

HOUSE BILL REPORT

SHB 1445

As Amended by the Senate

Title: An act relating to dual language in early learning and K-12 education.

Brief Description: Concerning dual language in early learning and K-12 education.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Ortiz-Self, Stambaugh, Santos, Orwall, Harris, Caldier, Springer, Appleton, Lytton, Condotta, Fey, Pollet, Goodman, Slatter, Bergquist, Macri, Doglio and Kagi).

Brief History:

Committee Activity:

Education: 1/31/17, 2/9/17 [DP];

Appropriations: 2/24/17 [DPS].

Floor Activity:

Passed House: 3/1/17, 64-34.

Senate Amended.

Passed Senate: 4/12/17, 45-4.

Brief Summary of Substitute Bill

- Directs the Office of the Superintendent of Public Instruction (OSPI), the Professional Educator Standards Board (PESB), and the Department of Early Learning (DEL) to develop and administer the following two-year grant programs, respectively: the K-12 dual language (DL) grant program, the grow your own bilingual educator grant program, and the early learning DL grant program.
- Requires the OSPI, the PESB, and the DEL to submit a combined report to the Legislature that details the successes, best practices, lessons learned, and outcomes of the grant programs, and the results of a third-party evaluation.
- Specifies that the OSPI must facilitate DL learning cohorts for school districts and state-tribal compact schools establishing or expanding DL programs, including technical assistance and support to recipients of the K-12 DL grants.
- Requires the DEL to work with community partners to support outreach and education for parents and families around the benefits of native language development and retention, as well as the benefits of DL learning, create

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culturally responsive resources on DL learning, and support DL learning communities for teachers and coaches.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass. Signed by 16 members: Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist, Caldier, Johnson, Kilduff, Lovick, Ortiz-Self, Senn, Slatter, Springer, Steele and Stokesbary.

Minority Report: Without recommendation. Signed by 2 members: Representatives McCaslin and Volz.

Minority Report: Do not pass. Signed by 1 member: Representative Hargrove.

Staff: Megan Wargacki (786-7194).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 23 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist, Caldier, Cody, Condotta, Fitzgibbon, Hansen, Harris, Hudgins, Jinkins, Kagi, Lytton, Pettigrew, Pollet, Sawyer, Senn, Springer, Stanford, Sullivan, Tharinger and Wilcox.

Minority Report: Do not pass. Signed by 10 members: Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys, Haler, Manweller, Nealey, Schmick, Taylor, Vick and Volz.

Staff: Jessica Harrell (786-7349).

Background:

Public Schools. The common schools are the kindergarten through twelfth grade (K-12) schools maintained at public expense in each school district. Public schools include the common schools, charter schools, and other K-12 schools established by law and maintained at public expense, for example the state-tribal compact schools. There are currently four schools operated under a state-tribal education compact.

Dual Language Programs. A dual language (DL) program is an instructional model that provides content-based instruction to students in two languages, generally English and a target language other than English that is spoken in the local community, for example Spanish, Somali, Vietnamese, Russian, Arabic, native languages, or indigenous languages. The goal of DL programs is usually for the students, over a number of years of participation in the program, to become proficient and literate in both languages, while also meeting high academic standards in all subject areas. Typically, the programs begin at kindergarten or first

grade and continue through elementary school, and, if possible, into middle school or high school.

A number of DL programs currently exist in school districts throughout Washington, including: Bellevue, Evergreen, Highline, Kennewick, Mount Vernon, North Shore, Pasco, Seattle, Vancouver, Wenatchee, and Yakima. These programs offer instruction in Spanish, Japanese, or Mandarin Chinese.

In 2015, the biennial operating budget provided the Office of the Superintendent of Public Instruction (OSPI) with funds to implement a K-12 DL expansion grant program for the purpose of building and expanding well-implemented, sustainable DL programs. Two-year grants were awarded to five school districts. The Bethel, Selah, and Mabton school districts were awarded \$50,000 each per year for two years to develop and expand their newly implemented DL programs with the guidance of the mentor districts. The Wenatchee school district was awarded \$30,000 per year for two years to mentor the Selah and Mabton school districts. And the Bellevue school district was awarded \$20,000 per year for two years to mentor the Bethel school district.

Early Childhood Education and Assistance Program. The state preschool program is called the Early Childhood Education and Assistance Program (ECEAP). The stated goal of the ECEAP is to help ensure children enter kindergarten ready to succeed. Children are eligible for ECEAP if they are from families with annual incomes at or below 110 percent of the federal poverty level—\$26,730 for a family of four, qualify for school district special education services, or have developmental or environmental risk factors that could affect school success. Although the ECEAP prioritizes children who are 4 years old, children who are 3 years old are also eligible for the program.

Approved ECEAPs receive state-funded support through the Department of Early Learning (DEL). Public or private organizations, including school districts, community and technical colleges, local governments, and nonprofit organizations may contract with the DEL to become an ECEAP provider.

