

SENATE BILL REPORT

E2SHB 2025

As of May 22, 2001

Title: An act relating to students whose primary language is other than English.

Brief Description: Changing transitional bilingual instruction program provisions.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Santos, Talcott, Quall, Keiser, Ogden, Tokuda, Schual-Berke and Kenney).

Brief History:

Committee Activity: Education: 3/21/01, 3/29/01 [DPA, DNP].

SENATE COMMITTEE ON EDUCATION

Staff: Kelly Simpson (786-7403)

Background: Current law establishes the Transitional Bilingual Instruction Program designed to provide a means of instruction to students whose primary language is other than English and whose English skills are limited in order that they might achieve competency in English. Student eligibility in the program is determined by either an oral language proficiency test or by a preliminary interview determining that the student has little or no English-speaking ability. The Superintendent of Public Instruction (SPI) is charged with implementing this program and has developed regulations in this area. The state provides funding to the SPI to be distributed to school districts providing services under the program.

Limited English proficient (LEP) students who have been in the country for at least one year are required to take the Washington Assessment of Student Learning (WASL). Assessment results for those students are included with the results of all other students when evaluating how well students in each school and school district are performing on the state's essential academic learning requirements.

Summary of Bill: Criteria Review - WASLs: The SPI must review, in consultation with stakeholders, (1) the criteria used to determine when students must take the WASL, and (2) the criteria used to determine when LEP students' WASL scores should be included in a school districts's and school's assessment results. The review of when LEP students must take the WASL must be used to determine whether the criteria are developmentally appropriate and in the best interests of the students. Preliminary results of the review must be reported to the Legislature by December 1, 2001, and final results must be reported by December 1, 2002.

Evaluation System: The SPI must develop an evaluation system designed to measure increases in the English and academic proficiency of LEP students. The evaluation system must: (1) require assessments of potentially eligible students within 10 days of registration; (2) require annual assessments of all LEP students; and (3) include LEP students while they are in the Transitional Bilingual Instruction Program and after they exit the program until they

finish their K-12 career or transfer from the school district. The SPI must report to the Legislature by November 1, 2002 regarding the development of the evaluation system and an implementation timeline.

Student eligibility in the Transitional Bilingual Instruction Program may only be determined by an SPI-approved English test, and not through the use of a preliminary interview.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed. However, the bill does not take effect if not funded in the budget.

Testimony For: Bilingual education is a major piece of recent education reform efforts. The program should be strengthened and limited English-proficient (LEP) students should have more time to become English-proficient. Generally, it takes somewhere between four to seven years to become proficient in a second language. LEP students are currently required to take the WASL if in the US for at least one year, even if they are not truly English-proficient. WASL scores, when disaggregated by ethnic group, usually indicate that Hispanic students fall at the bottom of the list. This leads to the false perception that Hispanic students are not smart or do not care. An evaluation of the current program, including a review of the testing methods used in the program, is needed.

Testimony Against: None.

Testified: Representative Santos, prime sponsor; Greg Williamson, Richard Gomez, OSPI; Lydia Ledesma-Reese, Latino/A Educational Project, President, Skagit Valley College; Rainer Houser, AWSP; Karen Davis, WEA; Ricardo Sanchez, Latino Educational Achievement Project; Miebeth Bustillo-Hutchins, Commission on Asian Pacific American Affairs; Onofre Contreras, Commission on Hispanic Affairs.