

# HOUSE BILL REPORT

## HB 1673

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### As Passed House

January 21, 1998

**Title:** An act relating to the transitional bilingual program.

**Brief Description:** Allowing parents to decline having their children in the transitional bilingual program.

**Sponsors:** By House Committee on Education (originally sponsored by Representatives Dunn, Bush, Boldt, Koster, Thompson, Mielke, Chandler, Wensman, Alexander, Clements, Skinner, Mulliken and Johnson).

### Brief History:

#### Committee Activity:

Education: 2/18/97, 2/24/97 [DP].

#### Floor Activity:

Passed House: 3/11/97, 51-45;

Passed House: 1/21/98, 53-45.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass. Signed by 6 members: Representatives Johnson, Chairman; Hickel, Vice Chairman; Smith; Sterk; Sump and Talcott.

**Minority Report:** Do not pass. Signed by 5 members: Representatives Cole, Ranking Minority Member; Keiser, Assistant Ranking Minority Member; Linville; Quall and Veloria.

**Staff:** Joe Hauth (786-7111).

**Background:** The Legislature must provide basic education for all kindergarten through 12 grade students, and fund it through a stable revenue source. The Legislature has defined basic education as including, among other things, transitional bilingual instruction for students from non-English speaking homes.

Office of the Superintendent of Public Instruction (OSPI) defines bilingual education as the use of two languages as instructional media: English and one other language. The Transitional Bilingual Instruction Act of 1979, amended in 1984, funds school district bilingual instructional programs for eligible students. Eligible students primarily speak a language other than English, and lack sufficient English language

skills. In the 1995-96 school year approximately 43,000 bilingual students were eligible. In 1996 the OSPI identified 96 foreign languages in the bilingual instruction program. Six primary languages (Spanish, Russian, Cambodian, Korean, and Ukrainian) accounted for more than 80 percent of the students served.

School districts must test students in the bilingual transitional program for their English proficiency. Testing is not needed if a preliminary interview clearly demonstrates that the student has little or no English speaking ability. School districts generally provide five types of bilingual instruction:

- In-class instruction, where students with some English proficiency are provided with English as a Second Language instruction in a regular classroom by a specialized instructor;
- Center instruction, where students are scheduled for a large part of the day in a bilingual center offering intensive English language instruction and, in some cases, instruction in the child's primary language;
- Tutoring by a bilingual instructor either individually or in small groups;
- Self-contained instruction, where a classroom contains all-bilingual students; and
- Pull-out, where students are provided instruction away from the regular classroom and which may involve instruction in the primary language.

Students may also receive services from other state and federal programs.

At the end of the school year, the school district must measure each student's improvement in English through a test approved by the OSPI. The student's eligibility for bilingual instruction ends whenever the student scores above the 35<sup>th</sup> percentile in reading and language arts. A student may not stay in a bilingual program more than three years unless English skills remain below the 35<sup>th</sup> percentile. School district correspondence with the child's parents must be appropriate to their language proficiency.

**Summary of Bill:** School districts must consult with the student's parent or legal guardian regarding bilingual instruction that will be provided to the student. The parent may decline to have the child participate in bilingual instruction at any time if the parent feels the program no longer meets the child's needs. The school district must provide test results regarding the child's English proficiency to the student's parent or legal guardian.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** Parents should have greater authority to make decisions regarding major aspects of their child's education. This bill creates an express provision that parents may withdraw their child from the bilingual program if the program does not meet the child's needs.

**Testimony Against:** None.

**Testified:** Representative Bush, sponsor.