Dual Language Teachers. The Professional Educator Standards Board (PESB), a 13-member board, establishes the policies and requirements for the preparation and certification of educators, including approval of endorsements. An endorsement is the subject area in which a certified educator is authorized to teach, along with designated grade levels for that area. There are approximately 40 endorsements in Washington, not including a large number of career and technical education endorsements. In addition to subjects such as math, science, English, and history, there are approved endorsements in bilingual education and English language learners (ELL), both for all grade levels. In the 2014-15 school year, the PESB-approved teacher preparation programs had four new teachers complete the bilingual education endorsement and 186 complete the ELL endorsement.

Summary of Substitute Bill:

The OSPI, the PESB, and the DEL are directed to develop and administer the following grant programs, respectively: the K-12 DL grant program, the grow your own bilingual educator grant program, and the early learning DL grant program. Each agency must identify criteria

for awarding the grants, evaluate applicants, and award grant money. Each agency may adopt rules to implement the necessary provisions.

At the end of the two-year grant period, the grantees must work with the agencies to draft a report to the Legislature. By December 1, 2019, the OSPI, the PESB, and the DEL must submit a combined report to the Legislature that details the successes, best practices, lessons learned, and outcomes of the grant programs, and the results of a third-party evaluation. The agencies must collaboratively select the third-party evaluator to determine how the early learning and K-12 education systems have met the goals of each grant program and expanded their capacities to support DL models of instruction because of the act, that is, how many more children were educated in DL classrooms as a result of the grants.

K-12 Dual Language Grant Program. The K-12 DL grant program is created to grow capacity for high quality DL programs in the common schools and in state-tribal compact schools. For the purpose of the K-12 grant program: two-way DL programs begin with a balanced number of native and nonnative speakers of the target language so that both groups of students serve in the role of language modeler and language learner at different times, and one-way DL programs serve only nonnative English speakers.

Minimum application requirements are specified, including a description of how the program will serve the applicant's ELL population, the applicant's plan for student enrollment and outreach to families who speak the target language, and the applicant's commitment to, and plan for, sustaining a DL program beyond the grant period. The OSPI must notify school districts and state-tribal compact schools of the K-12 grant program and provide ample time for the application process.

By October 1, 2017, the OSPI must award 10, two-year grants of up to \$200,000 each to school districts or state-tribal compact schools interested in establishing or expanding a two-way DL program, or a one-way DL program in a school with predominantly ELL students. The OSPI must provide a bonus of up to \$20,000 to applicants proposing to establish a DL program in a target language other than Spanish. The grant money must be used for DL program start-up and expansion costs, for example staff training, teacher recruitment, and development and implementation of DL curriculum, but not for ongoing program costs.

The OSPI must, within existing resources, facilitate DL learning cohorts for school districts and state-tribal compact schools establishing or expanding DL program, including technical assistance and support to the grant program grantees.

Grow Your Own Bilingual Educator Grant Program. The grow your own bilingual educator grant program is created to support and recruit a pipeline of talented teachers who are invested in their local communities, can diversify the educator workforce, and fill the bilingual teacher shortage.

By September 1, 2017, the PESB must award ten, two-year grants of up to \$100,000 each to school districts or state-tribal compact schools interested in supporting and recruiting community members to become bilingual teachers. Minimum application requirements are specified, including whether the applicant has the infrastructure to support bilingual education through a bilingual teacher pipeline.

The grant money must be used for a teacher advancement position, within a school district, state-tribal compact school, or community-based organization, that provides recruitment, support, and coordination for the grow your own bilingual educator pipeline. The PESB must encourage grantees to partner with community-based organizations that represent the local community.

The PESB must coordinate with, and provide technical assistance to, school districts and state-tribal compact schools to develop grow your own bilingual educator pipelines.

Early Learning Dual Language Grant Program. The early learning DL grant program is created to grow capacity for high quality DL learning in the ECEAP in order to better meet the needs of ELL students.

By September 1, 2017, the DEL must award 10, two-year grants of up to \$100,000 each to ECEAP contractors interested in establishing or converting to a DL program. Minimum application requirements are specified, including how the DL early learning program will reflect the languages spoken in the classroom, the school, and the community, and the plan for student enrollment and outreach to families who speak the target language.

The DEL must work with community partners to support outreach and education for parents and families around the benefits of native language development and retention, as well as the benefits of DL learning. Native language means the language normally used by an individual or, in the case of a child or youth, the language normally used by the parents or family of the child or youth. Within existing resources, the DEL must create culturally responsive training and professional development resources on DL learning, such as supporting ELL students, working in culturally and linguistically diverse communities, strategies for family engagement; and must support DL learning communities for teachers and coaches.

