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**SECOND SUBSTITUTE HOUSE BILL 1228**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** House Education (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)

READ FIRST TIME 01/31/24.

1 AN ACT Relating to building a multilingual, multiliterate  
2 Washington through dual and tribal language education; amending RCW  
3 28A.300.575 and 28A.230.125; reenacting and amending RCW 28A.180.030;  
4 adding new sections to chapter 28A.300 RCW; adding a new section to  
5 chapter 28A.410 RCW; creating new sections; repealing RCW  
6 28A.300.574; and providing an expiration date.

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

8 NEW SECTION. **Sec. 1.** (1) The legislature finds that a  
9 multilingual, multiliterate education will benefit all Washington  
10 students. A multilingual, multiliterate student body is better  
11 prepared to enter a global job market, has developed cognitive skills  
12 unique to working within two or more languages, and can build  
13 cohesive communities across the state while sharing, celebrating, and  
14 strengthening individual cultural ties.

15 (2) The legislature finds that school districts across the state  
16 are demonstrating readiness to develop dual language education  
17 programs, and that requests for current grant funding consistently  
18 surpass available dollars.

19 (3) The legislature recognizes that English learners benefit from  
20 specific instructional models and supports to thrive in public

1 schools, and that dual language education is the best instructional  
2 model for providing those supports.

3 (4) The legislature finds that Washington has a special duty to  
4 honor tribal sovereignty and a duty to serve American Indian and  
5 Alaska Native students. The legislature recognizes that centuries of  
6 colonial educational practices aimed at destruction of tribal  
7 communities and cultures has resulted in intergenerational trauma  
8 that continues to negatively impact American Indian and Alaska Native  
9 learners, and that state investment in tribal language education  
10 programs in schools serving students in kindergarten through 12th  
11 grade will move all Washingtonians forward together in addressing and  
12 healing those wounds.

13 (5) The legislature intends to establish a comprehensive approach  
14 to support and expand dual language education and tribal language  
15 education in Washington. It is the goal of the legislature to  
16 annually fund at least 10 new dual language education programs that  
17 begin in kindergarten, so that all school districts that want to may  
18 offer a program by 2040.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300  
20 RCW to read as follows:

21 (1) The office of the superintendent of public instruction shall  
22 administer a grant program to support school districts and state-  
23 tribal education compact schools establishing and expanding dual  
24 language education.

25 (a) Subject to the availability of amounts appropriated for this  
26 specific purpose, the office of the superintendent of public  
27 instruction must award grants to school districts and state-tribal  
28 education compact schools applying to: (i) Establish a dual language  
29 education program that begins in kindergarten; or (ii) expand an  
30 established dual language education program.

31 (b) The office of the superintendent of public instruction must  
32 identify criteria for awarding the grants, evaluate applicants, and  
33 award grant money. Establishment grants must be prioritized to  
34 schools in the educational opportunity gap, with the first priority  
35 to schools with over 50 percent students of color.

36 (c) Recipients of the grants awarded under this subsection (1)  
37 must: (i) Convene an advisory board to guide the development and  
38 continuous improvement of the dual language education program,  
39 including addressing enrollment considerations and staff hiring; (ii)

1 prioritize offering the program in the language that the majority of  
2 its English learner students speak; (iii) conduct outreach to the  
3 community; and (iv) submit data to the office of the superintendent  
4 of public instruction identifying which grade levels and which  
5 courses are part of the dual language education program and which  
6 students are enrolled in those courses. Grant recipients must  
7 actively recruit to the advisory board parents of English learner  
8 students and current or former English learner students, with a goal  
9 of filling at least half of the advisory board seats with these  
10 individuals; the other members of the advisory board must represent  
11 teachers, students, school leaders, governing board members, and  
12 community-based organizations that support English learners.

13 (2) The office of the superintendent of public instruction shall  
14 develop a program to support tribal language education. The office of  
15 Native education within the office of the superintendent of public  
16 instruction shall provide school districts and state-tribal education  
17 compact schools with guidance, technical assistance, and statewide  
18 leadership and support.

19 (a) The office of Native education within the office of the  
20 superintendent of public instruction shall administer a grant program  
21 to support school districts and state-tribal education compact  
22 schools establishing and expanding tribal language education  
23 programs.

