
HOUSE BILL 1228

State of Washington

68th Legislature

2023 Regular Session

By 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

Read first time 01/11/23. Referred to Committee on Education.

1 AN ACT Relating to building a multilingual, multiliterate
2 Washington through dual and tribal language education; amending RCW
3 28A.300.575 and 28A.180.080; reenacting and amending RCW 28A.180.030;
4 adding new sections to chapter 28A.300 RCW; creating new sections;
5 repealing RCW 28A.300.574; and providing expiration dates.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that a
8 multilingual, multiliterate education will benefit all Washington
9 students. A multilingual, multiliterate student body is better
10 prepared to enter a global job market, has developed cognitive skills
11 unique to working within two or more languages, and can build
12 cohesive communities across the state while sharing, celebrating, and
13 strengthening individual cultural ties.

14 (2) The legislature finds that school districts across the state
15 are demonstrating readiness to develop dual language education
16 programs, and that requests for current grant funding consistently
17 surpass available dollars.

18 (3) The legislature recognizes that English learners benefit from
19 specific instructional models and supports to thrive in public
20 schools, and that dual language education is the best instructional
21 model for providing those supports.

1 (4) The legislature finds that Washington state has a special
2 duty to honor tribal sovereignty and to serve American Indian and
3 Alaska Native students. The legislature recognizes that centuries of
4 colonial educational practices aimed at destruction of tribal
5 communities and cultures has resulted in intergenerational trauma
6 that continues to negatively impact American Indian and Alaska Native
7 learners, and that state investment in tribal language education
8 programs in K-12 schools will move all Washingtonians forward
9 together in addressing and healing those wounds.

10 (5) The legislature intends to establish a comprehensive approach
11 to support and expand dual language education and tribal language
12 education in Washington state. It is the goal of the legislature
13 that:

14 (a) School districts with a kindergarten enrollment of more than
15 25 English learners of at least one language group in one or more
16 individual schools will begin the planning process for a dual
17 language program by the 2026-27 school year;

18 (b) School districts with a kindergarten enrollment of more than
19 25 English learners of at least one language group across all schools
20 in the district will begin the planning process for a dual language
21 program by the 2029-30 school year; and

22 (c) All Washington students will have access to dual language
23 education in kindergarten through eighth grade by 2040.

24 NEW SECTION. **Sec. 2.** For purposes of sections 3 and 4 of this
25 act the definitions in this section apply unless the context clearly
26 requires otherwise.

27 (1) "Dual language education" means a prekindergarten through
28 grade 12 instructional model in which students are taught subject
29 matter in both English and a world language other than English. "Dual
30 language education" includes heritage language education, which
31 provides opportunities for students to learn the language and culture
32 of their families and communities. For these purposes, a world
33 language other than English must include American sign language and
34 Native American languages.

35 (2) "Tribal language education" refers to the revitalization of
36 and instruction in tribal languages in public schools, developed in
37 consultation with Washington's federally recognized tribes, and
38 provided by a certificated teacher with a Washington state first

1 peoples' language, culture, and oral tribal traditions endorsement
2 established under RCW 28A.410.045.

3 NEW SECTION. **Sec. 3.** (1) The office of the superintendent of
4 public instruction shall administer a grant program to support school
5 districts and state-tribal education compact schools establishing and
6 expanding dual language education.

7 (a) Subject to the availability of amounts appropriated for this
8 specific purpose, the office of the superintendent of public
9 instruction must award grants to school districts or state-tribal
10 education compact schools to: (i) Establish a dual language education
11 program; or (ii) expand an established dual language education
12 program.

13 (b) The office of the superintendent of public instruction must
14 identify criteria for awarding the grants, evaluate applicants, and
15 award grant money.

16 (c) School districts shall submit data to the office identifying
17 which students are enrolled in dual language education programs.

18 (2) The office of the superintendent of public instruction shall
19 develop a program to support tribal language education. The office of
20 Native education within the office of the superintendent of public
21 instruction shall provide school districts and state-tribal education
22 compact schools with guidance, technical assistance, and statewide
23 leadership and support.

24 (a) The office of Native education within the office of the
25 superintendent of public instruction shall administer a grant program
26 to support school districts and state-tribal education compact
27 schools establishing and expanding tribal language education
28 programs.

29 (b) Subject to the availability of amounts appropriated for this
30 specific purpose, the office of Native education within the office of
31 the superintendent of public instruction must award grants to school
32 districts to: (i) Establish a tribal language education program; or
33 (ii) expand an established tribal language education program.

34 (c) The office of Native education within the office of the
35 superintendent of public instruction must identify criteria for
36 awarding the grants, evaluate applicants, and award grant money.

37 (d) The office of Native education within the office of the
38 superintendent of public instruction shall convene biannually up to

1 20 tribal language educators to develop and share best practices,
2 resources, and knowledge.

3 NEW SECTION. **Sec. 4.** The office of the superintendent of public
4 instruction may adopt rules for school districts and state-tribal
5 education compact schools to establish, implement, and expand dual
6 language education and tribal language education programs. The office
7 must provide technical assistance and support to schools.

8 NEW SECTION. **Sec. 5.** (1) Beginning with the 2023-24 school
9 year, certificated instructional staff in Washington state public
10 schools who demonstrate multilingual skills and instructional
11 knowledge through an approved endorsement shall receive a stipend
12 each year in which they maintain that endorsement. The stipend will
13 be calculated as follows: The annual stipend shall be \$5,000 in the
14 2023-24 school year. Thereafter, the annual stipend shall increase by
15 inflation.

