

FINAL BILL REPORT

3SHB 1228

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Synopsis as Enacted

Brief Description: Building a multilingual, multiliterate Washington through dual and tribal language education.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Ortiz-Self, Ybarra, Thai, Simmons, Reeves, Reed, Orwall, Ormsby, Taylor, Leavitt, Kloba, Doglio, Berry, Fey, Davis, Ramel, Callan, Bergquist, Fosse, Pollet, Lekanoff, Slatter, Macri, Alvarado, Stonier, Gregerson and Santos; by request of Superintendent of Public Instruction).

House Committee on Education

House Committee on Appropriations

Senate Committee on Early Learning & K-12 Education

Senate Committee on Ways & Means

Background:

Dual Language, Heritage Language, and Indigenous Language Grant Programs.

Since 2015 the Legislature has provided funding for grants to build and expand dual language programs in schools. A dual language program is an instructional model that provides content-based instruction to students in two languages, generally English and a target language other than English that is spoken in the local community. Typically, the programs begin at kindergarten or first grade and continue through at least elementary school.

In 2017 legislation directed the Office of the Superintendent of Public Instruction (OSPI), within existing resources, to facilitate dual language learning cohorts for school districts and state-tribal education compact schools establishing or expanding dual language programs.

The OSPI must provide technical assistance and support to school districts and state-tribal education compact schools implementing dual language programs.

In 2020 the Legislature increased the grant funding for dual language programs and also

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provided grant funding to create heritage language programs for immigrant and refugee students and to create Indigenous language programs for Native students. Since this time, grant recipients have been required to convene an advisory board to guide the development and continuous improvement of the program, including: (1) determining which schools and languages will be prioritized; (2) conducting outreach to the community; and (3) addressing enrollment considerations and the hiring of staff. At least half the members of the advisory board are required to be parents of English language learner (ELL) students or current or former ELL students. The other members of the board must represent teachers, students, school leaders, governing board members, youth, and community-based organizations that support ELL students.

Transitional Bilingual Instruction Program for English Language Learner Students.

Students who are ELLs receive supplemental instruction through the Transitional Bilingual Instruction Program (TBIP), which is part of the state's statutory program of basic education. Except where it is not practicable, the TBIP provides instruction in two languages; concepts and information are introduced in a student's primary language and reinforced in English. Teachers in the TBIP must hold a bilingual education endorsement or an ELL endorsement.

Office of Native Education.

Legislation enacted in 2011 created the Office of Native Education (ONE) within the OSPI.

To the extent funds are available, the ONE must conduct eight types of activities, for example: (1) provide assistance to school districts in meeting the educational needs of American Indian and Alaska Native (AI/AN) students; (2) facilitate the development and implementation of curricula and instructional materials in native languages, culture and history, and the concept of tribal sovereignty; (3) seek funds to develop and provide continued professional development for educators serving AI/AN students; and (4) facilitate the inclusion of native language programs in school districts' curricula. The ONE also serves as a liaison between the OSPI and school districts, tribal governments, state-tribal education compact schools, tribal schools, and Native families and communities.

The 2023-25 State Omnibus Operating Appropriations Act provided funding to the ONE to convene a work group to develop the supports necessary to serve AI/AN students identified as needing additional literacy supports. The work group was directed to conduct tribal consultations, develop best practices, engage in professional learning, and develop curricula and resources.

Seal of Biliteracy for Student Diplomas.

Legislation enacted in 2014 established the state seal of biliteracy to recognize public high school graduates who have attained a high level of proficiency in speaking, reading, and writing in one or more world languages in addition to English. School districts are encouraged to award the seal of biliteracy to graduating students who demonstrate: (1) proficiency in English by meeting state high school graduation requirements in English; and (2) proficiency in one or more world languages other than English through multiple

methods including nationally or internationally recognized language proficiency tests and competency-based world language credits. The term "world language other than English" includes American Sign Language and Native American languages.

The standardized high school transcript may include a notation of whether the student has earned the seal of biliteracy.

Teacher Bilingual Education and English Language Learner Endorsements.

An endorsement is the subject area in which a certificated teacher is authorized to teach, along with designated grade levels for that area. Teachers seeking to earn a bilingual education or ELL endorsement must have a second endorsement in another endorsement area.

Paraeducator English Language Learner Certificate.