24 (b) Subject to the availability of amounts appropriated for this  
25 specific purpose, the office of the superintendent of public  
26 instruction must award grants to school districts to: (i) Establish a  
27 tribal language education program; or (ii) expand an established  
28 tribal language education program.

29 (c) The office of Native education within the office of the  
30 superintendent of public instruction must identify criteria for  
31 awarding the grants, evaluate applicants, and award grant money.

32 (d) Recipients of the grants awarded under this subsection (2)  
33 must submit data to the office of the superintendent of public  
34 instruction identifying which students are enrolled in tribal  
35 language education programs.

36 (e) The office of Native education within the office of the  
37 superintendent of public instruction shall convene biannually up to  
38 20 tribal language educators to develop and share best practices,  
39 resources, and knowledge.

1 (3) The office of the superintendent of public instruction must  
2 provide technical assistance and support related to the  
3 establishment, implementation, and expansion of dual language  
4 education and tribal language education programs.

5 (4) The office of the superintendent of public instruction may  
6 adopt rules under chapter 34.05 RCW for school districts and state-  
7 tribal education compact schools to establish, implement, and expand  
8 dual language education and tribal language education programs.

9 (5) The definitions in this subsection apply throughout this  
10 section unless the context clearly requires otherwise.

11 (a) "Dual language education" means an instructional model in  
12 which public school students are taught subject matter in both  
13 English and a world language other than English. "Dual language  
14 education" includes heritage language education, in which students  
15 develop and maintain grade level literacy and language use in the  
16 language of their communities, homes, and families.

17 (b) "Tribal language education" means the revitalization of and  
18 instruction in tribal languages in public schools, developed in  
19 consultation with Washington's federally recognized tribes and  
20 federally recognized tribes with reserved treaty rights in  
21 Washington, and provided by a certificated teacher with a Washington  
22 state first peoples' language, culture, and oral tribal traditions  
23 endorsement established under RCW 28A.410.045.

24 (c) "World language other than English" includes sign languages,  
25 for example American sign language, and indigenous languages.

26 NEW SECTION. **Sec. 3.** (1) By November 1, 2024, and in accordance  
27 with RCW 43.01.036, the office of the superintendent of public  
28 instruction shall report to the appropriate committees of the  
29 legislature with its plan for expanding dual language education, as  
30 defined in section 2 of this act, so that all school districts that  
31 want to may offer a dual language education program that begins in  
32 kindergarten by 2040. The plan must prioritize the expansion to reach  
33 students in the educational opportunity gap first.

34 (2) This section expires August 1, 2025.

35 **Sec. 4.** RCW 28A.300.575 and 2014 c 102 s 2 are each amended to  
36 read as follows:

37 (1) The Washington state seal of biliteracy is established to  
38 recognize public high school graduates who have attained a high level

1 of proficiency in (~~speaking, reading, and writing in~~) English and  
2 in one or more world languages (~~in addition to~~) other than English.  
3 (~~School districts are encouraged to~~) Beginning with the 2025-26  
4 school year, school districts shall award the seal of biliteracy to  
5 graduating high school students who meet the criteria established by  
6 the office of the superintendent of public instruction under this  
7 section. (~~Participating school~~) School districts shall place a  
8 notation on a student's high school diploma and high school  
9 transcript indicating that the student has earned the seal of  
10 biliteracy.

11 (2) (a) The office of the superintendent of public instruction  
12 shall adopt rules establishing criteria for award of the Washington  
13 state seal of biliteracy.

14 (b) The criteria must require a student to demonstrate  
15 (~~proficiency~~) both:

16 (i) Proficiency in English by meeting state high school  
17 graduation requirements in English, including through state  
18 assessments and credits (~~, and proficiency in~~); and

19 (ii) (A) Except as provided in (b) (ii) (B) of this subsection (2),  
20 proficiency in speaking, reading, and writing one or more world  
21 languages other than English. (The)

22 (B) For a world language other than English that is an unwritten  
23 language, the criteria must only require a student to demonstrate  
24 proficiency in speaking the unwritten language.

