



Washington Office of Superintendent of
PUBLIC INSTRUCTION

REPORT TO THE LEGISLATURE

UPDATE: Transitional Bilingual Instruction Program (TBIP)

2024

Authorizing Legislation: [RCW 28A.180.020](#)

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EXECUTIVE SUMMARY

Multilingual learners (MLs) are students whose primary language is not English and are eligible for English language development services through the Transitional Bilingual Instruction Program (TBIP). Eligible MLs receive TBIP services until they become proficient in English.

During the 2022–23 school year, 149,357 students were identified as multilingual learners. Enrollment was highest in urban areas in the western part of the state and in the Yakima Valley.

MLs typically are eligible for TBIP services for four to five years. Each year, these students take an English language proficiency assessment to measure their growth in English. In the 2022–23 school year, eligible students took the WIDA ACCESS for English Language Learners (ELLs) assessment and students with significant cognitive disabilities took the WIDA Alternate ACCESS for ELLs to measure their annual growth. When a student attains proficiency in English on the WIDA assessment, the student exits TBIP services.

In 2021, Washington joined the WIDA Consortium which includes 42 states, territories, and federal agencies. WIDA—which was once an acronym for the original three states in the consortium—provides high quality standards, assessments, research, and professional learning for educators of multilingual learners. The WIDA English Language Development Standards Framework was developed to align with Common Core State Standards and Next Generation Science Standards.

In the 2022–23 school year, 134,173 eligible multilingual/English learners (89.8%) participated in the WIDA annual assessment, and 8,528 students (6.4%) exited the program. These exit rates continue to be lower than pre-pandemic rates, likely due to factors including impacts from the pandemic, lack of familiarity with the new standards and assessment, and exit criteria that were developed prior to having sufficient data to review. The Office of Superintendent of Public Instruction (OSPI) conducted further review of data in 2023 and have established additional exit criteria which will take effect for the 2024 annual assessment.

Students served by TBIP in 2022–23 spoke 242 different home languages. The most identified language was Spanish, spoken by 53% of students. While Spanish continues to be the top language other than English, districts serve students who speak a diverse range of languages. Russian, Ukrainian, Vietnamese, Dari, Arabic, Somali, Marshallese, Mandarin Chinese, and Pashto are the top ten languages spoken by MLs in Washington’s public schools.

Total expenditures to support English language development services across the state were \$271.1 million, of which \$242.8 million was from TBIP funding. This was an 11% increase in the total TBIP expenditures from the previous year.

BACKGROUND

The state's Transitional Bilingual Instruction Program (TBIP) has existed since the passage of [Senate Bill 2149](#) in 1979, and is codified in the Revised Code of Washington (RCW) Chapter [28A.180](#). Rules created by the Office of Superintendent of Public Instruction (OSPI) for the implementation of TBIP are found in Chapter [392-160 Washington Administrative Code](#) (WAC).

Under WAC 392-160-005, a Transitional Bilingual program of instruction is defined as a system of instruction which:

- a. Uses two languages, one of which is English, as a means of instruction to build upon and expand language skills to enable a student to achieve competency in English;
- b. Introduces concepts and information in the primary language of a student and reinforces them in the English language.

The Transitional Bilingual Instruction Act recognized that classes taught only in English are inadequate to meet the needs of multilingual learners (MLs). This legislation also aligns with federal civil rights and English language development legislation in Title III of the federal Every Student Succeeds Act (ESSA). Through TBIP legislation, all eligible MLs in Washington shall receive bilingual instruction, or an approved alternative program of English language development instruction, until the student is proficient in English.

In 2004, TBIP was amended in [RCW 28A.180.090](#) and requires OSPI to measure increases in the English and academic proficiency of students who are eligible for TBIP services. OSPI also tracks the academic progress of former MLs throughout their K–12 career.

