
SECOND SUBSTITUTE HOUSE BILL 2025

State of Washington

57th Legislature

2001 Regular Session

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

Read first time 03/08/2001. Referred to Committee on .

1 AN ACT Relating to students whose primary language is other than
2 English; amending RCW 28A.180.030; adding new sections to chapter
3 28A.180 RCW; creating a new section; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.180
6 RCW to read as follows:

7 (1) The superintendent of public instruction shall review the
8 criteria used to determine the point at which limited English
9 proficient students are required to take the Washington assessment of
10 student learning. The review shall be used to determine if the
11 criteria are developmentally appropriate and in the best interest of
12 the students. In conducting the review, the superintendent shall
13 consult with parents, teachers, principals, classroom aides, recognized
14 experts in second-language instruction, and statewide ethnic
15 organizations that represent second-language learners. Results of the
16 review shall be reported to the education and fiscal committees of the
17 legislature by November 1, 2001.

18 (2) Beginning with the spring 2001 testing cycle, the results of
19 the Washington assessment of student learning for students receiving

1 instructional services in the state transitional bilingual program
2 shall not be included in a school's assessment results unless the
3 students have been in the United States for a total of thirty-six
4 months or more. The results may be used to track student progress in
5 meeting the state's essential academic learning requirements.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.180
7 RCW to read as follows:

8 The superintendent of public instruction shall develop and
9 implement an evaluation system designed to measure increases in the
10 English and academic proficiency of eligible pupils. When developing
11 and implementing the system, the superintendent shall:

12 (1) Require school districts to assess potentially eligible pupils
13 within ten days of registration using an English proficiency assessment
14 or assessments as specified by the superintendent of public
15 instruction. Results of these assessments shall be made available to
16 both the superintendent of public instruction and the school district;

17 (2) Require school districts to annually assess all eligible pupils
18 at the end of the school year using an English proficiency assessment
19 or assessments as specified by the superintendent of public
20 instruction. Results of these assessments shall be made available to
21 both the superintendent of public instruction and the school district;

22 (3) Develop and implement a system to evaluate increases in the
23 English and academic proficiency of students who are, or were, eligible
24 pupils. This evaluation shall include students when they are in the
25 program and after they exit the program until they finish their K-12
26 career or transfer from the school district. The purpose of the
27 evaluation system is to inform schools, school districts, parents, and
28 the state of the effectiveness of the transitional bilingual programs
29 in school and school districts in teaching these students English and
30 other content areas, such as mathematics and writing; and

31 (4) Report to the education and fiscal committees of the
32 legislature by November 1, 2002, regarding the implementation of this
33 section.

34 **Sec. 3.** RCW 28A.180.030 and 1990 c 33 s 164 are each amended to
35 read as follows:

1 As used (~~in RCW 28A.180.010 through 28A.180.080~~) throughout this
2 chapter, unless the context (~~thereof~~) clearly indicates (~~to the~~
3 ~~contrary~~) otherwise:

4 (1) "Transitional bilingual instruction" means:

5 (a) A system of instruction which uses two languages, one of which
6 is English, as a means of instruction to build upon and expand language
7 skills to enable the pupil to achieve competency in English. Concepts
8 and information are introduced in the primary language and reinforced
9 in the second language: PROVIDED, That the program shall include
10 testing in the subject matter in English; or

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

16 (2) "Primary language" means the language most often used by the
17 student for communication in his/her home.

18 (3) "Eligible pupil" means any enrollee of the school district
19 whose primary language is other than English and whose English language
20 skills are sufficiently deficient or absent to impair learning.

21 NEW SECTION. Sec. 4. This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of the
23 state government and its existing public institutions, and takes effect
24 immediately.

25 NEW SECTION. Sec. 5. If specific funding for the purposes of this
26 act, referencing this act by bill or chapter number, is not provided by
27 June 30, 2001, in the omnibus appropriations act, this act is null and
28 void.

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