
SUBSTITUTE SENATE BILL 5787

State of Washington

64th Legislature

2015 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators Jayapal, Fain, McAuliffe, Darneille, and Hasegawa)

1 AN ACT Relating to a model policy and procedures for language
2 access by limited-English proficient parents of students; amending
3 RCW 28A.300.580; adding a new section to chapter 28A.320 RCW; and
4 repealing RCW 28A.345.032.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.320
7 RCW to read as follows:

8 (1) By July 1, 2016, the Washington state school directors'
9 association, with the assistance of the office of the superintendent
10 of public instruction, shall develop a model policy and procedures
11 for language access by limited-English proficient parents. In
12 developing the model policy and procedures, the school directors'
13 association shall consider any guidance materials created by the
14 United States department of justice, the United States department of
15 education, and the office of the superintendent of public
16 instruction, regarding how school districts can effectively assess
17 their language access needs and how to develop appropriately tailored
18 language access plans. The model policy and procedures must at a
19 minimum address:

1 (a) Guidance and procedures for timely and accurate
2 identification of limited-English proficient parents and guardians
3 and their language access needs;

4 (b) A recommended process and procedures for when and how to
5 access an interpreter;

6 (c) A prohibition on the use of students or children as
7 interpreters for school-related communications;

8 (d) Procedures to ensure appropriate staff are aware of parents'
9 or guardians' need for language assistance, including guidance for
10 all school administrators, teachers, and other appropriate staff
11 regarding when and how to access an interpreter or translation
12 services in a timely manner;

13 (e) A process for communicating with parents and guardians about
14 their rights under federal and state law to be provided with
15 accessible information that allows them to make informed choices
16 regarding their child's education and how to access the resources and
17 services available to them.

18 (2) The office of the superintendent of public instruction shall
19 convene an advisory committee with representatives of parents, school
20 administrators, school principals, classified and certificated staff,
21 and other appropriate parties with interest in language access for
22 limited-English parents to develop sample materials for school
23 districts to disseminate to both school employees and parents
24 regarding parents' rights under the model policy developed by the
25 Washington state school directors' association and the resources
26 available to assist parents and guardians in accessing the services
27 available to them. The development of the sample materials must be
28 completed by July 1, 2016.

29 (3) The school directors' association shall post the model policy
30 and procedures developed under subsection (1) of this section and a
31 link to the sample materials developed by the advisory committee
32 under subsection (2) of this section on its web site.

33 (4) Each school district board of directors shall establish its
34 own language access policy and procedures by January 1, 2017, and
35 shall make the policy and procedures available on the district's web
36 site. The language access policy and procedures adopted by each
37 school district shall at a minimum include the five minimum
38 requirements found in subsection (1) of this section.

39 (a) By January 1, 2017, each school district shall notify the
40 office of the superintendent of public instruction whether the

1 district adopted the model policy, procedures, and sample materials
2 or the district adopted something different. If the district
3 subsequently revises the district policy, then the district shall
4 notify the office of the superintendent of public instruction and the
5 superintendent shall update the list under (b) of this subsection
6 accordingly.

7 (b) The office of the superintendent of public instruction shall
8 maintain and have available upon request a list of school districts
9 that have and have not adopted the Washington state school directors'
10 association's model policy developed under subsection (1) of this
11 section.

12 (5) The office of the superintendent of public instruction shall
13 adopt rules regarding school districts' communication of the language
14 access policy and procedure to parents, students, employees, and
15 volunteers.

16 **Sec. 2.** RCW 28A.300.580 and 2014 c 150 s 4 are each amended to
17 read as follows:

18 (1) The office of the superintendent of public instruction (~~and~~
19 ~~the office of the education ombuds~~) shall develop a list of and post
20 information on the agency's web site regarding:

21 (a) Language access services providers available to school
22 districts, including but not limited to, the phone interpretation
23 vendors on contract with the state of Washington, including contact
24 information; and

25 (b) Training programs that are available to support school
26 districts in preparing employees for how to access and effectively
27 use an interpreter.

28 (2) The list created under subsection (1) of this section shall
29 be updated and sent to all school districts annually. School
30 districts shall make this list available to school personnel on an
31 annual basis.

32 (3) School districts are encouraged to use the phone
33 interpretation services addressed in subsection (1) of this section
34 to communicate with student's parents, legal guardians, and family
35 members who have limited English proficiency.

1 NEW SECTION. **Sec. 3.** RCW 28A.345.032 (Model family language
2 access policy and procedure) and 2014 c 150 s 3 are each repealed.

--- END ---