In 2016, TBIP was amended in [RCW 28A.180.040](#) based on recommendations from the Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC) and the TBIP Accountability Task Force. The amendment requires all classroom teachers assigned using TBIP funds to hold an endorsement in bilingual education or English language learner, or both, starting in the 2019–20 school year.

UPDATE STATUS

Multilingual Learners Served

In the 2022–23 school year, the TBIP served 149,357 students, a 10.4% increase (14,073 students) over the previous year:

- TBIP distinct count (students counted once regardless of multiple enrollments) was 150,603 minus 1,246 parent waivers for a total of 149,357.
- TBIP headcount (number of students enrolled on October 1, 2022) was 131,343 minus 1,175 parent waivers for a total of 130,168.
- MLs comprised 13.4% of the statewide student population on October 1, 2022. This was 1.1 percentage points higher than the previous year.
- Of Washington’s 330 local education agencies (school districts, charter schools, and state-tribal education compact schools), 245 reported ML enrollments.

Among districts with ELs:

- 42 districts enrolled more than 1,000 MLs. These districts collectively served 80% of all MLs enrolled in the TBIP statewide.
- 59 districts enrolled 500 or more MLs.
- 86 districts enrolled fewer than 50 MLs.
- 34 districts reported fewer than 10 MLs.

Most MLs served by the TBIP were enrolled in grades K–3. This group of MLs accounted for 41% of the TBIP enrollment in 2022–23 .

As students gain proficiency in English and exit TBIP services or leave the K–12 system, fewer students are enrolled in the TBIP in the higher-grade levels. Newly eligible MLs represented 22.1% of total TBIP enrollment in 2022–23, an increase of 2.2% in the last year. Washington state has continued to have an influx of newcomer students arriving from Afghanistan (4,321) and from Ukraine (6,678) in the past year.

Students served by TBIP in 2022–23 spoke 242 different home languages. The most identified language was Spanish, spoken by 53% of students. While Spanish continues to be the top language other than English, districts serve students who speak a diverse range of languages. Russian, Ukrainian, Vietnamese, Dari, Arabic, Somali, Marshallese, Mandarin Chinese, and Pashto are the top ten languages spoken by multilingual students in Washington’s public schools.

Length of Program Participation

The mean time in program for students served in the TBIP in 2022–23 was nearly five years (4.9), an increase of a half year from the prior school year. The percentage of multilingual/English learners who were still receiving TBIP services after five years and are referred to as Long-Term English Learners (LTELs) was 42.4%. Please note that these data may be affected by the limited number of students who were assessed in 2019–20 and 2020–21 due to school building closures and other impacts of the pandemic.

Expectations, Monitoring, and Stakeholder Engagement

In 2022–23, OSPI staff focused on providing technical assistance to districts to support program development and continuous improvement for Multilingual Learner programs. OSPI provides districts with student outcome data, disaggregated by various groups including long-term English learners, MLs with disabilities, and exited students, so districts can analyze their data and evaluate the effectiveness of their program. OSPI staff continue to support districts in reviewing the data they have and proposing changes to instructional models to more effectively serve all eligible MLs through use of various resources and tools available on the [TBIP website](#).

With feedback from the OSPI Multilingual Education Advisory Committee, OSPI Dual Language Steering Committee, and other stakeholder input, the Multilingual Education Program at OSPI focused on the following priorities in 2022–23:

- Supporting the expansion of K–12 dual, heritage, and Tribal language programs.
- Developing and implementing strong research-based program models for all MLs.
- Supporting educators in using the [WIDA English Language Development Standards Framework, 2020 Edition](#) and WIDA assessments.
- Providing clear and consistent information and support for transitional bilingual instruction programs.

These priorities included providing monthly information sessions to district leaders as well as webinars on special topics. OSPI also worked in partnership with educational service districts (ESDs) to continue Language Learning Regional Networks (LLRNs) which engage school and district language educators and leaders in professional learning communities. Networks focused largely on continued implementation of the WIDA English Language Development Standards Framework and on developing strong program plans and instructional practices for multilingual learners.

