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## Education Committee

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### HB 1228

**Brief Description:** Building a multilingual, multiliterate Washington through dual and tribal language education.

**Sponsors:** Representatives Ortiz-Self, Ybarra, Thai, Simmons, Reeves, Reed, Orwall, Ormsby, Taylor, Leavitt, Kloba, Doglio, Berry, Fey, Davis, Ramel, Callan, Bergquist, Fosse, Pollet, Lekanoff, Slatter, Macri, Alvarado, Stonier, Gregerson and Santos; by request of Superintendent of Public Instruction.

**Brief Summary of Bill**

- Establishes, subject to appropriation, grant programs for establishing or expanding dual language education programs and tribal language education programs.
- Requires provision of supports in service of American Indian and Alaska Native students.
- Establishes multilingual skill bonuses for certificated instructional staff and paraeducators.
- Makes changes to requirements related to the seal of biliteracy and the Transitional Bilingual Instruction Program.

**Hearing Date:** 1/22/24

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

**Background:**

Dual Language, Heritage Language, and Indigenous Language Grant Programs.

Since 2015, the Legislature has provided funding for grants to build and expand dual language

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programs in schools. A dual language 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. Typically, the programs begin at kindergarten or first grade and continue through at least elementary school.

In 2017 legislation directed the Office of the Superintendent of Public Instruction (OSPI), within existing resources, to facilitate dual language learning cohorts for school districts and state-tribal education compact schools establishing or expanding dual language programs. The OSPI must provide technical assistance and support to school districts and state-tribal education compact schools implementing dual language programs.

In 2020 the Legislature increased the grant funding for dual language programs and also provided grant funding to create heritage language programs for immigrant and refugee students and to create indigenous language programs for native students. Since this time, grant recipients have been required to convene an advisory board to guide the development and continuous improvement of the program, including: (a) determining which schools and languages will be prioritized; (b) conducting outreach to the community; (c) and addressing enrollment considerations and the hiring of staff. At least half the members of the advisory board are required to be parents of English learner (EL) students or current or former EL students. The other members of the board must represent teachers, students, school leaders, governing board members, youth, and community-based organizations that support English learners.

#### Office of Native Education.

Legislation enacted in 2011 created the Office of Native Education (ONE) within the OSPI. To the extent funds are available, the ONE must conduct eight types of activities, for example: (1) provide assistance to school districts in meeting the educational needs of American Indian and Alaska Native (AN/AI) students; (2) facilitate the development and implementation of curricula and instructional materials in native languages, culture and history, and the concept of tribal sovereignty; (3) seek funds to develop and provide continued professional development for paraeducators, teachers, and principals serving AN/AI students; and (4) facilitate the inclusion of native language programs in school districts' curricula. The ONE also serves as a liaison between the OSPI and school districts, tribal governments, state-tribal education compact schools, tribal schools, and Native families and communities.

#### Federally Recognized Tribes.

A federally recognized tribe is an AI/AN tribal entity that is recognized as having a government-to-government relationship with the United States, with the responsibilities, powers, limitations, and obligations attached to that designation. There are 29 federally recognized tribes in Washington. Federal recognition, which is granted by the United States Bureau of Indian Affairs, permits a tribe to receive funding and services from the federal government.

#### First Peoples' Language, Culture, and Oral Tribal Traditions Certificate.

Legislation enacted in 2007 established the first peoples' language, culture, and oral tribal traditions (tribal language/culture) teacher certification program to be implemented by the

Professional Educator Standards Board (PESB). A sovereign tribal government must certify to the OSPI that an individual has met the tribe's tribal language/culture teacher certification program, as well as set continuing education and certificate renewal requirements.

The holder of a tribal language/culture teacher certificate may work in a public school teaching tribal language, culture, and oral tribal traditions in the language/culture designated on the certificate. The holder of a tribal language/culture teacher certificate may not teach other subjects unless certificated as a teacher by the PESB.

#### Seal of Biliteracy for Student Diplomas.

Legislation enacted in 2014 established the state seal of biliteracy to recognize public high school graduates who have attained a high level of proficiency in speaking, reading, and writing in one or more world languages in addition to English. School districts are encouraged to award the seal of biliteracy to graduating students who demonstrate proficiency in English by meeting state high school graduation requirements in English and proficiency in one or more world languages other than English. A student may demonstrate proficiency in another world language through multiple methods including nationally or internationally recognized language proficiency tests and competency-based world language credits. The term "world language other than English" includes American Sign Language and Native American languages.

#### Transitional Bilingual Instruction Program for English Language Learner Students.

Students who are English language learners receive supplemental instruction through the Transitional Bilingual Instruction Program (TBIP), which is part of the state's statutory program of basic education. Except where it is not practicable, the TBIP provides instruction in two languages; concepts and information are introduced in a student's primary language and reinforced in English. Teachers in the TBIP must hold a bilingual education endorsement or an English language learner (ELL) endorsement.

For each student enrolled in the TBIP, the state allocates funding to provide, on a statewide average, 4.7780 hours per week in extra instruction for students in grades kindergarten through six and 6.7780 hours per week in extra instruction for students in grades seven through 12, in a class size of 15 students. For each student who has exited the TBIP within the previous two years the state allocates funding to provide, on a statewide average, 3.0 hours per week in extra instruction, in a class size of 15 students.

