEW SECTION. **Sec. 13.** RCW 28A.155.230 (Student language) and  
4 2019 c 256 s 3 are each repealed.

5 NEW SECTION. **Sec. 14.** Sections 2 through 6 and 9 through 12 of  
6 this act constitute a new chapter in Title 28A RCW.

7 ***\*NEW SECTION. Sec. 15. If specific funding for the purposes of***  
8 ***this act, referencing this act by bill or chapter number, is not***  
9 ***provided by June 30, 2022, in the omnibus appropriations act, this***  
10 ***act is null and void.***

***\*Sec. 15 was vetoed. See message at end of chapter.***

Passed by the House March 8, 2022.

Passed by the Senate March 2, 2022.

Approved by the Governor March 23, 2022, with the exception of  
certain items that were vetoed.

Filed in Office of Secretary of State March 23, 2022.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 15,  
Engrossed Second Substitute House Bill No. 1153 entitled:

"AN ACT Relating to language access in public schools."

Engrossed Second Substitute House Bill 1153 provides for expanded  
language access programs in public schools. Funding was provided for  
the work at the Office of Superintendent of Public Instruction, the  
School for the Blind, and the Center for Deaf and Hard of Hearing  
Youth, but funding was not explicitly provided for the Office of  
Equity. Section 15 is a null and void clause, which may operate to  
nullify the entire bill because funding was not explicitly provided  
for the Office of Equity. Therefore, I am vetoing Section 15 of this  
bill in order to ensure that this important work occurs.

For these reasons I have vetoed Section 15 of Engrossed Second  
Substitute House Bill No. 1153.

With the exception of Section 15, Engrossed Second Substitute House  
Bill No. 1153 is approved."

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