The Multilingual Education Advisory Committee also continued to work on the development of a [Multilingual Learner Statewide Strategic Plan](#), which was published in the fall of 2023.

Program Funding and Expenditures

In addition to basic education funding provided for all students, districts receive TBIP state funds to provide supplemental staffing and resources to support English language development and accessible content instruction for MLs.

Funding to districts was based on an October through June average headcount of 143,297 TBIP-eligible students. In the 2022–23 school year, the TBIP reported a 9.5% increase in students identified for services as compared to the previous school year. Over the 2022–23 school year, TBIP funds provided an average allocation of \$1,429 per eligible multilingual learner in grades K–6, \$2,028 per eligible multilingual learner in grades 7–12, and \$897 per former multilingual learner who exited TBIP within the past two years. Total expenditures to support English language development services across the state were \$271.1 million, of which \$242.8 million was from TBIP funding. This was an 11% increase in the total TBIP expenditures from the previous year.

In 2022–23, nearly all the TBIP funding for English language development (ELD) services was used for instructional activities, with most of the funding dedicated to staffing.

Staffing and Instruction

The circumstances of the pandemic over the past two years affected services and outcomes for MLs. This is anticipated to have a significant impact on the productive language skills of speaking and writing, which were more challenging to support during this time. While MLs are typically eligible for TBIP services for four to five years, the length of time in program may be impacted by these circumstances in future years.

In the 2022–23 school year, 3,741 individual staff members funded through TBIP provided instruction and support through the program. Instructional paraeducators represented approximately 37.8% of the total full-time equivalencies, which is a 2% decrease from the previous year. OSPI continues to work with districts to ensure that TBIP funds are used for supplemental positions only and not to supplant Basic Education funding for teachers of record for ML classes.

[RCW 28A.180.040](#) requires all classroom teachers funded through TBIP to hold an English Language Learner or Bilingual endorsement. In 2022–23, 93.5% of certificated staff funded by TBIP held one of the required endorsements. OSPI contacted all districts that were out of compliance with this requirement to develop a plan for ensuring all TBIP staff hold the necessary endorsement.

In some districts, paraeducators may provide the majority of TBIP services due to a lack of qualified teachers with these endorsements, particularly in smaller districts and more rural areas. Effective supervision of paraeducators and TBIP service coordination by certificated staff with expertise in serving MLs is essential to achieving positive student outcomes.

Dual Language Education Programs

Dual language is the priority educational program model for MLs who are eligible for TBIP services. Research indicates that dual language models are substantially more effective in realizing higher academic achievement and closing opportunity gaps for MLs. Additionally, students in dual

language programs outperform peers on standardized tests in English. About 10-15% of TBIP students receive dual language or bilingual education. The majority of MLs receive support through an English Language Development (ELD) program taught entirely in English.

In 2022–23, Washington State had 142 schools in 49 districts and state-tribal compact schools operating dual language programs. This is an increase of about 10–15 schools per year beginning dual language education designed for multilingual/English learners and American Indian/Alaska Native students over the past 5 years. Within the next 2 years, it is estimated that the state will need at least 200 or more bilingual teachers annually to meet the demand for staffing of dual language programs, as many districts are aiming to begin or expand dual language programs.

English Language Proficiency

MLS are assessed annually to determine progress towards English language proficiency. In the 2022–23 school year, eligible students took the WIDA ACCESS for English Language Learners (ELLs) assessment and students with significant cognitive disabilities took the WIDA Alternate ACCESS for ELLs to measure their annual growth.

When a student attains proficiency in English on the WIDA assessment, the student exits TBIP services. During the following two years, the formerly qualified student is monitored and provided additional academic language and content support as needed. Former MLs may re-qualify for TBIP services if the school and family determine additional English language development is necessary for school success.

