

Multiple Agency Fiscal Note Summary

Bill Number: 1228 HB	Title: Dual & tribal language edu.
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Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI		14,278,000		15,023,000		15,302,000
Loc School dist-SPI	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.					
Local Gov. Other						
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Superintendent of Public Instruction	4.3	18,499,000	18,499,000	18,499,000	3.4	17,881,000	17,881,000	17,881,000	2.8	17,534,000	17,534,000	17,534,000
Superintendent of Public Instruction	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Total \$	4.3	18,499,000	18,499,000	18,499,000	3.4	17,881,000	17,881,000	17,881,000	2.8	17,534,000	17,534,000	17,534,000

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI			14,278,000			15,023,000			15,302,000
Loc School dist-SPI	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Superintendent of Public Instruction	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Val Terre, OFM	Phone: (360) 280-3973	Date Published: Revised
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Individual State Agency Fiscal Note

Revised

Bill Number: 1228 HB	Title: Dual & tribal language edu.	Agency: 350-Superintendent of Public Instruction
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	4.3	4.2	4.3	3.4	2.8
Account					
General Fund-State 001-1	8,991,000	9,508,000	18,499,000	17,881,000	17,534,000
Total \$	8,991,000	9,508,000	18,499,000	17,881,000	17,534,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Megan Wargacki	Phone: 360-786-7194	Date: 01/18/2023
Agency Preparation: Tisha Kuhn	Phone: 360 725-6424	Date: 02/03/2023
Agency Approval: Amy Kollar	Phone: 360 725-6420	Date: 02/03/2023
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/06/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1 (New):

Section 1: The legislature finds and recognizes the following:

- (1) Benefits of multilingual, multiliterate education for all Washington students;
- (2) School districts are demonstrating a readiness to develop dual language education programs;
- (3) English learners benefit from specific instructional models and support;
- (4) Washington state has a duty to honor tribal sovereignty and to serve American Indian and Alaska Native students.

Section 1(5): Intends to establish a comprehensive approach to support and expand dual language and tribal education in Washington state.

Section 2 (New):

Provides definitions for dual language education and tribal language education.

Section 3 (New):

Section 3(1): Requires Office of Superintendent of Public Instruction (OSPI) to administer a grant program to support school districts and state-tribal education compact schools who are establishing or expanding dual language education.

Section 3(1)(a): Subject to availability of amounts appropriated for this specific purpose, requires OSPI to award grants to school districts and state-tribal education compact schools who are establishing or expanding dual language education.

Section 3(1)(b): Requires OSPI to identify criteria for awarding the grants, evaluate applicants, and award grant money.

Section 3(1)(c): Requires school districts to submit data to OSPI identifying which students are enrolled in dual language education programs.

Section 3(2): Requires OSPI to develop a program to support tribal language education. Requires the Office of Native Education (ONE) within OSPI to provide school districts and state-tribal education compact schools with guidance, technical assistance, and statewide leadership and support.

Section 3(2)(a): Requires ONE to administer a grant program to support school districts and state-tribal education compact schools who are establishing or expanding tribal language education.

Section 3(2)(b): Subject to availability of amounts appropriated for this specific purpose, requires ONE to award grants to school districts and state-tribal education compact schools who are establishing or expanding tribal language education programs.

Section 3(2)(c): Requires ONE to identify criteria for awarding the grants, evaluate applicants, and award grant money.

Section 3(2)(d): Requires ONE to hold biannual convening with up to 20 tribal language educators to develop and share best practices, resources, and knowledge.

Section 4 (New):

Informs that OSPI may adopt rules for school districts and state-tribal education compact schools to establish, implement, and expand dual language education and tribal language education programs. Requires OSPI to provide technical assistance and support to schools.

Section 5 (New):

Section 5(1): Beginning with the 2023-24 school year, requires certificated instructional staff in Washington state public schools who demonstrate multilingual skills and instructional knowledge through an approved endorsement to receive a \$5,000 annual stipend that will increase each year by inflation.

