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HOUSE BILL 2616

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State of Washington

65th Legislature

2018 Regular Session

By Representatives Santos and Harris

1 AN ACT Relating to expanding the definition of eligible pupil for  
2 purposes of the transitional bilingual instruction program; and  
3 reenacting and amending RCW 28A.180.030.

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

5 **Sec. 1.** RCW 28A.180.030 and 2013 2nd sp.s. c 9 s 3 are each  
6 reenacted and amended to read as follows:

7 As used throughout this chapter, unless the context clearly  
8 indicates otherwise:

9 (1) "Eligible pupil" means any enrollee of the school district  
10 (~~whose primary language is other than English and whose English~~  
11 ~~language skills are sufficiently deficient or absent to impair~~  
12 ~~learning~~);

13 (a)(i) Who was not born in the United States or whose primary  
14 language is a language other than English; (ii) who is a Native  
15 American or Alaska native and comes from an environment where a  
16 language other than English has had a significant impact on the  
17 student's level of English language proficiency; or (iii) who is  
18 migratory, whose native language is a language other than English,  
19 and who comes from an environment where a language other than English  
20 is dominant; and

1       (b) Whose difficulties in speaking, reading, writing, or  
2 understanding the English language may be sufficient to deny the  
3 individual: (i) The ability to meet or exceed the state academic  
4 standards as measured by the statewide student assessment used for  
5 state or federal accountability purposes under chapter 28A.655 RCW;  
6 (ii) the ability to successfully achieve in classrooms where the  
7 language of instruction is English; or (iii) the opportunity to  
8 participate fully in society.

9       (2) "Exited pupil" means a student previously enrolled in the  
10 transitional bilingual instruction program who is no longer eligible  
11 for the program based on his or her performance on an English  
12 proficiency assessment approved by the superintendent of public  
13 instruction.

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

16       (4) "Transitional bilingual instruction" means:

17       (a) A system of instruction which uses two languages, one of  
18 which is English, as a means of instruction to build upon and expand  
19 language skills to enable the pupil to achieve competency in English.  
20 Concepts and information are introduced in the primary language and  
21 reinforced in the second language: PROVIDED, That the program shall  
22 include testing in the subject matter in English; or

23       (b) In those cases in which the use of two languages is not  
24 practicable as established by the superintendent of public  
25 instruction and unless otherwise prohibited by law, an alternative  
26 system of instruction which may include English as a second language  
27 and is designed to enable the pupil to achieve competency in English.

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