

# SENATE BILL REPORT

## HB 1673

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As Reported By Senate Committee On:  
Education, February 20, 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:** Representatives Dunn, Bush, Boldt, Koster, Thompson, Mielke, Chandler, Wensman, Alexander, Clements, Skinner, Mulliken and Johnson.

**Brief History:**

**Committee Activity:** Education: 4/3/97 [DP]; 2/19/98, 2/20/98 [DP, DNP].

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### SENATE COMMITTEE ON EDUCATION

**Majority Report:** Do pass.

Signed by Senators Hochstatter, Chair; Finkbeiner, Vice Chair; Johnson and Zarelli.

**Minority Report:** Do not pass.

Signed by Senator McAuliffe.

**Staff:** Susan Mielke (786-7422)

**Background:** The duty to provide educational opportunities to non-English, or limited-English speaking students originates in the due process and equal protection clauses of the fourteenth amendment to the United States Constitution. Additionally, the Washington State Legislature enacted transitional bilingual instruction for eligible students to insure equal educational opportunities. A student is eligible for such instruction if the student's primary language is not English and the student's English skills are sufficiently deficient to impair learning. Eligible students are identified through an interview with the student or an English test indicating that the student has limited-English proficiency.

Current laws or rules do not require consultation with a student's parent prior to the evaluation or the bilingual instruction. There is no law or rule that requires an eligible student to participate in the bilingual program or that restricts the removal of an eligible student from the program by the parent.

**Summary of Bill:** School districts must consult with an eligible student's parent or legal guardian regarding the 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 student'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:** Too many children are being inappropriately placed in the transitional bilingual program merely because they are of ethnic descent. These children are proud of their ability to speak English, and are improperly being labeled as limited-English speakers. Parents should not have to fight to get their children out of the program.

**Testimony Against:** None.

**Testified:** Representative Dunn, prime sponsor (pro); Marita Underwood, citizen (pro).