Section 5(2): Beginning with the 2024-25 school year, requires paraeducators in Washington state public schools who demonstrate multilingual skills and instructional knowledge through an approved language assessment and an approved paraeducator subject matter certificate to receive a \$1,500 annual stipend for each year they maintain their paraeducator subject matter certificate. The annual stipend will increase each year by inflation.

Section 5(3): Informs that the stipends identified in section 5 are in addition to compensation received under a school district's salary schedule and may not be included in calculations of a school district's average salary and associated salary limitations.

Section 5(4): Informs that OSPI may adopt rules to define the specific endorsement criteria to receive the stipend.

Section 6 (Amended):

Section 6(1): Language added requiring school districts to award the seal of biliteracy to high school students who meet the criteria established by OSPI, beginning with the 2023-24 school year.

Section 6(3): Language added requiring OSPI to 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.

Section 7 (Amended):

Section 7(4)(a): Language added to inform that dual language education and tribal language education as defined in section 2 is the preferred transitional bilingual instruction program.

Section 8 (Amended):

Language added requiring moneys appropriated by the legislature for the sole purpose of operating an approved bilingual instruction program be allocated using a weighted 1.2 factor for each eligible and exited student enrolled in a dual language education program, beginning with the 2024-25 school year.

Section 9 (New):

Section 9(1): By September 1, 2023, requires the Professional Educator Standards Board (PESB) to collaborate with OSPI to align multilingual education and English language learner endorsement standards and determine language assessment requirements for multilingual teachers and paraeducators.

Section 9(2): Informs that this section expires on September 1, 2026.

Section 10 (New):

Section 10(1): Requires OSPI to convene a work group to develop the supports necessary to serve American Indian and Alaska Native students identified as needing additional literacy supports. Identifies representation requirements for the work group and at a minimum what the work group will do.

Section 10(2): Beginning with fiscal year 2025, requires OSPI to provide school district and state-tribal compact education compact schools with program guidance, technical assistance, and professional learning to serve American Indian and Alaska Native students with appropriate, culturally affirming literacy supports.

Section 10(3): Informs that this section expires on September 1, 2026.

Section 11 (New):

Repeals RCW 28A.300.574 (Dual language learning cohorts – rules) and 2017 c 236 s 3.

Section 12 (New):

Adds sections 2-5 of this act to chapter 28A.300 RCW.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

No cash receipts impact anticipated.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

OSPI Expenditure Impact:

Section 3(1) and 3(2) states that subject to the availability of amounts appropriated for this specific purpose, OSPI must administer a grant program to support school districts and state-tribal education compact schools establishing or expanding a dual language education program and establishing or expanding a tribal language education program.

To accomplish this work, OSPI assumes the following:

OSPI Grants to School Districts and State-Tribal Education Compact Schools:

Section 3: Requires OSPI to administer a grant program to support school districts and state-tribal education compact schools establishing and expanding dual language education programs and school districts and state-tribal education compact schools establishing or expanding a tribal language education program.

- Establishing and expanding dual language education programs.

The expenditure impact for dual language education program grants is indeterminate. Should the legislature choose to provide funding, OSPI assumes that 55 dual language education program grants will be awarded, ranging from \$30k-100k per district. The funding amount is determined based on the activity level of each district (i.e. Dual Language planning, Dual Language early implementation, Dual Language expanding districts with 1-2 schools, Dual Language expanding districts with 3 or more schools, and Heritage language programs).

Grant funds will be used to support professional learning for teachers and staff members, contract work with consultants on program development, instructional materials in the non-English language, and support for family and community engagement meetings and activities.

- Establishing and expanding tribal language education programs.

The expenditure impact for tribal language education program grants is indeterminate. Should the legislature choose to provide funding, OSPI assumes that 40 tribal language education program grants will be awarded, receiving \$30k per district. The funding amount is determined based on the current level of funding for tribal language education program grants.

Grant funds will be used to support with program start-up costs, including professional learning and curricula in the tribal language.

