
SENATE BILL 5489

State of Washington

65th Legislature

2017 Regular Session

By Senators Zeiger, Rolfes, and Chase; by request of Superintendent of Public Instruction

Read first time 01/26/17. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to aligning definitions relating to the
2 transitional bilingual instruction program; and reenacting and
3 amending RCW 28A.180.030.

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

5 **Sec. 1.** RCW 28A.180.030 and 2013 2nd sp.s. c 9 s 3 are each
6 reenacted and amended to read as follows:

7 ~~((As used))~~ The definitions in this section apply throughout this
8 chapter((7)) unless the context clearly ((indicates)) requires
9 otherwise((÷)).

10 (1) "Eligible pupil" means any enrollee of the school district
11 ~~((whose primary language is other than English and whose English~~
12 ~~language skills are sufficiently deficient or absent to impair~~
13 ~~learning))):~~

14 (a)(i) Who was not born in the United States or whose native
15 language is a language other than English; (ii) who is a Native
16 American or Alaska Native and comes from an environment where a
17 language other than English has had a significant impact on the
18 student's level of English language proficiency; or (iii) who is
19 migratory, whose native language is a language other than English,
20 and who comes from an environment where a language other than English
21 is dominant; and

1 (b) Whose difficulties in speaking, reading, writing, or
2 understanding the English language may be sufficient to deny the
3 individual: (i) The ability to meet or exceed the state academic
4 standards as measured by the statewide student assessment used for
5 state or federal accountability purposes under chapter 28A.655 RCW;
6 (ii) the ability to successfully achieve in classrooms where the
7 language of instruction is English; or (iii) the opportunity to
8 participate fully in society.

9 (2) "Exited pupil" means a student previously enrolled in the
10 transitional bilingual instruction program who is no longer eligible
11 for the program based on his or her performance on an English
12 proficiency assessment approved by the superintendent of public
13 instruction.

14 (3) (~~"Primary language" means the language most often used by~~
15 ~~the student for communication in his/her home~~) "Native language"
16 means:

17 (a) The language normally used by the student; or

18 (b) In the case of a child or youth, the language normally used
19 by the parents of the child or youth.

20 (4) "Transitional bilingual instruction" means:

21 (a) A system of instruction which uses two languages, one of
22 which is English, as a means of instruction to build upon and expand
23 language skills to enable the pupil to achieve competency in English.
24 Concepts and information are introduced in the (~~primary~~) native
25 language and reinforced in the second language: PROVIDED, That the
26 program shall include testing in the subject matter in English; or

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

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