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Table 1: 2023 WIDA ACCESS Assessment Data

| Grade Level | Number Tested | Percent Tested | Number Proficient | Percent Proficient |
|--------------|---------------|----------------|-------------------|--------------------|
| Kindergarten | 13,145 | 89.49% | 1,326 | 10.09% |
| 1 | 14,617 | 95.49% | 1,223 | 8.37% |
| 2 | 14,404 | 95.89% | 430 | 2.99% |
| 3 | 14,815 | 96.56% | 912 | 6.16% |
| 4 | 13,192 | 97.01% | 1806 | 13.69% |
| 5 | 10,833 | 96.45% | 1366 | 12.61% |
| 6 | 9,435 | 94.24% | 153 | 1.62% |
| 7 | 8,566 | 93.28% | 215 | 2.51% |
| 8 | 8,124 | 92.66% | 225 | 2.77% |
| 9 | 7,856 | 87.56% | 291 | 3.70% |
| 10 | 7,352 | 85.12% | 228 | 3.10% |
| 11 | 6,317 | 80.36% | 225 | 3.56% |
| 12 | 5,517 | 69.39% | 128 | 2.32% |

Source: Spring 2023 English Language Proficiency (ELP) and English Language Arts (ELA)/Math assessment score files; accessed 10/31/23

English Proficiency and Academic Performance

Washington’s statewide academic assessment instrument, the Smarter Balanced Assessment (SBA), measures levels of a student’s academic performance against specific statewide standards.

Students in grades 3–8 are typically assessed on English Language Arts (ELA) and mathematics with the SBA. MLs are federally required to take the SBA even though they are still in the process of developing the English language skills needed to succeed on these assessments. There is a one year exemption for the ELA assessment for newly arrived multilingual learners only.

Tables 2 and 3 show the number and percent of current MLs and proficient MLs, based on the 2023 WIDA ACCESS, who met or exceeded standard on the ELA and mathematics SBA tests.

Table 2: ELA Achievement of Current MLs and Proficient MLs based on the 2023 WIDA ACCESS and State Average

| Grade Level | Current MLs Met or Exceeded Standard | Current MLs Percent Met or Exceeded Standard | Proficient MLs Met or Exceeded Standard | Proficient MLs Percent Met or Exceeded Standard | Statewide Met or Exceeded Standard |
|-------------|--------------------------------------|--|---|---|------------------------------------|
| 3 | 3,473 | 24.82% | 787 | 88.0% | 48.90% |
| 4 | 2,196 | 17.69% | 1137 | 64.3% | 50.11% |
| 5 | 1,411 | 13.93% | 693 | 52.5% | 53.78% |
| 6 | 673 | 7.57% | 93 | 67.9% | 47.90% |
| 7 | 753 | 9.42% | 155 | 76.0% | 52.08% |
| 8 | 539 | 7.22% | 140 | 67.6% | 51.33% |
| 10 | 934 | 14.30% | 170 | 79.8% | 65.92% |

Source: Spring 2023 ELP and ELA/Math assessment score files; accessed: 10/31/23

Table 3: Math Achievement of Current MLs and Proficient MLs based on the 2023 WIDA ACCESS and State Average

| Grade Level | Current MLs Met or Exceeded Standard | Current MLs Percent Met or Exceeded Standard | Proficient MLs Met or Exceeded Standard | Proficient MLs Percent Met or Exceeded Standard | Statewide Met or Exceeded Standard |
|-------------|--------------------------------------|--|---|---|------------------------------------|
| 3 | 4,367 | 30.91% | 790 | 88.5% | 51.55% |
| 4 | 2,686 | 21.42% | 1141 | 64.3% | 49.35% |
| 5 | 1,178 | 11.53% | 549 | 41.6% | 41.98% |
| 6 | 600 | 6.69% | 86 | 61.0% | 38.11% |
| 7 | 635 | 7.91% | 141 | 66.2% | 38.66% |
| 8 | 431 | 5.72% | 109 | 50.2% | 34.38% |
| 10 | 318 | 4.94% | 98 | 46.7% | 33.28% |

Source: Spring 2023 ELP and ELA/Math assessment score files; accessed: 10/31/23

Academic Achievement of Former English Learners

[RCW 28A.180.090](#) requires OSPI to develop an evaluation system designed to measure increases in the English and academic proficiency of students who are currently eligible for TBIP services and to track the academic progress of former TBIP students until they finish their K–12 career. Former multilingual learners typically outperform the statewide average of students who meet or exceed standard in ELA and mathematics.