#### Teacher Bilingual Education and English Language Learner Endorsements.

An endorsement is the subject area in which a certificated teacher is authorized to teach, along with designated grade levels for that area. Beginning September 1, 2019, teachers seeking to earn either of these endorsements must have a second endorsement that is not bilingual education, ELL, special education, or traffic safety.

To earn a bilingual education endorsement, among other things candidates must demonstrate a high level of oral and written language proficiency in English through meeting state certification requirements and in an additional language of instruction as demonstrated by performance on a

standardized assessment of language proficiency.

#### Paraeducator English Language Learner Certificate.

Paraeducators work under the supervision of teachers to provide various levels of support, including performing instructional duties, assisting with classroom management, and acting as translators. An ELL certificate is an optional credential a paraeducator working with students in ELL programs (such as the TBIP) may earn by completing 20 hours of professional development that meet specified ELL knowledge and skill competencies. The ELL paraeducator certificate expires after five years.

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

#### Dual Language Education Grants.

Subject to appropriation, the Office of the Superintendent of Public Instruction (OSPI) must award grants to school districts or state-tribal education compact schools to establish a dual language education program or to expand an established dual language education program. "Dual language education" means a prekindergarten through grade 12 instructional model in which students are taught subject matter in both English and a world language other than English. "Dual language education" includes heritage language education, which provides opportunities for students to learn the language and culture of their families and communities. For these purposes, a world language other than English must include American sign language and Native American languages.

The OSPI must identify criteria for awarding the grants, evaluate applicants, award grant money, and provide technical assistance and support. School districts must submit data to the OSPI identifying which students are enrolled in dual language education programs.

The statute directing the OSPI to facilitate dual language learning cohorts is repealed.

#### Tribal Language Education Supports, and Grants, and Convenings.

The OSPI must develop a program to support tribal language education. The Office of Native Education (ONE) must provide school districts and state-tribal education compact schools with guidance, technical assistance, and statewide leadership and support. "Tribal language education" means the revitalization of and instruction in tribal languages in public schools, developed in consultation with Washington's federally recognized tribes, and provided by a certificated teacher with a Washington state first peoples' language, culture, and oral tribal traditions endorsement.

Subject to appropriation, the ONE must award grants to school districts to establish a tribal language education program or to expand an established tribal language education program. The ONE must identify criteria for awarding the grants, evaluate applicants, and award grant money.

The ONE must convene biannually up to 20 tribal language educators to develop and share best practices, resources, and knowledge.

#### Serving American Indian and Alaska Native Students.

The OSPI must convene a work group to develop the supports necessary to serve American Indian and Alaska Native (AN/AI) students identified as needing additional literacy supports. The work group must include representation from each federally recognized tribe within Washington and may include individuals with lived experience. The work group must, at a minimum, conduct tribal consultations, develop best practices, engage in professional learning, and develop curricula or resources.

Beginning with fiscal year 2025, the OSPI must provide school districts and state-tribal education compact schools with program guidance, technical assistance, and professional learning to serve AN/AI students with appropriate, culturally affirming literacy supports.

#### Seal of Biliteracy for Student Diplomas.

Beginning with the 2023-24 school year, school districts must award the seal of biliteracy to graduating high school students who meet OSPI's award criteria. The OSPI must provide students access to methods to demonstrate proficiency in less commonly taught or assessed languages at a cost that is not higher than that of assessing commonly taught or assessed languages.

#### Transitional Bilingual Instruction Program for English Language Learner Students.

It is specified that dual language education and tribal language education are the preferred transitional bilingual instruction program (TBIP) models. Beginning with the 2024-25 school year, the allocation for the TBIP must be weighted at 1.2 factor for each eligible and exited student enrolled in a dual language education program.

#### Multilingual Skill Bonuses for Certificated Instructional Staff and Paraeducators.

Beginning with the 2023-24 school year, certificated instructional staff in public schools who demonstrate multilingual skills and instructional knowledge through an approved endorsement must receive a stipend each year in which they maintain that endorsement. The stipend must be \$5,000 in the 2023-24 school year, increased by inflation annually thereafter.

Beginning with the 2024-25 school year, paraeducators in public schools who demonstrate multilingual skills and instructional knowledge through an approved language assessment and an approved paraeducator subject matter certificate must receive a stipend each year in which they maintain that paraeducator subject matter certificate. The stipend must be \$1,500 in the 2024-25 school year, increased by inflation annually thereafter.

These stipends are in addition to compensation received under a school district's salary schedule and must not be included in calculations of a school district's average salary and associated salary limitations. The OSPI may adopt rules to define the specific endorsement criteria required to receive these stipends.

#### Aligning Language Endorsements and Determining Language Assessments.

By September 1, 2023, the Professional Educator Standards Board must collaborate with the OSPI to align multilingual education and English language learner endorsement standards and determine language assessment requirements for multilingual teachers and paraeducators.

**Appropriation:** None.

**Fiscal Note:** Available.

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