Staffing:

1. Assuming 55 dual language education program grants will be awarded, OSPI would need one (1) 1.0 FTE Program Supervisor, beginning in FY24 to support the implementation of the dual language education grant program, identify criteria for awarding grants, review/approve, and provide technical support for grant applications. Program Supervisors will also

provide professional learning communities to support Dual Language leaders and teachers with program development, instructional strategies, and best practices. OSPI estimates the cost to be \$149,000 in FY24 and \$144,000 per year thereafter.

2. Assuming 40 tribal language education program grants will be awarded, OSPI would need one (1) 0.8 FTE Program Supervisor, beginning in FY24 to support the implementation of the tribal language education grant program, identify criteria for awarding grants, and to review/approve grant applications and program development. OSPI estimates the cost to be \$119,000 in FY24 and \$115,000 per year thereafter.

3. Assuming both the dual language and tribal education grant programs will award funding, OSPI would need one (1) 1.0 FTE Administrative Assistant, beginning in FY24 to support the programs. OSPI estimates the cost to be \$101,000 in FY24 and \$96,000 per year thereafter.

Section 3(2)(d) requires the Office of Native Education to convene biannually up to 20 tribal language educators to gather and share best practices, resources, and knowledge. OSPI estimates a cost of \$56,000 per fiscal year beginning in FY24.

Section 5(1) states that certificated instructional staff who demonstrate multilingual skills and instructional knowledge through an approved endorsement shall receive a \$5,000 annual stipend in the 2023-24 school year. Thereafter, the annual stipend will increase by inflation.

- To incentivize bilingual educator growth and retention and to recognize the assets of bilingualism and biliteracy that these educators bring to the classroom, OSPI estimates to provide stipends to approximately 450 Bilingual Education endorsed educators and First People Language, Culture, and Oral Traditions (FPLC) certified educators who teach in tribal or dual language programs. Total cost: \$2.25 million per year beginning in FY24.

Section 5(2) states that paraeducators who demonstrate multilingual skills and instructional knowledge through an approved language assessment and an approved paraeducator subject matter certificate shall receive a \$1,500 annual stipend in the 2024-25 school year. Thereafter, the annual stipend will increase by inflation.

- OSPI estimates to provide stipends to approximately 440 bilingual instructional paraeducators working in tribal or dual language programs. The total number of bilingual instructional paraeducators is based on the bilingual instructional paraeducator headcount of approximately four per school with tribal or dual language programs. Total cost: \$660,000 per year beginning in FY25.

It is assumed that the administration of these stipends will be managed by OSPI staff.

Section 6 states that beginning with the 2023-24 school year, school districts will award the seal of biliteracy to graduating high school students who meet the criteria established by OSPI and that OSPI must provide 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.

- OSPI estimates contracts for up to 15 world languages educators at \$10,000 each who have experience and specialized knowledge in a variety of districts (e.g., small, rural, multi-high school, institutional education, and online learning) to support school districts with differentiated support and models to develop equitable language testing systems and knowledge of language proficiency development. Total cost: \$169,000 in FY24.

- OSPI anticipates hosting a statewide professional learning convenings at each of the nine (9) educational service districts to support districts with the seal of biliteracy criteria. Total cost: \$28,000 in FY24.

- Beginning in FY24, OSPI estimates \$705,000 per year to develop custom language testing for approximately 2,500 students with less commonly tested languages at \$250 for each test.

Section 8 states that beginning with the 2024-25 school year, the allocation for the sole purpose of operating an approved bilingual instruction program shall be weighted at 1.2 factor for each eligible and exited student enrolled in a dual language education program.

- OSPI estimates the following:
 - o \$4.519 million for eligible and exited students in FY24
 - o \$4.599 million for eligible and exited students in FY25
 - o \$4.601 million for eligible and exited students in FY26
 - o \$4.602 million for eligible and exited students in FY27
 - o \$4.694 million for eligible and exited students in FY28
 - o \$4.788 million for eligible and exited students in FY29

Section 10 focuses on developing supports and opportunities necessary to serve American Indian and Alaska Native students identified as needing additional literacy supports.

