

ESHB 1130 - S COMM AMD
By Committee on Ways & Means

ADOPTED 04/12/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that:

4 (1) It is the policy of the state to welcome and encourage the
5 presence of diverse cultures and the use of diverse languages and
6 modalities of communication in business, government, and private
7 affairs in this state;

8 (2) Washington public schools' ability to effectively communicate
9 with students and their family members who have language access
10 barriers impacts the schools' ability to engage students and families
11 effectively in the education process and contributes to inequalities
12 and increased gaps in student achievement;

13 (3) Effective communication is not taking place for a variety of
14 reasons, including: (a) Some school districts do not consistently
15 assess the language needs of their communities or consistently
16 evaluate the effectiveness of their language access services; (b)
17 resources, including time and money, are often not prioritized to
18 engage families with language access barriers; and even when language
19 access is a priority, some districts do not know the best practices
20 for engaging families with language access barriers; (c) school staff
21 are often not trained on how to engage families with language access
22 barriers, how to engage and use interpreters, or when to provide
23 translated documents; and (d) there are not enough interpreters
24 qualified to work in educational settings; and

25 (4) Providing meaningful, equitable access to students and their
26 family members who have language access barriers will not only help
27 schools meet their civil rights obligations, but will help students
28 meet the state's basic education goals under RCW 28A.150.210
29 resulting in a decrease in the educational opportunity gap between
30 learners with language access barriers and other students, because
31 student outcomes improve when families are engaged in the student's
32 education.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.630

2 RCW to read as follows:

3 (1) Subject to the availability of amounts appropriated for this
4 specific purpose, the office of the superintendent of public
5 instruction and the office of the education ombuds must jointly
6 convene a work group to improve meaningful, equitable access for
7 public school students and their family members who have language
8 access barriers.

9 (2) The work group must advise the office of the superintendent
10 of public instruction and the Washington state school directors'
11 association on the following topics:

12 (a) The elements of an effective language access program for
13 systemic family engagement and a plan for the implementation of this
14 program;

15 (b) The components of a technical assistance program for language
16 access and a plan for the implementation of this program;

17 (c) The development and sharing of a tool kit to help public
18 schools:

19 (i) Assess the language needs of their communities; and

20 (ii) Develop, implement, and evaluate their language access plans
21 and language services;

22 (d) The development and sharing of educational terminology
23 glossaries that improve all families' access to the public school
24 system; and

25 (e) The development and sharing of best practices or strategies
26 for improving meaningful, equitable access for public school students
27 and their family members who have language access barriers, including
28 effective use of interpreters and when to provide translated
29 documents in other formats.

30 (3) The work group must develop recommendations for practices and
31 policies that should be adopted at the state or local level to
32 improve meaningful, equitable access for public school students and
33 their family members who have language access barriers, including
34 recommendations on the following topics:

35 (a) Standards for interpreters working in education settings,
36 including familiarity with legal concepts related to, and service
37 requirements of, Part B of the federal individuals with disabilities
38 education improvement act and section 504 of the federal
39 rehabilitation act of 1973;

1 (b) Development and assessment of interpreters' knowledge of
2 education terminology;

3 (c) The feasibility and cost-effectiveness of adapting another
4 state agency's interpreter program to test, train, or both,
5 interpreters for educational purposes;

6 (d) Updates to the Washington state school directors'
7 association's model language access policy;

8 (e) Use of remote interpreter services, including the conditions
9 under which remote interpreter services may be used to provide high
10 quality interpreter services; and

11 (f) Data collection and use necessary to create and improve state
12 and local language access programs.

13 (4) The office of the superintendent of public instruction and
14 the office of the education ombuds must select up to twenty-five work
15 group members who:

16 (a) Are geographically diverse and represent people with a
17 variety of language access barriers; and

18 (b) Represent the following groups: The educational opportunity
19 gap oversight and accountability committee; the state school for the
20 blind; the childhood center for deafness and hearing loss; the
21 special education advisory council at the office of the
22 superintendent of public instruction; the Washington state school
23 directors' association; a state association of teachers; a state
24 association of principals; a state association of parents; the
25 Washington state commissions on African-American affairs, Asian
26 Pacific American affairs, and Hispanic affairs; the governor's office
27 of Indian affairs; interpreters working in education settings;
28 interpreter unions; families with language access barriers; and
29 community-based organizations supporting families with language
30 access barriers.

31 (5) The office of the superintendent of public instruction and
32 the office of the education ombuds must provide staff support to the
33 work group.

34 (6) The work group may form subcommittees and consult with
35 necessary experts.

36 (7) By October 1, 2020, and in compliance with RCW 43.01.036, the
37 work group must report its findings and recommendations to the
38 appropriate committees of the legislature.

39 (8) This section expires December 31, 2020.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.155
2 RCW to read as follows:

3 (1) Beginning in the 2019-20 school year, school districts must
4 document the language in which families of special education students
5 prefer to communicate and whether a qualified interpreter for the
6 student's family was provided at any planning meeting related to a
7 student's individualized education program or plan developed under
8 section 504 of the rehabilitation act of 1973 and meetings related to
9 school discipline and truancy.

10 (2) For the purposes of this section, "qualified interpreter"
11 means someone who is able to interpret effectively, accurately, and
12 impartially, both receptively and expressively using any necessary
13 specialized vocabulary."

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14 On page 1, line 1 of the title, after "schools;" strike the
15 remainder of the title and insert "adding a new section to chapter
16 28A.630 RCW; adding a new section to chapter 28A.155 RCW; creating a
17 new section; and providing an expiration date."

EFFECT: (1) Makes the work group subject to appropriation.
(2) Requires school districts to document preferred language of
families of students in special education programs and whether or not
an interpreter was provided during individualized education program
development or meetings related to discipline and truancy.

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