16 (2) Beginning with the 2024-25 school year, paraeducators in
17 Washington state public schools who demonstrate multilingual skills
18 and instructional knowledge through an approved language assessment
19 and an approved paraeducator subject matter certificate shall receive
20 a stipend each year in which they maintain that paraeducator subject
21 matter certificate. The stipend shall be calculated as follows: The
22 annual stipend shall be \$1,500 in the 2024-25 school year.
23 Thereafter, the annual stipend shall increase by inflation.

24 (3) The stipends provided under this section are in addition to
25 compensation received under a school district's salary schedule
26 adopted in accordance with RCW 28A.405.200 and shall not be included
27 in calculations of a school district's average salary and associated
28 salary limitations under RCW 28A.400.200.

29 (4) The office of the superintendent of public instruction may
30 adopt rules to define the specific endorsement criteria required to
31 receive this bonus.

32 **Sec. 6.** RCW 28A.300.575 and 2014 c 102 s 2 are each amended to
33 read as follows:

34 (1) The Washington state seal of biliteracy is established to
35 recognize public high school graduates who have attained a high level
36 of proficiency in speaking, reading, and writing in one or more world
37 languages in addition to English. (~~School districts are encouraged~~

1 ~~to~~) Beginning with the 2023-24 school year, school districts shall
2 award the seal of biliteracy to graduating high school students who
3 meet the criteria established by the office of the superintendent of
4 public instruction under this section. (~~Participating school~~)
5 School districts shall place a notation on a student's high school
6 diploma and high school transcript indicating that the student has
7 earned the seal.

8 (2) The office of the superintendent of public instruction shall
9 adopt rules establishing criteria for award of the Washington state
10 seal of biliteracy. The criteria must require a student to
11 demonstrate proficiency in English by meeting state high school
12 graduation requirements in English, including through state
13 assessments and credits, and proficiency in one or more world
14 languages other than English. The criteria must permit a student to
15 demonstrate proficiency in another world language through multiple
16 methods including nationally or internationally recognized language
17 proficiency tests and competency-based world language credits awarded
18 under the model policy adopted by the Washington state school
19 directors' association.

20 (3) The office of the superintendent of public instruction shall
21 provide students access to methods to demonstrate proficiency in less
22 commonly taught or assessed languages at a cost that is not higher
23 than that of assessing commonly taught or assessed languages.

24 (4) For the purposes of this section, a world language other than
25 English must include American sign language and Native American
26 languages.

27 **Sec. 7.** RCW 28A.180.030 and 2013 2nd sp.s. c 9 s 3 are each
28 reenacted and amended to read as follows:

29 As used throughout this chapter, unless the context clearly
30 indicates otherwise:

31 (1) "Eligible pupil" means any enrollee of the school district
32 whose primary language is other than English and whose English
33 language skills are sufficiently deficient or absent to impair
34 learning.

35 (2) "Exited pupil" means a student previously enrolled in the
36 transitional bilingual instruction program who is no longer eligible
37 for the program based on his or her performance on an English
38 proficiency assessment approved by the superintendent of public
39 instruction.

1 (3) "Primary language" means the language most often used by the
2 student for communication in his/her home.

3 (4) "Transitional bilingual instruction" means:

4 (a) A system of instruction which uses two languages, one of
5 which is English, as a means of instruction to build upon and expand
6 language skills to enable the pupil to achieve competency in English.
7 (~~Concepts and information are introduced in the primary language and~~
8 ~~reinforced in the second language: PROVIDED, That the program shall~~
9 ~~include testing in the subject matter in English~~) Dual language
10 education and tribal language education as defined in section 2 of
11 this act is the preferred transitional bilingual instruction program
12 model; or

13 (b) In those cases in which (~~the use of~~) instruction in two
14 languages is not practicable as established by the superintendent of
15 public instruction and unless otherwise prohibited by law, an
16 alternative system of instruction which may include English as a
17 second language and is designed to enable the pupil to achieve
18 competency in English.

19 **Sec. 8.** RCW 28A.180.080 and 2009 c 548 s 705 are each amended to
20 read as follows:

21 Moneys appropriated by the legislature for the purposes of RCW
22 28A.180.010 through 28A.180.080 shall be allocated by the
23 superintendent of public instruction to school districts for the sole
24 purpose of operating an approved bilingual instruction program.
25 Beginning with the 2024-25 school year, the allocation shall be
26 weighted at 1.2 factor for each eligible and exited student enrolled
27 in a dual language education program.

28 NEW SECTION. **Sec. 9.** (1) By September 1, 2023, the professional
29 educator standards board shall collaborate with the office of the
30 superintendent of public instruction to align multilingual education
31 and English language learner endorsement standards and determine
32 language assessment requirements for multilingual teachers and
33 paraeducators.

34 (2) This section expires September 1, 2026.

35 NEW SECTION. **Sec. 10.** (1) The office of the superintendent of
36 public instruction shall convene a work group to develop the supports
37 necessary to serve American Indian and Alaska Native students

1 identified as needing additional literacy supports. The work group
2 must include representation from each federally recognized tribe
3 within the state of Washington and may include individuals with lived
4 experience. The work group shall at a minimum: (a) Conduct tribal
5 consultations; (b) develop best practices; (c) engage in professional
6 learning; and (d) develop curricula or resources.

7 (2) Beginning with fiscal year 2025, the office of the
8 superintendent of public instruction shall provide school districts
9 and state-tribal education compact schools with program guidance,
10 technical assistance, and professional learning to serve American
11 Indian and Alaska Native students with appropriate, culturally
12 affirming literacy supports.

13 (3) This section expires September 1, 2026.

14 NEW SECTION. **Sec. 11.** RCW 28A.300.574 (Dual language learning
15 cohorts—Rules) and 2017 c 236 s 3 are each repealed.

16 NEW SECTION. **Sec. 12.** Sections 2 through 5 of this act are each
17 added to chapter 28A.300 RCW.

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