- OSPI estimates the need for a contract with Elders and language/culture leaders from Washington and outside of the state is needed to develop American Indian and Alaska Native culturally relevant instructional resources. Total cost: \$395,000 in FY24-26 and \$65,000 in FY27.
- OSPI estimates that the workgroup would meet eight (8) times to develop policies, guidance, and a menu of culturally relevant instructional resources for American Indian and Alaska Native students eligible for Title III, and eventually the state funded TBIP program. It is assumed that funding will be used to support travel, substitute costs, meeting materials and supplies, compensation for individuals with lived experiences, and meeting facilitation. Total cost: \$280,000 in FY24 and FY25.
- OSPI would need one (1) 1.0 FTE Program Supervisor, beginning in FY24 to support development of program guidance, technical assistance, and statewide leadership and support for school districts and state-tribal education compact schools that serve American Indian and Alaska Native students. OSPI estimates the cost to be \$149,000 in FY24, \$144,000 per year in FY25-26, and \$22,000 in FY27.

PESB Expenditure Impact:

To implement section 5(2) of the bill, PESB would need to find and adopt an appropriate assessment. PESB would also need to ensure that competencies covered in the paraeducator subject matter certificate demonstrate the multilingual skills and instructional knowledge named in the bill. To implement Section 5(4) of the bill, PESB would need to define endorsement criteria necessary to teach Native languages. To implement section 9(1) of the bill, PESB would collaborate with OSPI to align multilingual education and English language learner endorsement standards and determine language assessment requirements for multilingual teachers and paraeducators. This collaboration would begin by 9/1/23.

Rulemaking would be necessary to implement the assessment, requirements, and standards alignment. Assessment adoption and standards alignment would require ample stakeholder and partner input (e.g. from educators, administrators, human resource personnel, and other interested parties) to ensure that the assessment and related rules do not have unintended consequences.

Specifically, PESB would need to:

1. Conduct stakeholder engagement and research activities to inform assessment adoption, standard-setting, rule development, and standards alignment. This engagement and research may include:
 - a. Listening sessions and follow up with various concerned stakeholders (promotion, developing agendas, preparing materials, arranging interpreters, etc.)
 - b. Surveys and related data analysis
 - c. Review other states' policy and procedures for multilingual education, certification and paraeducator requirements

- d. Convening a work group discuss endorsement competencies and assessment requirements
 - e. Review related research and studies
2. Find and adopt an appropriate assessment and set the standards
 3. Draft rules
 4. Collect, analyze, and respond to stakeholder community input and feedback on the assessment and rules
 5. Present the assessment and rules to the board for feedback and approval
 6. Adopt the assessment
 7. Review assessment criteria and set the threshold
 8. Review, adopt, revise or redevelop the multilingual education and/or ELL endorsement competencies
 9. Present the alignment across multilingual education and ELL endorsement competencies
 10. Finalize rules
 11. Conduct assessment and rule-related communications (including internal and external, such as Code Reviser paperwork)
 12. Provide post-adoption communication and outreach to those impacted
 13. Provide technical support, such as the development and periodic revision of guidance to support implementation of rule and other types of technical support

This would require the following effort and expenditures:

Fiscal year 2024 (Start-Up)

Object A (Salaries): \$40,000

? 0.35 FTE Program Manager effort

? 0.12 FTE Program Associate and Policy Associate effort

Object B (Benefits): \$14,000

Object E (Goods and Services): \$15,000

Object G (Travel): \$1,000

Object J (Equipment): \$1,000

TOTAL: \$71,000

Fiscal year 2025 (Continued Start-Up)

Object A (Salaries): \$38,000

? 0.36 FTE Program Manager effort

? 0.07 FTE Program Associate and Policy Associate effort

Object B (Benefits): \$13,000

Object E (Goods and Services): \$12,000

Object G (Travel): \$1,000

TOTAL: \$64,000

For subsequent years, ongoing activities such as revising rules, ensuring fidelity of the assessment and rule implementation, and communication and outreach would fall within PESB’s regular scope of work and would not require additional resources