25 (c) (i) Except as provided in (c) (ii) of this subsection (2), the  
26 criteria must permit a student to demonstrate proficiency in  
27 (another) a world language other than English through multiple  
28 methods including nationally or internationally recognized language  
29 proficiency tests and competency-based world language credits awarded  
30 under the model policy adopted by the Washington state school  
31 directors' association.

32 (ii) For a world language other than English that is an  
33 indigenous language, the criteria must specify that only a sovereign  
34 tribal government may certify a student as proficient in the language  
35 of the tribe.

36 (3) The office of the superintendent of public instruction shall  
37 provide students with access to methods for the student to  
38 demonstrate proficiency in less commonly taught or assessed languages  
39 at a cost that is not higher than that of assessing commonly taught  
40 or assessed languages.

1 (4) This section governs school operation and management under  
2 RCW 28A.710.040 and 28A.715.020 and applies to charter schools  
3 established under chapter 28A.710 RCW and state-tribal education  
4 compact schools subject to chapter 28A.715 RCW.

5 (5) For the purposes of this section, ((a)) "world language other  
6 than English" ((must include American sign language and Native  
7 American languages)) has the same meaning as in section 2 of this  
8 act.

9 **Sec. 5.** RCW 28A.230.125 and 2019 c 252 s 111 are each amended to  
10 read as follows:

11 (1) The superintendent of public instruction, in consultation  
12 with the four-year institutions as defined in RCW 28B.76.020, the  
13 state board for community and technical colleges, and the workforce  
14 training and education coordinating board, shall develop for use by  
15 all public school districts a standardized high school transcript.  
16 The superintendent shall establish clear definitions for the terms  
17 "credits" and "hours" so that school programs operating on the  
18 quarter, semester, or trimester system can be compared.

19 (2) The standardized high school transcript ((may)) must include  
20 a notation of whether the student has earned the Washington state  
21 seal of biliteracy established under RCW 28A.300.575.

22 **Sec. 6.** RCW 28A.180.030 and 2013 2nd sp.s. c 9 s 3 are each  
23 reenacted and amended to read as follows:

24 ((As used throughout this chapter, unless the context clearly  
25 indicates otherwise:)) The definitions in this section apply  
26 throughout this chapter unless the context clearly requires  
27 otherwise.

28 (1) "Eligible pupil" means any enrollee of the school district  
29 whose primary language is other than English and whose English  
30 language skills are sufficiently deficient or absent to impair  
31 learning.

32 (2) "Exited pupil" means a student previously enrolled in the  
33 transitional bilingual instruction program who is no longer eligible  
34 for the program based on his or her performance on an English  
35 proficiency assessment approved by the superintendent of public  
36 instruction.

37 (3) "Primary language" means the language most often used by the  
38 student for communication in his/her home.

1 (4) "Transitional bilingual instruction" means:

2 (a) A system of instruction which uses two languages, one of  
3 which is English, as a means of instruction to build upon and expand  
4 language skills to enable the pupil to achieve competency in English.  
5 (~~Concepts and information are introduced in the primary language and~~  
6 ~~reinforced in the second language: PROVIDED, That the program shall~~  
7 ~~include testing in the subject matter in English~~) Dual language  
8 education and tribal language education as defined in section 2 of  
9 this act are the preferred transitional bilingual instruction program  
10 models; or

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

17 NEW SECTION. Sec. 7. A new section is added to chapter 28A.410  
18 RCW to read as follows:

19 By January 1, 2025, the professional educator standards board and  
20 the paraeducator board shall collaborate with the office of the  
21 superintendent of public instruction and institutions of higher  
22 education to align bilingual education and English language learner  
23 endorsement standards and determine language assessment requirements  
24 for multilingual teachers and paraeducators.

25 NEW SECTION. Sec. 8. A new section is added to chapter 28A.300  
26 RCW to read as follows:

27 Beginning with the 2025-26 school year, the office of the  
28 superintendent of public instruction shall provide school districts  
29 and state-tribal education compact schools with program guidance,  
30 technical assistance, and professional learning to serve American  
31 Indian and Alaska Native students with appropriate, culturally  
32 affirming literacy supports.

33 NEW SECTION. Sec. 9. RCW 28A.300.574 (Dual language learning  
34 cohorts—Rules) and 2017 c 236 s 3 are each repealed.

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