

# SENATE BILL REPORT

## 2SSB 5607

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As Passed Senate, February 19, 2020

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

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

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Wellman, Das, Kuderer, Nguyen, Randall, Hunt, Carlyle, Darneille, Cleveland, Keiser, Takko, Saldaña, Lias, Van De Wege, Hasegawa and Wilson, C.).

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/20/20, 1/31/20 [DPS-WM, w/oRec, DNP].

Ways & Means: 2/06/20, 2/10/20 [DP2S, DNP, w/oRec].

**Floor Activity:**

Passed Senate: 2/19/20, 34-14.

**Brief Summary of Second Substitute Bill**

- Establishes grant programs to grow capacity for dual language (DL) learning in public schools, child care, and early childhood education and assistance programs, and to grow capacity for heritage language learning.
- Requires the Office of the Superintendent of Public Instruction (OSPI) to adopt essential academic learning requirements and grade-level expectations for biliteracy development.
- Creates additional duties for OSPI and the Department of Children, Youth, and Families with respect to DL programs.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** That Substitute Senate Bill No. 5607 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt, Mullet, Pedersen and Salomon.

**Minority Report:** That it be referred without recommendation.

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*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.*

Signed by Senators Padden and Wagoner.

**Minority Report:** Do not pass.

Signed by Senator Hawkins, Ranking Member.

**Staff:** Benjamin Omdal (786-7442)

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## SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Second Substitute Senate Bill No. 5607 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig, Carlyle, Conway, Darneille, Dhingra, Hasegawa, Hunt, Keiser, Liias, Muzzall, Pedersen and Van De Wege.

**Minority Report:** Do not pass.

Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker and Wagoner.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Rivers, Schoesler, Warnick and Wilson, L..

**Staff:** Jeffrey Naas (786-7708)

**Background:** Dual Language Programs. A 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. The goal of DL programs is 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.

The programs typically 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.

OSPI is required to facilitate DL learning cohorts for schools establishing or expanding DL programs. OSPI must provide technical assistance and support to these schools as well as those that receive funding under the K-12 Dual Language Grant Program.

Dual Language Grant Programs. In 2017, the Legislature passed SHB 1445, which created the K-12 Dual Language Grant Program in order to grow capacity for high-quality DL learning in the common schools and in state-tribal compact schools. The legislation required the awarding of up grants of up to \$200,000 each through a competitive process to school districts or tribal compact schools proposing to either establish a DL program or expand a recently established language program in a school with predominantly English learnings. Additional funding up to \$20,000 is mandated when awarding a grant to a school proposing to establish a DL program in a target language other than Spanish. Specific criteria is

required for grant applicants, including the expected uses for the money, plans for outreach and teacher recruitment, and how the program will serve the applicant's English language learner population.

Grants under this program last for two years, and grantees must submit a report at the end of the grant period. The grant program is temporary and expires July 1, 2020.

Early Learning Dual Language Initiatives. Since 2017, the Department of Children, Youth, and Families (DCYF) has been required to work with community partners to support outreach and education for families around the benefits of native language development and DL learning. DCYF is also required to create culturally responsive training and professional development resources on DL learning and support DL learning communities for teachers and coaches.

Early Childhood Education and Assistance Program. This voluntary preschool program serves eligible three- and four-year-olds. DCYF administers the Early Childhood Education and Assistance Program (ECEAP) to assist eligible children with educational, social, health, nutritional, and cultural development to enhance their opportunity for success in the common school system. DCYF rules require children to be at least three years old, but not yet five years old, by August 31st of the school year to enroll in ECEAP.

Essential Academic Learning Requirements. Essential Academic Learning Requirements (EALRs), according to state law, are the identified knowledge and skills in which all public school students need to be proficient. These standards are based on the student learning goals of basic education, as defined by the Legislature. OSPI is required to periodically revise EALRs to match guidelines under state law and to identify grade level content expectations for state assessments and state and federal accountability purposes. Before developing or revising EALRs, OSPI is required to notify the State Board of Education and provide reasoning for doing so.

**Summary of Second Substitute Bill:** Three separate grant programs, all subject to appropriation, are created.

K-12 Dual Language Grant Program. The K-12 Dual Language Grant Program is established as a permanent program. Under this program, OSPI must establish two separate grant application and award process for establishing DL programs and for expanding existing DL grant programs.

Beginning October 1, 2020, OSPI must award up to ten, two-year grants to local education agencies interested in establishing DL programs, as well as ten, two-year grants for expanding DL programs. OSPI must award the grants under specific criteria. Each grant recipient must convene an advisory board to guide the development and continuous improvement of its DL program, and must use the grant money for specific purposes related to the program.

Beginning December 1, 2022, and by December 1st each even-numbered year thereafter, OSPI must submit a report to the Legislature that details the grant period's successes, best practices, lessons learned, and outcomes.

Heritage Language Grant Program. OSPI shall develop and administer the Heritage Language Grant Program to grow capacity for students to receive high-quality heritage language learning. A heritage language is defined as a target language other than English, spoken by an individual, a family, or a community, including the indigenous languages of native communities or the home language of immigrant or refugee communities.

Under this program, OSPI must establish two separate grant application and award process for heritage language programs, with one for immigrant and refugee students and one for indigenous language programs for native students.