For further funding information, see attached “HB 1228 Bill Summary Attachment”.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	8,991,000	9,508,000	18,499,000	17,881,000	17,534,000
Total \$			8,991,000	9,508,000	18,499,000	17,881,000	17,534,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	4.3	4.2	4.3	3.4	2.8
A-Salaries and Wages	332,038	330,038	662,076	512,072	411,612
B-Employee Benefits	169,708	168,708	338,416	274,908	222,856
C-Professional Service Contracts	1,269,000	1,100,000	2,369,000	1,870,000	1,410,000
E-Goods and Other Services	40,627	37,627	78,254	44,510	37,766
G-Travel	390,627	362,627	753,254	156,510	149,766
J-Capital Outlays	20,000		20,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	6,769,000	7,509,000	14,278,000	15,023,000	15,302,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	8,991,000	9,508,000	18,499,000	17,881,000	17,534,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Assistant 3	50,588	1.0	1.0	1.0	1.0	1.0
PESB Program Associate	72,000	0.1	0.1	0.1		
PESB Program Manager	88,540	0.4	0.4	0.4		
Program Supervisor	86,232	2.8	2.8	2.8	2.4	1.8
Total FTEs		4.3	4.2	4.3	3.4	2.8

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

No capital budget impact is anticipated.

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Section 5(2) would require PESB rulemaking to implement.

HB 1228 OSPI Impact Summary							
Section	Description of Cost	FY24	FY25	FY26	FY27	FY28	FY29
3	Dual Language Grant Program	Indeterminate					
	Tribal Language Grant Program	Indeterminate					
	Professional Learning	56,000	56,000	56,000	56,000	56,000	56,000
	Section 3 Staff	369,000	355,000	355,000	355,000	355,000	355,000
5	Bilingual Educator Stipend	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000
	Bilingual Paraeducators Stipend	0	660,000	660,000	660,000	660,000	660,000
6	Statewide Convenings	28,000	0	0	0	0	0
	World Languages Educator Contracts	169,000	0	0	0	0	0
	Custom Language Testing	705,000	705,000	705,000	705,000	705,000	705,000
8	Weighted 1.2 Factor for students enrolled in Dual Language Education Programs	4,519,000	4,599,000	4,601,000	4,602,000	4,694,000	4,788,000
9	PESB Staff	71,000	64,000	0	0	0	0
10	Workgroup	280,000	280,000	0	0	0	0
	Contract to develop American Indian and Alaska Native culturally relevant instructional resources	395,000	395,000	395,000	65,000	0	0
	Section 10 Staff	149,000	144,000	144,000	22,000	0	0
Total:		8,991,000	9,508,000	9,166,000	8,715,000	8,720,000	8,814,000

Individual State Agency Fiscal Note

Revised

Bill Number: 1228 HB	Title: Dual & tribal language edu.	Agency: SDF-School District Fiscal Note - SPI
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Local School District-Private/Local NEW-7	6,769,000	7,509,000	14,278,000	15,023,000	15,302,000
Total \$	6,769,000	7,509,000	14,278,000	15,023,000	15,302,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Estimated Operating Expenditures from:

Account	FY 2024	FY 2025	2023-25	2025-27	2027-29
School District Local-Private/Local NEW-7	6,769,000	7,509,000	14,278,000	15,023,000	15,302,000
Total \$	6,769,000	7,509,000	14,278,000	15,023,000	15,302,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

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- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Megan Wargacki	Phone: 360-786-7194	Date: 01/18/2023
Agency Preparation: Tisha Kuhn	Phone: 360 725-6424	Date: 02/03/2023
Agency Approval: Amy Kollar	Phone: 360 725-6420	Date: 02/03/2023
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/06/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1 (New):

Section 1: The legislature finds and recognizes the following:

- (1) Benefits of multilingual, multiliterate education for all Washington students;
- (2) School districts are demonstrating a readiness to develop dual language education programs;
- (3) English learners benefit from specific instructional models and support;
- (4) Washington state has a duty to honor tribal sovereignty and to serve American Indian and Alaska Native students.

