
SUBSTITUTE SENATE BILL 5607

State of Washington

66th Legislature

2020 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators Wellman, Das, Kuderer, Nguyen, Randall, Hunt, Carlyle, Darneille, Cleveland, Keiser, Takko, Saldaña, Lias, Van De Wege, Hasegawa, and Wilson, C.)

1 AN ACT Relating to dual language learning in early learning and
2 K-12 education; amending RCW 28A.300.574; adding new sections to
3 chapter 28A.300 RCW; adding a new section to chapter 28A.655 RCW;
4 adding a new section to chapter 28B.102 RCW; adding new sections to
5 chapter 43.216 RCW; and repealing 43.216.105.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.300
8 RCW to read as follows:

9 (1)(a) Subject to the availability of amounts appropriated for
10 this specific purpose, the office of the superintendent of public
11 instruction shall develop and administer the K-12 dual language grant
12 program to grow capacity for high quality dual language learning in
13 the public schools, and as described in this section.

14 (b) A dual language program is an instructional model that
15 provides content-based instruction to students in two languages:
16 English and a target language other than English spoken in the local
17 community, such as Spanish, Somali, Vietnamese, Russian, Arabic,
18 native languages, or indigenous languages. The goal of a dual
19 language program is for students to eventually become proficient and
20 literate in both languages, while also meeting high academic
21 standards in all subject areas. Typically, programs begin at

1 kindergarten or first grade and continue through at least elementary
2 school. Two-way dual language programs begin with a balanced number
3 of native and nonnative speakers of the target language so that both
4 groups of students serve in the role of language modeler and language
5 learner at different times. One-way dual language programs serve only
6 nonnative English speakers.

7 (2) (a) Within the K-12 dual language grant program, the office of
8 the superintendent of public instruction shall establish two separate
9 competitive grant application and award processes: One to establish
10 dual language programs and one to expand existing dual language
11 programs. Grant awards must be limited to one award per program per
12 biennium.

13 (b) Beginning October 1, 2020, and by October 1st each even-
14 numbered year thereafter, the office of the superintendent of public
15 instruction must award up to:

16 (i) Ten two-year grants of up to eighty thousand dollars each to
17 local education agencies interested in establishing a two-way dual
18 language program or a one-way dual language program in a target
19 language that is one of the five most commonly spoken languages in
20 the community, and in a school with predominantly English learners;
21 and

22 (ii) Ten two-year grants of up to forty thousand dollars each to
23 local education agencies interested in expanding a recently
24 established two-way dual language program or a one-way dual language
25 program in a target language that is one of the five most spoken
26 languages in the community, and in a school with predominantly
27 English learners.

28 (c) When awarding a grant to a local education agency proposing
29 to establish or expand a dual language program in a target language
30 other than Spanish, the office of the superintendent of public
31 instruction must provide a bonus of up to five thousand dollars.

32 (d) The office of the superintendent of public instruction must:

33 (i) Identify criteria for awarding the grants, evaluate
34 applicants, and award grant money; and

35 (ii) Select grantees with geographic, demographic, and enrollment
36 diversity.

37 (e) The grant application must require, among other things, that
38 the applicant describe:

1 (i) How the program will serve the applicant's English learner
2 population in a target language that is one of the five most commonly
3 spoken languages in the community;

4 (ii) The number of classrooms that the applicant expects to add
5 with the grant money;

6 (iii) The planned use of the grant money;

7 (iv) The applicant's plan for student enrollment and outreach to
8 families who speak the target language;

9 (v) The applicant's plan to recruit and support bilingual
10 paraeducators, classified staff, parents, and high school students to
11 become bilingual teachers in the local education agency;

12 (vi) The applicant's commitment to, and plan for, sustaining a
13 dual language program beyond the grant period; and

14 (vii) Whether the governing body of the local education agency
15 has expressed support for dual language programs.

