

Old Capitol Building  
PO Box 47200  
Olympia, WA 98504-7200



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

k12.wa.us

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( ) Action Required  
(X) Informational

## BULLETIN NO. 011-23 OFFICE OF SYSTEM AND SCHOOL IMPROVEMENT

TO: Educational Service District Superintendents  
School District Superintendents  
School District Business Managers  
School District Federal and State Program Managers  
School District Principals

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Use of Transitional Bilingual Instruction Program Funds

CONTACT: Kristin Percy Calaff, Director of Multilingual Education  
564-999-3144, [kristin.percycalaff@k12.wa.us](mailto:kristin.percycalaff@k12.wa.us)

### PURPOSE/BACKGROUND

The purpose of this bulletin is to clarify the use of Transitional Bilingual Instruction Program (TBIP) funds to support multilingual English learners and to address limitations on these funds with regard to supplementing versus supplanting Basic Education funding. The Office of Superintendent of Public Instruction (OSPI) also reminds school districts that providing services for multilingual English learners is a basic civil rights obligation regardless of whether or not a district receives additional funding through TBIP to support these services ([RCW 28A.50.220](#)).

### Basic Education Staffing for Multilingual English Learners

Teachers who are providing sheltered content or English Language Development (ELD) classes for eligible multilingual English learners (MLs) should be funded primarily from Basic Education. Even if the teacher holds an ELL or Bilingual endorsement, if they are serving as the primary teacher of record for a given course, their funding must come primarily from Basic Education. TBIP may supplement this funding to allow for smaller class sizes.

Districts that fund sheltered content or ELD classes for MLs entirely from TBIP funds may be in violation of the “supplement vs. supplant” standard. MLs are Basic Education students first, and the district receives funds for these students for the entire school day. If a school uses TBIP funds to pay for one class out of six, then those students are receiving one-sixth less Basic Education funding than their peers, and TBIP is supplanting funds to which they are entitled.

## TBIP and Title III Funded Staffing

Teachers who are providing supplemental ELD services may be funded using TBIP, as long as they hold an ELL or Bilingual Endorsement and are not serving as the teacher of record. For example, teachers who provide push-in or pull-out ELD services, serve as an instructional coach or specialist, or serve as a co-teacher alongside a general classroom teacher are serving in a supplemental capacity and may be fully funded from TBIP. Paraeducators providing supplemental ELD services may also be funded from TBIP. ELL-endorsed staff who provide coaching and professional learning on serving MLs may be funded using both TBIP and Title III.

Given the current budget shortfalls in many districts, we recognize the challenging circumstances of complying with these requirements. However, OSPI reminds districts that using supplemental funding to replace or supplant shortfalls in the Basic Education budget can jeopardize eligibility for TBIP funds and violate multilingual English learners' civil rights to an appropriate and accessible Basic Education and ELD services.

## INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact Kristin Percy Calaff, Director of Multilingual Education, at 564-999-3144 or email [kristin.percycalaff@k12.wa.us](mailto:kristin.percycalaff@k12.wa.us). The OSPI TTY number is 360-664-3631.

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

Michaela W. Miller, Ed.D., NBCT  
Deputy Superintendent

Veronica Gallardo  
Assistant Superintendent  
Office of System and School Improvement

Kristin Percy Calaff, Ph.D.  
Director of Multilingual Education

CR:kpc

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