Section 1(5): Intends to establish a comprehensive approach to support and expand dual language and tribal education in Washington state.

Section 2 (New):

Provides definitions for dual language education and tribal language education.

Section 3 (New):

Section 3(1): Requires Office of Superintendent of Public Instruction (OSPI) to administer a grant program to support school districts and state-tribal education compact schools who are establishing or expanding dual language education.

Section 3(1)(a): Subject to availability of amounts appropriated for this specific purpose, requires OSPI to award grants to school districts and state-tribal education compact schools who are establishing or expanding dual language education.

Section 3(1)(b): Requires OSPI to identify criteria for awarding the grants, evaluate applicants, and award grant money.

Section 3(1)(c): Requires school districts to submit data to OSPI identifying which students are enrolled in dual language education programs.

Section 3(2): Requires OSPI to develop a program to support tribal language education. Requires the Office of Native Education (ONE) within OSPI to provide school districts and state-tribal education compact schools with guidance, technical assistance, and statewide leadership and support.

Section 3(2)(a): Requires ONE to administer a grant program to support school districts and state-tribal education compact schools who are establishing or expanding tribal language education.

Section 3(2)(b): Subject to availability of amounts appropriated for this specific purpose, requires ONE to award grants to school districts and state-tribal education compact schools who are establishing or expanding tribal language education programs.

Section 3(2)(c): Requires ONE to identify criteria for awarding the grants, evaluate applicants, and award grant money.

Section 3(2)(d): Requires ONE to hold biannual convening with up to 20 tribal language educators to develop and share best practices, resources, and knowledge.

Section 4 (New):

Informs that OSPI may adopt rules for school districts and state-tribal education compact schools to establish, implement, and expand dual language education and tribal language education programs. Requires OSPI to provide technical assistance and support to schools.

Section 5 (New):

Section 5(1): Beginning with the 2023-24 school year, requires certificated instructional staff in Washington state public schools who demonstrate multilingual skills and instructional knowledge through an approved endorsement to receive a \$5,000 annual stipend that will increase each year by inflation.

Section 5(2): Beginning with the 2024-25 school year, requires paraeducators in Washington state public schools who demonstrate multilingual skills and instructional knowledge through an approved language assessment and an approved paraeducator subject matter certificate to receive a \$1,500 annual stipend for each year they maintain their paraeducator subject matter certificate. The annual stipend will increase each year by inflation.

Section 5(3): Informs that the stipends identified in section 5 are in addition to compensation received under a school district's salary schedule and may not be included in calculations of a school district's average salary and associated salary limitations.

Section 5(4): Informs that OSPI may adopt rules to define the specific endorsement criteria to receive the stipend.

Section 6 (Amended):

Section 6(1): Language added requiring school districts to award the seal of biliteracy to high school students who meet the criteria established by OSPI, beginning with the 2023-24 school year.

Section 6(3): Language added requiring OSPI to 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.

Section 7 (Amended):

Section 7(4)(a): Language added to inform that dual language education and tribal language education as defined in section 2 is the preferred transitional bilingual instruction program.

Section 8 (Amended):

Language added requiring moneys appropriated by the legislature for the sole purpose of operating an approved bilingual instruction program be allocated using a weighted 1.2 factor for each eligible and exited student enrolled in a dual language education program, beginning with the 2024-25 school year.

Section 9 (New):

Section 9(1): By September 1, 2023, requires the Professional Educator Standards Board (PESB) to collaborate with OSPI to align multilingual education and English language learner endorsement standards and determine language assessment requirements for multilingual teachers and paraeducators.

Section 9(2): Informs that this section expires on September 1, 2026.

Section 10 (New):

Section 10(1): Requires OSPI to convene a work group to develop the supports necessary to serve American Indian and Alaska Native students identified as needing additional literacy supports. Identifies representation requirements for the work group and at a minimum what the work group will do.

Section 10(2): Beginning with fiscal year 2025, requires OSPI to provide school district and state-tribal compact education compact schools with program guidance, technical assistance, and professional learning to serve American Indian and Alaska Native students with appropriate, culturally affirming literacy supports.