16 (3) Each grant recipient must:

17 (a) Convene an advisory board to guide the development and
18 continuous improvement of its dual language program. At least half
19 the members of the board must be parents of English learner students.
20 The other members of the board must represent teachers, students,
21 school leaders, governing board members, and community-based
22 organizations that support English learners;

23 (b) Use the grant money for: Dual language program start-up and
24 expansion costs, such as staff and teacher training, teacher
25 recruitment, development and implementation of a dual language
26 learning model and curriculum, and other costs identified in the
27 application as key for start-up; and advisory board costs. The grant
28 money may not be used for ongoing program costs; and

29 (c) Work with the office of the superintendent of public
30 instruction at the end of the grant period to draft the report
31 required in subsection (5) of this section.

32 (4) The office of the superintendent of public instruction must
33 notify local education agencies of the K-12 dual language grant
34 program established under this section and provide ample time for the
35 application process.

36 (5) Beginning December 1, 2022, and by December 1st each even-
37 numbered year thereafter, and in compliance with RCW 43.01.036, the
38 office of the superintendent of public instruction must submit a
39 report to the appropriate committees of the legislature that details
40 the grant period's successes, best practices, lessons learned, and

1 outcomes, including how many more children were educated in dual
2 language classrooms as a result of the K-12 dual language grant
3 program.

4 (6) The superintendent of public instruction may adopt rules to
5 implement this section.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
7 RCW to read as follows:

8 (1)(a) Subject to the availability of amounts appropriated for
9 this specific purpose, the office of the superintendent of public
10 instruction shall develop and administer the heritage language grant
11 program to grow capacity for students to receive high quality
12 heritage language learning, and as described in this section.

13 (b) A heritage language is a target language other than English,
14 spoken by an individual, a family, or a community, including the
15 indigenous languages of native communities or the home languages of
16 immigrant or refugee communities. A heritage language program is a
17 program designed to support language development of heritage language
18 learners in the target language.

19 (2)(a) Within the heritage language grant program, the office of
20 the superintendent of public instruction shall establish two separate
21 competitive grant application and award processes: One for heritage
22 language programs for immigrant and refugee students and one for
23 indigenous language programs for native students. Grant awards must
24 be limited to one award per program per biennium.

25 (b) Beginning October 1, 2020, and by October 1st each even-
26 numbered year thereafter, the office of the superintendent of public
27 instruction must award up to:

28 (i) Five two-year grants of up to seventy-five thousand dollars
29 each to create heritage language programs for immigrant and refugee
30 students, with up to two-thirds of the amount awarded in the first
31 year of the grant period; and

32 (ii) Five two-year grants of up to seventy-five thousand dollars
33 each to create indigenous language programs for native students, with
34 up to two-thirds of the amount awarded in the first year of the grant
35 period.

36 (c) The office of the superintendent of public instruction must
37 identify criteria for awarding the grants, evaluate applicants, and
38 award grant funds in compliance with the following requirements:

1 (i) Applicants wishing to create heritage language programs for
2 immigrants or refugees must be local education agencies;

3 (ii) The office of the superintendent of public instruction must
4 prioritize applicants that partner with community-based
5 organizations;

6 (iii) Applications for a heritage language program for immigrants
7 or refugees must describe how the program will support English
8 learners whose target language is one of the five most commonly
9 spoken languages in the community, but is not supported with school-
10 based enrichment opportunities for the language, such as a dual
11 language program;

12 (iv) Applicants wishing to create indigenous language programs
13 must be state-tribal compact schools or school districts in
14 partnership with an Indian tribe or nation;

15 (v) Applicants may create programs for any grade level, and may
16 offer the program during the school day, before or after school,
17 during the weekends, or during the summer;

18 (vi) Applicants must agree to inform students and families of
19 options to earn world language credits or the Washington state seal
20 of biliteracy, established under RCW 28A.300.575, by, among other
21 things, demonstrating proficiency in a language other than English;
22 and

23 (vii) Applicants must agree to work with the office of the
24 superintendent of public instruction at the end of the grant period
25 to draft the report required in subsection (4) of this section.

