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Washington Office of Superintendent of  
**PUBLIC INSTRUCTION**  
Chris Reykdal, Superintendent

k12.wa.us

September 16, 2022

(X) Action Required  
(X) Informational

## BULLETIN NO. 064-22 CENTER FOR THE IMPROVEMENT OF STUDENT LEARNING

TO: Educational Service District Superintendents  
School District Superintendents  
School District Business Managers  
Public Charter Schools  
School District and Charter School Civil Rights Compliance Coordinators

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: New Requirements Related to Language Access Legislation

CONTACT: Leonard Alvarez  
Language Access Program Supervisor  
Center for the Improvement of Student Learning

## PURPOSE

During the 2022 legislative session, the Legislature passed E2SHB 1153, which concerns language access for families and communities in public schools. Sections of this bill include new requirements for school districts regarding language access policies and procedures, language access plans and programs, data collection elements, and designated liaisons and coordinators. This bulletin contains a summary of the new requirements related to language access, which are now codified in Revised Code of Washington (RCW) 28A.183.

## BACKGROUND

The Legislature found that effective two-way communication between school staff and students' families was not always taking place for a number of reasons. These include the need to consistently assess language needs, resources not being prioritized, unawareness of best practices for language access services, a need for staff training, and a need for qualified interpreters. The Legislature also found that the failure to provide language access hinders communication and, thus, family engagement for those families with language access barriers.

State and federal law prohibits discrimination in Washington public schools on the basis of national origin, which includes limited-English proficiency. Under these laws, school districts must ensure meaningful communication with parents in a language they can understand and adequately notify limited-English proficient parents of information about any program, service, or activity of the school district that is called to the attention of non-LEP parents. (RCW 28A.642.010 and Title VI of the Civil Rights Act of 1964)

State and federal law also prohibits discrimination in Washington public schools on the basis of disability. These laws require school districts to communicate effectively with people who have communication disabilities with the goal of ensuring that communication with people with these disabilities is equally effective as communication with people without disabilities. (RCW 28A.642.010 and the Americans with Disabilities Act of 1990)

## NEW REQUIREMENTS

### 2022-2023

#### **Adopt Language Access Policy and Procedure**

By October 1, 2022, each school district with either at least 1,000 total enrolled students **or** at least ten percent English learner students, the Washington State School for the Blind, the Washington School for the Deaf, and public charter schools must adopt policies and procedures that, at a minimum, incorporate the same elements, or important requirements, of the Washington State School Directors' Association (WSSDA) revised model Language Access Policy and Procedure, 4218/4218P. This policy and procedure are updated versions of WSSDA's formerly titled "Language Access Plan" and are available at no cost on WSSDA's [Featured Policies](#) webpage and OSPI's Equity and Civil Rights [webpage](#).

#### **Data Collection and Submission**

Beginning with the school year 2022–23, districts must annually collect the following service information:

- The language in which each student and student's family prefers to communicate
- Whether a qualified interpreter was requested for and provided at meetings reported in the OSPI longitudinal database known as CEDARS:
  - Annual IEP reviews
  - Initial IEP meetings
  - Reengagement plans following an exclusionary action

Submission of these data elements to CEDARS is scheduled to begin in school year 2023–24.

## **Designate a Language Access Liaison**

Beginning with the school year 2022–23 each school district with either at least 1,000 total enrolled students or at least ten percent English learner students, the Washington State School for the Blind, the Washington School for the Deaf, and public charter schools must designate a language access liaison. The Language Access Liaison is to facilitate district compliance with state and federal laws related to family engagement, including new requirements outlined in [RCW 28A.183](#) and [28A.710.400](#) . Name and contact information of the Language Access Liaison must be reported to OSPI through Form Package 447 Equity Assurance Report.

## **2023-24**

### **Designate a Language Access Coordinator**

Beginning with school year 2023–24, districts with either more than 75 languages used by students or families OR at least fifty percent English learner students must do **one** of the following:

- Have a full-time Language Access Coordinator
- Annually report to OSPI the total number of hours school district staff spent performing the Language Access Coordinator role

The Language Access Coordinator is to serve as the primary contact for families, community members, district staff, OSPI, and the Office of the Education Ombuds on issues related to language access. The Coordinator is also to both receive training and technical assistance and to provide training to district staff.

### **Implement a Language Access Program**

Beginning with school year 2023–24 school year, districts with either at least 1,000 enrolled students or at least ten percent English learner enrollment, the Washington State School for the Blind, the Washington School for the Deaf, and public charter schools must implement a language access program. The program must include the following:

- A plan that identifies needs, allocates resources, establishes standards and monitors effectiveness
- A self-assessment on the provision of language access services
- Engagement of staff, community members, families
- A periodic review of the policy and procedure
- Collaboration with community-based organizations
- A review, update, and publishing of the district's language access plan at least annually

## Data Collection

Beginning with school year 2023–24, districts must provide an opportunity for participants in each interpreted meeting to provide feedback on the effectiveness of the interpretation.

## INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact:

Leonard Alvarez, Language Access Program Supervisor, at 360-742-2494 or [leonard.alvarez@k12.wa.us](mailto:leonard.alvarez@k12.wa.us).

Maria Flores, Executive Director of the Center for the Improvement of Student Learning, at 360-725-6032 or [maria.flores@k12.wa.us](mailto:maria.flores@k12.wa.us).  
The OSPI TTY number is 360-664-3631.

For assistance to districts and schools regarding language access, and for technical assistance requests, contact Leonard Alvarez, Program Supervisor, at 360-742-2494 or [leonard.alvarez@k12.wa.us](mailto:leonard.alvarez@k12.wa.us).

This bulletin is also available on the [Bulletins](#) page of the OSPI website.

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