Section 10(3): Informs that this section expires on September 1, 2026.

Section 11 (New):

Repeals RCW 28A.300.574 (Dual language learning cohorts – rules) and 2017 c 236 s 3.

Section 12 (New):

Adds sections 2-5 of this act to chapter 28A.300 RCW.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

School District Cash Receipt Impact:

OSPI Grants to School Districts and State-Tribal Education Compact Schools:

Section 3: Requires OSPI to administer a grant program to support school districts and state-tribal education compact schools establishing and expanding dual language education programs and school districts and state-tribal education compact schools establishing or expanding a tribal language education program.

- Establishing and expanding dual language education programs.

The expenditure impact for dual language education program grants is indeterminate. Should the legislature choose to provide funding, OSPI assumes that 55 dual language education program grants will be awarded, ranging from \$30k-100k per district. The funding amount is determined based on the activity level of each district (i.e. Dual Language planning, Dual Language early implementation, Dual Language expanding districts with 1-2 schools, Dual Language expanding districts with 3 or more schools, and Heritage language programs).

Grant funds will be used to support professional learning for teachers and staff members, contract work with consultants on program development, instructional materials in the non-English language, and support for family and community engagement meetings and activities.

- Establishing and expanding tribal language education programs.

The expenditure impact for tribal language education program grants is indeterminate. Should the legislature choose to provide funding, OSPI assumes that 40 tribal language education program grants will be awarded, receiving \$30k per district. The funding amount is determined based on the current level of funding for tribal language education program grants.

Grant funds will be used to support with program start-up costs, including professional learning and curricula in the tribal language.

Stipends:

Section 5(1) states that certificated instructional staff who demonstrate multilingual skills and instructional knowledge through an approved endorsement shall receive a \$5,000 annual stipend in the 2023-24 school year. Thereafter, the annual stipend will increase by inflation.

- To incentivize bilingual educator growth and retention and to recognize the assets of bilingualism and biliteracy that these educators bring to the classroom, OSPI estimates to provide stipends to approximately 450 Bilingual Education endorsed educators and First People Language, Culture, and Oral Traditions (FPLC) certified educators who teach in tribal or dual language programs. Total cost: \$2.25 million per year beginning in FY24.

Section 5(2) states that paraeducators who demonstrate multilingual skills and instructional knowledge through an approved language assessment and an approved paraeducator subject matter certificate shall receive a \$1,500 annual stipend in the 2024-25 school year. Thereafter, the annual stipend will increase by inflation.

- OSPI estimates to provide stipends to approximately 440 bilingual instructional paraeducators working in tribal or dual language programs. The total number of bilingual instructional paraeducators is based on the bilingual instructional

paraeducator headcount of approximately four per school with tribal or dual language programs. Total cost: \$660,000 per year beginning in FY25.

TBIP:

Section 8 states that beginning with the 2024-25 school year, the allocation for the sole purpose of operating an approved bilingual instruction program shall be weighted at 1.2 factor for each eligible and exited student enrolled in a dual language education program.

• OSPI estimates the following:

- o \$4.519 million for eligible and exited students in FY24
- o \$4.599 million for eligible and exited students in FY25
- o \$4.601 million for eligible and exited students in FY26
- o \$4.602 million for eligible and exited students in FY27
- o \$4.694 million for eligible and exited students in FY28
- o \$4.788 million for eligible and exited students in FY29

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

OSPI Expenditure Impact:

Section 3(1) and 3(2) states that subject to the availability of amounts appropriated for this specific purpose, OSPI must administer a grant program to support school districts and state-tribal education compact schools establishing or expanding a dual language education program and establishing or expanding a tribal language education program.

To accomplish this work, OSPI assumes the following:

OSPI Grants to School Districts and State-Tribal Education Compact Schools:

Section 3: Requires OSPI to administer a grant program to support school districts and state-tribal education compact schools establishing and expanding dual language education programs and school districts and state-tribal education compact schools establishing or expanding a tribal language education program.