EFFECT OF SENATE AMENDMENT(S):

The striking amendment replaces the grow your own bilingual educator grant program with a bilingual educator initiative, which is a long-term program to recruit, prepare, and mentor bilingual high school students to become future bilingual teachers and counselors. The PESB must administer the initiative beginning in the 2017-19 biennium, and provide oversight to the pilots. Subject to appropriations, pilot projects must be implemented in one or two school districts on each side of the crest of the Cascade mountains where immigrant students are shown to be rapidly increasing. Pilot districts selected by the PESB must partner with colleges in planning and implementing the program. The program components are specified, including:

- outreach to middle school students;
- activities and curricula for high school students that helps build student agency, academic, leadership, civic engagement, and community service skills, includes best practices for teaching in a multicultural world, efficacy and practice of DL instruction, and social emotional learning; and provides mentoring and shadowing;
- continuation services through college, such as advising, tutoring, mentoring, financial assistance, and leadership;

- recruitment and compensation of high school and college teachers and counselors to serve as mentors and trainers for participating students; and
- conditional loans for participating students that cover the cost of college tuition, fees, and books. To qualify, students must meet local requirements, and to avoid repayment, students must earn a baccalaureate degree and the certification needed to service as a teacher or professional guidance counselor and teacher or serve in their educational service district region for at least five years. Repayment provisions are also included.

The striking amendment removes the section creating the early learning DL grant program.

The amendment modifies the K-12 DL grant program by: (1) making the number of grants subject to appropriation, rather than specifying ten grants must be awarded; and (2) specifying that selected grantees must represent sufficient geographic, demographic, and enrollment diversity to produce meaningful data for the legislative report required after two years.

The striking amendment makes the combined agency report to the Legislature subject to appropriation and eliminates the third-party evaluation requirement.

Other nonsubstantive and technical changes are made by the amendment, for example: clarifying that the grant process is competitive, and replacing the term "English Language Learner" with "English Learner" to be more consistent with the federal term. Finally, the amendment modifies the intent section to include statistics related to English learner programs. The null and void clause is retained in the amendment.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony (Education):

(In support) The research shows that DL programs are the most effective, evidence-based strategy for improving outcomes and closing the opportunity gap for ELL students, while also benefiting monolingual English speakers. Children in these programs enter the school system feeling their home language is an asset. Only 3 percent of current ELL instruction uses the DL model. This needs to expand if the state wants to increase student achievement by ELL students, a population that will be one in four by 2025.

This bill addresses DL beginning in early childhood and includes needed professional development, recruitment, and retention for teachers. This bill builds off the success of the 2015 grant program. These programs have many benefits for students, families, and the community. Many parents think that being proficient in a home language is important. This helps children appreciate their home language and family culture and to communicate with the rest of their family. Many parents think that it is important for their children to be fully

bilingual. Although children can learn some of these skills at home, it is helpful for the schools to support them, as well. This bill will afford scholars additional opportunities to access learning in English and their home language.

Parents and administrators want to say yes to students bringing their identities to schools that embrace them. Diversity matters so much that it should be embedded in the very structure of schools. Some principals think that DL programs increase graduation rates. Bilingually schooled students outperform comparably schooled monolingual students in academic achievement in all subjects after four to seven years of bilingual education. These programs also allow students to be leaders, who are not usually leaders.

Some people want children to become citizens of the world. Learning a language is more than just learning words, it is about learning cultures and lifestyles. Bilingual teachers want to be able to participate in DL programs. There are not enough programs available. Some districts lack funding to develop DL programs and infrastructure, and lack teachers to fill the DL instruction roles. The program involves all parents, but there is a wait list to get in. Families are moving to districts that have DL programs.

There is a lot of work to do. The state needs high quality staff that represent the communities, because students need to see themselves in the staff. There needs to be more leadership and mentors to move forward. Districts need to create programs in other languages besides Spanish. The grants in this bill will increase the capacity to support new DL programs.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) The only thing better than early learning is DL early learning. The best way to improve achievement for English language learners is DL instruction. This instruction is helpful for closing the achievement gap. It will be good to put DL in ECEAP to improve the cultural diversity of the program. Increasing the number of bilingual citizens is good for businesses because it allows businesses to reach into the global economy.

The DL pilot program in the 2015 Operating Budget was a success. The English language learners in the DL programs benefited and so did the native English speakers, compared to similar students who were not in DL programs. The academic benefit of DL programs on all students has been confirmed nationally. This bill would build off the success of the pilot sites to increase infrastructure, provide technical assistance, and make sure that bilingual educators will be available to provide DL instruction. Less than 4 percent of schools are currently providing DL learning.

The DL program model teaches students how to rely on their peers and use multiple perspectives to improve their work. Although some people do not think that schools should allow students to speak languages other than English, DL instruction improves academic achievement and involves parents in the educational process.

(Opposed) None.

Persons Testifying (Education): Representative Ortiz-Self, prime sponsor; Teresa Garcia; Ralph Wisner, Thompson Elementary School; Dania Nuno and Roxana Norouzi, OneAmerica; Bernard Koontz, Highline School District; Martin Boonstra, Federal Way Public Schools; and Michael Shapiro, Washington Association for Bilingual Education.

Persons Testifying (Appropriations): Emily Murphy, Children's Alliance; Alex Hur, OneAmerica; and Ralph Wisner, Chester H. Thompson Elementary.

Persons Signed In To Testify But Not Testifying (Education): Vickie Ybarra, Department of Early Learning; Alexandra Manuel, Professional Educator Standards Board; Jessica Vavrus, Washington State School Directors' Association; Doug Nelson, Public School Employees of Washington; and Gayle Pauley, Office of the Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying (Appropriations): None.