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## Education Committee

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### HB 2590

**Brief Description:** Regarding the transitional bilingual instruction program.

**Sponsors:** Representatives Ortiz-Self, Harris, Kilduff, Stonier, Lovick, Gregerson, McBride, Fitzgibbon, Peterson, Valdez, Stanford, Doglio and Macri.

#### Brief Summary of Bill

- Requires school districts to comply with specific Transitional Bilingual Instruction Program (TBIP) staffing provisions, beginning in the 2019-20 school year.
- Requires the Superintendent of Public Instruction (SPI) to monitor district TBIPs at least once every five years by reviewing specified components.
- Directs the SPI to establish a compliance timetable, rules, and guidelines for enforcement of the TBIP, and submit this information to the Legislature by January 1, 2019.

**Hearing Date:** 1/23/18

**Staff:** Megan Wargacki (786-7194).

#### Background:

##### Federal Requirements for Educating English Learners.

Title III of the federal Elementary and Secondary Education Act of 1965 (ESEA) provides requirements and funding for state language instruction education programs designed to help English learners attain English proficiency, develop high levels of academic achievement in English, and meet the state academic standards. The ESEA does not dictate specific qualifications for teachers of English learners. States and districts are able to use Title III funds to provide effective teacher and principal preparation and professional development, including programs to enable paraeducators to obtain the education necessary to become certified classroom teachers.

##### State Transitional Bilingual Instruction Program.

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

English learners in Washington receive supplemental instruction through the Transitional Bilingual Instruction Program (TBIP), which is the part of the state's program of basic education. At the beginning of each school year, school districts must determine the number of enrolled students eligible for the TBIP. Students are eligible for the TBIP if: (1) their primary language is not English; and (2) their English language skills are sufficiently deficient or absent to impair learning. Before the end of each school year, districts must measure each eligible student's improvement in learning English. In addition, districts must provide up to two years of additional instructional support to exited students (those who have achieved English proficiency for purposes of the TBIP) who need assistance in reaching grade-level performance in academic subjects.

Except where it is not practicable, the TBIP provides instruction in two languages so that students can achieve competency in English. In general, concepts and information are introduced in a student's primary language and reinforced in English. A student's primary language is the language most often used for communication in his or her home.

Beginning in the 2019-20 school year, classroom teachers in the TBIP must have a teacher certificate with an endorsement in bilingual education or English language learner, or both.

#### Paraeducators.

A paraeducator is a classified employee who works under the supervision of a certificated staff member to support and assist in providing instructional and other services to students and their families. Paraeducators are not considered certificated instructional staff. Beginning September 1, 2018 paraeducators may earn a subject matter certificate in English language learner by completing 20 hours of professional development in the subject area of the certificate and any other requirements adopted by the Paraeducator Board. The subject matter certificate expires after five years.

#### **Summary of Bill:**

##### Staffing Requirements.

Beginning in the 2019-20 school year, when using TBIP funds to provide supplemental instruction for eligible students, school districts must meet the following staffing requirements:

1. districts with more than 2,000 students are limited to a maximum two paraeducators per classroom teacher;
2. districts with a TBIP enrollment sufficient to fund one certificated instructional staff position (CIS, includes classroom teachers, teacher-librarians, guidance counselors, and certificated student health service staff) must spend at least 75 percent, after indirect costs, on qualified CIS, if such staff are available;
3. paraeducators may not take the place of qualified classroom teachers except as an interim measure while the district hires, trains, or otherwise secures enough qualified classroom teachers. While using an interim measure, a district must include a strategy and timeline to secure enough qualified classroom teachers in the TBIP plan annually submitted to the Office of the Superintendent of Public Instruction for approval. Strategies may include support for paraeducators to earn a teacher certificate with an endorsement in a bilingual education or English language learner; and

4. paraeducators must instruct eligible students under the direct supervision of a qualified classroom teacher and earn the paraeducator subject matter certificate in English language learner, within 24 months of employment in the TBIP.

Program Monitoring.

The Superintendent of Public Instruction (SPI) must monitor a school district's TBIP at least once every five years by reviewing 10 specified components, for example:

- identification of eligible students;
- language development support to eligible students, with fidelity to approved program models;
- qualifications of certificated and classified staff funded through the TBIP;
- academic support to eligible exited students; and
- evaluation and planning.

The TBIP monitoring must be designed to support effective TBIP implementation and to improve educational outcomes for eligible students. It may be conducted concurrently with other SPI program monitoring and review. The SPI must establish a compliance timetable, rules, and guidelines for enforcement of the TBIP, and submit this information to the Legislature by January 1, 2019.

**Appropriation:** None.

**Fiscal Note:** Requested on January 17, 2018.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.