Table 4 shows data on the number and percent of former MLs, based on the 2023 WIDA ACCESS, who met or exceeded standard on the ELA and mathematics SBA tests.

Table 4: 2023 ELA and Mathematics Achievement of Former MLs

| Group | Met or Exceeded Standard in ELA | Percent Met or Exceeded Standard in ELA | Met or Exceeded Standard in Mathematics | Percent Met or Exceeded Standard in Mathematics |
|--------------------------|---------------------------------|---|---|---|
| All Students | 285,800 | 52.87% | 221,181 | 41.05% |
| Current MLs | 9,979 | 14.80% | 10,215 | 15.05% |
| Proficient MLs | 3,175 | 66.91% | 2,914 | 61.12% |
| 1 Year After Transition | 2,148 | 73.14% | 1,823 | 62.20% |
| 2 Years After Transition | 4,573 | 59.64% | 3,938 | 51.38% |
| 3 Years After Transition | 6,032 | 55.93% | 4,629 | 43.05% |
| 4 Years After Transition | 6,779 | 60.25% | 4,875 | 43.46% |

OSPI data; Spring 2023 ELP and ELA/Math assessment score files, Data accessed: 10/31/23

CONCLUSION & NEXT STEPS

[Superintendent Reykdal's Strategic Plan for OSPI](#) includes four goals to provide equitable access to strong foundations, rigorous learner-centered options in every community, a diverse, inclusive, and highly skilled workforce, and a committed, unified, and customer-focused OSPI. These goals are founded on building inclusive, asset-based policies and practices including dual language education programs that close opportunity gaps for MLs and American Indian and Alaska Native students.

The OSPI Multilingual Education Advisory Committee developed a [Multilingual Learner Statewide Strategic Plan](#) that establishes specific goals and key actions at the state, district, school, and classroom level to support MLs that align with the Superintendent's plan. These include:

- **Promoting asset-based mindsets** by demonstrating a belief that all MLs can learn and excel in school, ensuring safe and supporting learning environments, and expanding dual, heritage, and tribal language programs.
- **Strengthening instructional practices** by providing high-quality instruction and assessment and implementing inclusionary practices to increase high school graduation rates of current and former MLs.
- **Providing support for educators** by using funding and resources to support inclusive service models, provide professional learning on effective strategies, and require all educators to have the knowledge and skills to support MLs in their classrooms.
- **Engaging multilingual students and families** by communicating effectively, elevating their voices, and partnering with community organizations.

This plan will guide the ongoing work and priorities for the Transitional Bilingual Instruction Program in 2023–24 and beyond.

REFERENCES

Transitional Bilingual Instruction Act (1979), Revised Code of Washington Chapter 28A.180:
<https://apps.leg.wa.gov/rcw/default.aspx?cite=28A.180>.

Washington Administrative Code, rules for the implementation of TBIP, Chapter 392-160 WAC:
<https://apps.leg.wa.gov/WAC/default.aspx?cite=392-160>.

Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC) Annual Report (2018), [RCW 28A.300.136](#), Recommendations and Status of English Language Learner Accountability, p. 31:
https://www.k12.wa.us/sites/default/files/public/workgroups/eogoac/pubdocs/eogoac-2018_legislativereport.pdf

WIDA English Language Development Standards Framework, 2020 Edition:
<https://wida.wisc.edu/teach/standards/eld>

WIDA ACCESS for ELLs: <https://wida.wisc.edu/assess/access>

WIDA Alternate ACCESS for ELLs: <https://wida.wisc.edu/assess/alt-access>

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