26 (3) The office of the superintendent of public instruction must
27 promote the heritage language grant program established under this
28 section by reaching out to immigrant and refugee communities and
29 native communities, including by notifying the state-tribal compact
30 schools, tribal governments, and the tribal leaders congress on
31 education.

32 (4) Beginning December 1, 2022, and by December 1st each even-
33 numbered year thereafter, and in compliance with RCW 43.01.036, the
34 office of the superintendent of public instruction must submit a
35 report to the appropriate committees of the legislature that details
36 the grant period's successes, best practices, lessons learned, and
37 outcomes, including the impact of the heritage language and
38 indigenous language programs on participating students' language
39 gains and overall academic outcomes, and the use of the grant funds.

1 (5) The superintendent of public instruction may adopt rules to
2 implement this section.

3 **Sec. 3.** RCW 28A.300.574 and 2017 c 236 s 3 are each amended to
4 read as follows:

5 (1) (a) Within existing resources, the office of the
6 superintendent of public instruction shall facilitate dual language
7 professional learning ((cohort for school districts and state-tribal
8 compact schools establishing or expanding)) communities to promote
9 statewide collaboration among staff administering and working in dual
10 language programs under section 1 of this act and heritage language
11 programs under section 2 of this act.

12 (b) The office ((must)) of the superintendent of public
13 instruction shall provide technical assistance and support to
14 ((school districts and state-tribal compact schools implementing dual
15 language programs, including those establishing or expanding dual
16 language programs under section 1 of this act)) dual language
17 programs under section 1 of this act and heritage language programs
18 under section 2 of this act. Technical assistance and support must
19 include professional development, sharing resources and best
20 practices, and guidance for programs to be self-sustaining through
21 the use of state basic education or federal funding.

22 (2) The superintendent of public instruction may adopt rules to
23 implement this section.

24 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.655
25 RCW to read as follows:

26 By September 1, 2021, the office of the superintendent of public
27 instruction shall adopt essential academic learning requirements and
28 grade level expectations for biliteracy development that are aligned
29 with the essential academic learning requirements for English
30 language arts and the statewide student assessments. These essential
31 academic learning requirements and grade level expectations must be
32 periodically updated to incorporate best practices in biliteracy
33 development.

34 NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.102
35 RCW to read as follows:

36 (1) Upon documentation of federal student loan indebtedness, the
37 office shall enter into agreements with certificated teachers to

1 repay all or part of the teacher's federal student loans in exchange
2 for teaching service in a dual language program in an approved
3 educational program. Teachers eligible for loan repayment under this
4 section must hold an endorsement in bilingual education during the
5 period of repayment.

6 (2) An agreement under this section must specify the period of
7 time it is in effect and detail the obligations of the office and the
8 participant, including the amount to be paid to the participant. The
9 maximum payment amount is five thousand dollars per year for up to
10 four years.

11 (3) At the end of the school year, a teacher who participates in
12 an agreement under this section shall provide evidence to the office
13 that the requisite teaching service has been provided. Upon receipt
14 of the evidence, the office shall pay the participant the agreed upon
15 amount for one year of full-time teaching service or a prorated
16 amount for less than full-time teaching service. To qualify for
17 additional loan repayments, the participant must be engaged in
18 continuous teaching service as defined by the office. The office may
19 approve leaves of absence from continuous service and other
20 deferments as may be necessary.

21 (4) The office may, at its discretion, arrange to make the loan
22 repayment directly to the holder of the participant's federal student
23 loans.

24 (5) The office's obligations to a participant under this section
25 cease when:

26 (a) The terms of the agreement have been fulfilled;

27 (b) The participant is assigned to teach a program other than a
28 dual language program;

29 (c) The participant fails to maintain continuous teaching service
30 as determined by the office; or

31 (d) All of the participant's federal student loans have been
32 repaid.

33 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.216
34 RCW to read as follows:

35 (1)(a) Subject to the availability of amounts appropriated for
36 this specific purpose, the department shall develop and administer
37 the early learning dual language grant program to grow capacity for
38 high quality dual language learning in child care and early childhood

1 education and assistance programs in order to better meet the needs
2 of English learners, and as described in this section.