Beginning October 1, 2020, OSPI must award up to five, two-year grants to local education agencies to create heritage language programs for immigrant and refugee students, as well as five, two-year grants of to create indigenous language programs for native students. OSPI must award the grants under specific criteria, including partnering with a local tribe or nation by non-tribal compact schools. Each grant recipient must use the grant money for specific purposes related to the program.

Beginning December 1, 2022, and by December 1st each even-numbered year thereafter, OSPI must submit a report to the Legislature that details the grant period's successes, best practices, lessons learned, and outcomes, including the impact of the programs on participating students' language gains and overall academic outcomes.

OSPI must promote the program by reaching out to immigrant and refugee communities and native communities, including by notifying the state-tribal compact schools, tribal governments, and the Tribal Leaders Congress on Education.

Early Learning Dual Language Grant Program. DCYF must develop and administer the Early Learning Dual Language Grant Program to grow capacity for high-quality DL learning in child care and ECEAP in order to better meet the needs of English learners. Within this program, DCYF must establish two separate competitive grant application and award process for ECEAP contractors and for eligible child care providers.

Beginning September 1, 2020, DCYF must award up to five, two-year grants each to eligible child care providers interested in establishing or converting to a DL program, as well as five two-year grants each to ECEAP contractors to support new ECEAP DL classrooms. DCYF must award the grants under specific criteria, including participation in DCYF-conducted evaluations of program effectiveness. Each grant recipient must use the grant money to support professional development and capacity-building activities.

Biliteracy Development Standards. By September 1, 2021, OSPI must adopt EALRs and grade level expectations (GLEs) for biliteracy development that are aligned with the EALRs for English language arts and the statewide student assessments. The EALRs and the GLEs must be periodically updated to incorporate best practices in biliteracy development.

Agency Duties. OSPI duties related to DL services and supports is modified, including a requirement that OSPI provide a list of technical assistance and support that must be provided to K-12 Dual Language Learning Grant Programs and Heritage Language Grant

Programs. DCYF must establish one full-time employee dual-language specialist position to administer the Early Learning Dual Language Grant Program and to continue and expand upon the activities in DCYF's Early Learning Dual Language Initiative. Provisions describing similar DCYF duties related to DL learning outreach and professional development support are repealed.

**Appropriation:** The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on First Substitute (Early Learning & K-12 Education):** PRO: Dual language is very important for children's brain development. The bill would help foster high-capacity learning for students with second-language abilities. The bill is an ongoing commitment on the part of the state on the importance of students' language abilities and their cultures. The current program is set to expire in July, making the bill timely and crucial. Many tribal compact schools and local districts have benefited from the grants in this program. Districts are currently struggling to find and retain bilingual educators. Being able to speak dual languages in school can lead to better communication between students, teachers, and families, leading to a more welcoming school community. Early learning dual language help students have more opportunities and achieve better academic outcomes. Dual language programs have great academic outcomes for all dual-language students, not just those learning English. The grant program has led to great success for schools that have implemented dual language programs. Dual immersion teachers need greater support in order to retain these educators. Dual language programs are able to unite students and families from various cultural and socioeconomic backgrounds. The bill supports the educational model that closes educational gaps for student groups. Teaching heritage and indigenous languages helps strengthen cultural and linguistic ties to communities.

**Persons Testifying (Early Learning & K-12 Education):** PRO: Senator Lisa Wellman, Prime Sponsor; Alex Hur, OneAmerica; Elisa Mequing Ye, citizen; Will Williams, Dual Language Coordinator, Kent School District; Nimco Bulale, OneAmerica; Patty Finnegan, Office of Superintendent of Public Instruction; Aide Villalobos, Dual Language Teacher, Shelton School District; David Irwin, Washington Association for Bilingual Education; Amy Schefer, Tacoma Public Schools; Margarita Amezcua, State Board of Education.

**Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education):** No one.

**Staff Summary of Public Testimony on First Substitute (Ways & Means):** *The committee recommended a different version of the bill than what was heard.* PRO: The positive impact from dual language programs is not limited to immigrant in with linguistically diverse populations; research shows that monolingual students also benefit from dual language

programs. The bill expands the number of programs that will be established because it incentivizes school districts to do that, especially smaller school districts where the budget margins are smaller and any extra funding is really going to help them get those programs started. I am particularly excited about section four which gets into establishing specific standards for what it means to be bilingual and biliterate and by adding that we are really changing the conversation about what we value as a system by not only valuing English language proficiency. Research shows that regardless of background or home language students in dual language programs return higher scores on all those measures and students who have gone through in ELL program or a mainstream English only program. Last year the first wave of dual language students at Thomson Elementary in Spanaway took the smarter balanced assessment along with their peers who had studied only in English. The dual kids tied with their peers in math and beat the state average in English Language Arts by 9 percent. This is after most of their education was provided 90 percent of the time in Spanish. I have taught dual language classes for 17 years and have seen how dual language programs unite students and families from different cultures languages and socio-economic neighborhoods.

**Persons Testifying (Ways & Means):** PRO: Eli Goss, OneAmerica; Bernard Koontz, Executive Director of Teaching, Learning, Leadership, Highline Public Schools; Patty Finnegan, Bilingual Education Program Supervisor, OSPI; Aide Villalobos, citizen; Amy Schefer, citizen; David Irwin, Washington Association for Bilingual Education.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** No one.