• Establishing and expanding dual language education programs.

The expenditure impact for dual language education program grants is indeterminate. Should the legislature choose to provide funding, OSPI assumes that 55 dual language education program grants will be awarded, ranging from \$30k-100k per district. The funding amount is determined based on the activity level of each district (i.e. Dual Language planning, Dual Language early implementation, Dual Language expanding districts with 1-2 schools, Dual Language expanding districts with 3 or more schools, and Heritage language programs).

Grant funds will be used to support professional learning for teachers and staff members, contract work with consultants on program development, instructional materials in the non-English language, and support for family and community engagement meetings and activities.

• Establishing and expanding tribal language education programs.

The expenditure impact for tribal language education program grants is indeterminate. Should the legislature choose to provide funding, OSPI assumes that 40 tribal language education program grants will be awarded, receiving \$30k per district. The funding amount is determined based on the current level of funding for tribal language education program grants.

Grant funds will be used to support with program start-up costs, including professional learning and curricula in the tribal language.

Stipends:

Section 5(1) states that certificated instructional staff who demonstrate multilingual skills and instructional knowledge through an approved endorsement shall receive a \$5,000 annual stipend in the 2023-24 school year. Thereafter, the annual stipend will increase by inflation.

- To incentivize bilingual educator growth and retention and to recognize the assets of bilingualism and biliteracy that these educators bring to the classroom, OSPI estimates to provide stipends to approximately 450 Bilingual Education endorsed educators and First People Language, Culture, and Oral Traditions (FPLC) certified educators who teach in tribal or dual language programs. Total cost: \$2.25 million per year beginning in FY24.

Section 5(2) states that paraeducators who demonstrate multilingual skills and instructional knowledge through an approved language assessment and an approved paraeducator subject matter certificate shall receive a \$1,500 annual stipend in the 2024-25 school year. Thereafter, the annual stipend will increase by inflation.

- OSPI estimates to provide stipends to approximately 440 bilingual instructional paraeducators working in tribal or dual language programs. The total number of bilingual instructional paraeducators is based on the bilingual instructional paraeducator headcount of approximately four per school with tribal or dual language programs. Total cost: \$660,000 per year beginning in FY25.

It is assumed that the administration of these stipends will be managed by OSPI staff.

TBIP:

Section 8 states that beginning with the 2024-25 school year, the allocation for the sole purpose of operating an approved bilingual instruction program shall be weighted at 1.2 factor for each eligible and exited student enrolled in a dual language education program.

- OSPI estimates the following:
 - o \$4.519 million for eligible and exited students in FY24
 - o \$4.599 million for eligible and exited students in FY25
 - o \$4.601 million for eligible and exited students in FY26
 - o \$4.602 million for eligible and exited students in FY27
 - o \$4.694 million for eligible and exited students in FY28
 - o \$4.788 million for eligible and exited students in FY29

For further funding information, see attached “HB 1228 SD Bill Summary Attachment”.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
NEW-7	School District Local	Private/Local	6,769,000	7,509,000	14,278,000	15,023,000	15,302,000
Total \$			6,769,000	7,509,000	14,278,000	15,023,000	15,302,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	6,769,000	7,509,000	14,278,000	15,023,000	15,302,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	6,769,000	7,509,000	14,278,000	15,023,000	15,302,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

No capital budget impact is anticipated.

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

HB 1228 School District Impact Summary							
Section	Description of Cost	FY24	FY25	FY26	FY27	FY28	FY29
3	Dual Language Grant Program	Indeterminate					
	Tribal Language Grant Program	Indeterminate					
5	Bilingual Educator Stipend	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000
	Bilingual Paraeducators Stipend	0	660,000	660,000	660,000	660,000	660,000
8	Weighted 1.2 Factor for students enrolled in Dual Language Education Programs	4,519,000	4,599,000	4,601,000	4,602,000	4,694,000	4,788,000
Total:		6,769,000	7,509,000	7,511,000	7,512,000	7,604,000	7,698,000