An ELL certificate is an optional credential a paraeducator working with ELL students may earn by completing 20 hours of professional development that meet specified ELL knowledge and skill competencies. The ELL paraeducator certificate expires after five years.

Summary:

Dual Language Education Grants.

Subject to appropriation, the Office of the Superintendent of Public Instruction (OSPI) must award grants to school districts and state-tribal education compact schools to establish dual language education programs that begin in kindergarten or to expand established dual language education programs. "Dual language education" is defined as an instructional model in which public school students are taught subject matter in both English and a world language other than English. "Dual language education" includes heritage language education, in which students develop and maintain grade level literacy and language use in the language of their communities, homes, and families. For these purposes, a world language other than English includes sign languages, for example American Sign Language, and Indigenous languages.

The OSPI must identify criteria for awarding the grants, evaluate applicants, award grant money, and provide technical assistance and support. Establishment grants must be prioritized to schools in the educational opportunity gap, with the first priority to schools with over 50 percent students of color.

Recipients of the grants must convene an advisory board to guide the development and continuous improvement of the dual language education program, including addressing enrollment considerations and staff hiring. Grant recipients must actively recruit to the advisory board parents of English language learner (ELL) students and current or former ELL students, with a goal of filling at least half of the advisory board seats with these individuals; the other members of the advisory board must represent teachers, students,

school leaders, governing board members, and community-based organizations that support ELL students.

Recipients of the grants must also: (1) prioritize offering the dual language education program in the language that the majority of its ELL students speak; (2) conduct outreach to the community; and (3) submit data to the OSPI identifying which grade levels and which courses are part of the dual language education program and which students are enrolled in those courses.

By November 1, 2024, the OSPI must report to the Legislature with its plan for expanding dual language education, so that all school districts that want to may offer a dual language education program that begins in kindergarten by 2040. The plan must prioritize the expansion to reach students in the educational opportunity gap first.

The statute directing the OSPI to facilitate dual language learning cohorts is repealed.

Tribal Language Education Supports, Grants, and Convenings.

The OSPI must develop a program to support tribal language education. The Office of Native Education (ONE) must provide school districts and state-tribal education compact schools with guidance, technical assistance, and statewide leadership and support. "Tribal language education" is defined as the revitalization of and instruction in tribal languages in public schools, developed in consultation with Washington's federally recognized tribes and federally recognized tribes with reserved treaty rights in Washington, and provided by a certificated teacher with a Washington first peoples' language, culture, and oral tribal traditions endorsement.

Subject to appropriation, the ONE must award grants to school districts to establish tribal language education programs that begin in kindergarten or to expand established tribal language education programs. The ONE must: identify criteria for awarding the grants, evaluate applicants, and award grant money.

Recipients of the grants must submit data to the OSPI identifying which students are enrolled in tribal language education programs.

Biannually, the ONE must convene up to 20 tribal language educators to develop and share best practices, resources, and knowledge. The OSPI must provide technical assistance and support.

Serving American Indian and Alaska Native Students.

Beginning with the 2025-26 school year, the OSPI must provide school districts and state-tribal education compact schools with program guidance, technical assistance, and professional learning to serve American Indian and Alaska Native students with appropriate, culturally affirming literacy supports.

Transitional Bilingual Instruction Program for English Language Learner Students.

It is specified that dual language education and tribal language education are the preferred Transitional Bilingual Instruction Program models.

Seal of Biliteracy for Student Diplomas.

Beginning with the 2025-26 school year, school districts, charter schools, and state-tribal education compact schools are required to award the seal of biliteracy to graduating high school students who meet OSPI's award criteria. For a world language other than English that is an unwritten language, the criteria must only require a student to demonstrate proficiency in speaking (and not in reading and writing) the language. The criteria for the seal of biliteracy must specify that only a sovereign tribal government may certify a student as proficient in the language of the tribe.

The OSPI must provide students access to methods to demonstrate proficiency in less commonly taught or assessed languages at a cost that is not higher than that of assessing commonly taught or assessed languages.

The standardized high school transcript must, rather than may, include a notation of whether the student has earned the seal of biliteracy.

Aligning Language Endorsements and Determining Language Assessments.

By January 1, 2025, the Professional Educator Standards Board and the Paraeducator Board must collaborate with the OSPI and institutions of higher education to align bilingual education and ELL endorsement standards and determine language assessment requirements for multilingual teachers and paraeducators.

Votes on Final Passage:

House	90	0
Senate	49	0

Effective: June 6, 2024