3 (b) A dual language program is an instructional model that
4 provides content-based instruction to students in two languages:
5 English and a target language other than English spoken in the local
6 community, such as Spanish, Somali, Vietnamese, Russian, Arabic,
7 native languages, or indigenous languages. At least fifty percent of
8 the instruction must be in the target language. The dual language
9 program must prioritize students who speak a language other than
10 English at home. The goal of the dual language program is to support
11 bilingualism from an early age.

12 (2)(a) Within the early learning dual language grant program, the
13 department shall establish two separate competitive grant application
14 and award processes: One for early childhood education and assistance
15 program contractors and one for eligible child care providers. Grant
16 awards must be limited to one award per contractor or provider per
17 biennium.

18 (b) Beginning September 1, 2020, and by September 1st each even-
19 numbered year thereafter, the department must award up to:

20 (i) Five two-year grants of up to ten thousand dollars each to
21 eligible child care providers interested in establishing or
22 converting to a dual language program; and

23 (ii) Five two-year grants of up to ten thousand dollars each to
24 early childhood education and assistance program contractors to
25 support new early childhood education and assistance program dual
26 language classrooms. At least two of the five grants must be awarded
27 to tribal early childhood education and assistance program
28 contractors.

29 (c) The department shall identify criteria for awarding the
30 grants, evaluate applicants, and award grant funds.

31 (d) The application must require that the applicant describe:

32 (i) How the dual language early learning program will reflect the
33 languages spoken in the classroom, the school, and the community;

34 (ii) The applicant's dual language early learning program family
35 engagement strategy, which may include capacity building, supporting
36 native language, and literacy activities;

37 (iii) The applicant's plan for student enrollment and outreach to
38 families who speak the target language;

39 (iv) The number of classrooms that the applicant will convert to
40 dual language instruction; and

1 (v) The applicant's spending plan for the grant funds, including
2 specific professional development and training supports.

3 (e) Grant funds must be used to support professional development
4 and capacity-building activities, including: Curriculum development;
5 training and professional development for teachers, coaches, and
6 supervisors; and materials.

7 (f) Throughout the two-year grant period, grantees must
8 participate in department-conducted evaluations of program
9 effectiveness.

10 (3) The department may adopt rules to implement this section.

11 (4) For the purposes of this section, "eligible child care
12 provider" means a provider who accepts state child care subsidy and
13 is an active participant with the early achievers program as
14 described in this chapter.

15 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.216
16 RCW to read as follows:

17 The department must establish one full-time employee dual
18 language specialist position to administer the early learning dual
19 language grant program as described in section 6 of this act. The
20 dual language specialist must coordinate:

21 (1) Culturally responsive training, technical assistance, and
22 related resources for providers and early childhood education and
23 assistance program contractors who are eligible to apply for an early
24 learning dual language grant under section 6 of this act. Resources
25 must include developmentally appropriate practices, language, and
26 literacy resources;

27 (2) Training, in collaboration with the statewide child care
28 resource and referral organization, on effective dual language
29 classrooms for coaches participating in the early achievers program;
30 and

31 (3) Outreach, engagement, and education for parents and families
32 about the benefits of native language development, retention, and
33 dual language learning.

34 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.216
35 RCW to read as follows:

36 The department shall:

37 (1) Provide early learning providers with professional
38 development materials translated into target languages other than

1 English. Examples of target languages include Spanish, Somali,
2 Vietnamese, Russian, Arabic, native languages, or indigenous
3 languages;

4 (2) Work with community partners to support outreach, engagement,
5 and education for parents and families about the benefits of native
6 language development, retention, and dual language learning; and

7 (3) Build upon its existing programmatic infrastructure to
8 support the growth of dual language child care and early childhood
9 education and assistance program classrooms across the state.

10 NEW SECTION. **Sec. 9.** RCW 43.216.105 (Native language
11 development and retention—Dual language learning—Rules) and 2018 c
12 58 s 44 & 2017 c 236 s 5 are each repealed.

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