



Washington Office of Superintendent of  
**PUBLIC INSTRUCTION**

REPORT TO THE LEGISLATURE

# UPDATE: Transitional Bilingual Instruction Program (TBIP)

*2023*

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

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# EXECUTIVE SUMMARY

Multilingual/English learners (MLs) are students whose primary language is not English and who 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 2021–22 school year, 135,284 students were identified as MLs. 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 2021–22 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 41 state education 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 2021–22 school year, 123,323 students (92.7% of MLs) participated in the WIDA annual assessment and 7,390 of those students (6%) exited the program. These exit rates are likely lower than normal due to factors which include impacts of the pandemic on learning, lack of familiarity with the new assessment, and exit criteria that were developed prior to having sufficient data to review. The Office of Superintendent of Public Instruction (OSPI) will be conducting further review of data in the coming year to establish an appropriate level of proficiency on the new assessment.

Students served by TBIP in the 2021–22 school year spoke 226 different home languages. The most identified language was Spanish, spoken by 54% of students. While Spanish continues to be the top language other than English, school districts serve students who speak a diverse range of languages including Russian, Vietnamese, Ukrainian, Arabic, Somali, Marshallese, Chinese Mandarin, Korean, and Punjabi, which are among the top 10 languages spoken by students in Washington’s public schools.

Total expenditures to support English language development services across the state were \$241.5 million, of which \$216.1 million was from TBIP funding. This was a 3% decrease in the total TBIP expenditures from the previous year.

# BACKGROUND

The state's Transitional Bilingual Instruction Program (TBIP) has existed since 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/English 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 this law 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 further 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/English Learners Served

In the 2021–22 school year, the TBIP served 135,284 students, a 3.7% increase (4,799 students) over the previous year:

- The TBIP distinct count (students counted once regardless of multiple enrollments) = 136,481 minus 1,197 parent waivers for a total of 135,284.
- The TBIP headcount (number of students enrolled on October 1, 2021) = 120,178 minus 1,130 parent waivers for a total of 119,048.
- MLs comprised 12.3% of the statewide student population on October 1, 2021. This was 0.4 percentage points higher than the previous year.
- 246 local education agencies (LEAs) reported ML enrollments.

Among districts with MLs:

- 37 LEAs enrolled more than 1,000 MLs. These districts collectively served 77% of all MLs enrolled in the TBIP statewide.
- 55 LEAs enrolled 500 or more MLs.
- 90 LEAs enrolled fewer than 50 MLs.
- 44 LEAs reported fewer than 10 MLs.

Most MLs served by the TBIP were enrolled in grades K–3. This group of MLs accounted for 43% of the TBIP enrollment in 2021–22.

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 19.9% of total TBIP enrollment in 2021–22, an increase of 3.3% in the last year. Washington state has had an influx of students arriving from Afghanistan (1,369) and from Ukraine (4,093) in the past year.

Students served by TBIP in 2021–22 spoke 226 different home languages. The most identified language was Spanish, spoken by 54% of students. While Spanish continues to be the top language other than English, districts serve students who speak a diverse range of languages including Russian, Vietnamese, Ukrainian, Arabic, Somali, Marshallese, Chinese Mandarin, Korean, and Punjabi, which are among the top 10 languages spoken by students in Washington’s public schools.

## Length of Program Participation

The mean time in program for students served in the TBIP in 2021–22 was 4.5 years, an increase of a half year from the prior school year. In addition, 32.4% of MLs were still receiving TBIP services after five years and are referred to as Long-Term English Learners (LTELs). 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 COVID-19 and school building closures.

## **Expectations, Monitoring, and Stakeholder Engagement**

In 2021–22, OSPI staff focused on providing technical assistance to districts to support program development and continuous improvement for multilingual/English learner programs. OSPI provides districts with student outcome data, disaggregated by various groups including long-term MLs, MLs with disabilities, and exited students, so districts can more easily analyze their data and evaluate the effectiveness of their program. While data were impacted by school building closures during the pandemic, OSPI staff have continued to support districts in reviewing the data they have and proposing changes to instructional models to more effectively serve all eligible MLs.

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 2021–22:

- 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 newly adopted [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 establishing new Language Learning Regional Networks (LLRNs) which are professional learning communities of school and district language educators and leaders. These networks were developed in partnership with each regional educational service district to engage districts in professional learning, collaboration, and program improvement planning. Networks focused largely on implementation of the new WIDA standards and assessments and on developing strong program plans.

## **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 130,786 TBIP-eligible students. In the 2021–22 school year, the TBIP reported a 3% increase in students identified for services as compared to the previous school year. Over the 2021–22 school year, TBIP funds provided an average allocation of \$1,353 per eligible multilingual/English learner in grades K–6, \$1,919 per eligible multilingual/English learner in grades 7–12, and \$850 per former multilingual/English learner who exited TBIP within the past two years. Total expenditures to support English language development services across the state were \$241.5 million, of which

\$216.1 million was from TBIP funding. This was a 3% increase in the total TBIP expenditures from the previous year.

In 2021–22, nearly all the TBIP funding for English language development services was used for instructional activities, with most of the funding dedicated to funding the staffing providing the services within schools.

## Staffing and Instruction

In the 2021–22 school year, 3,334 individual staff members funded through TBIP provided instruction and support through the program. Instructional paraeducators represented approximately 22.7% of the total full-time equivalencies, which is a 0.8% decrease from the previous year. RCW 28A.180.040 requires all classroom teachers funded through TBIP to hold an English Language Learner or Bilingual endorsement. In 2021–22, 95.8% 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 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 for MLs as well as being the strongest instructional model for closing opportunity gaps for MLs. Additionally, students in dual language programs outperform their peers on standardized tests in English. About 9% 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 2021–22, Washington state had 119 schools in 47 school districts and state-tribal compact schools operating dual or tribal language programs. This is an increase of 45 schools beginning dual language education designed for multilingual/English learners and American Indian/Alaska Native students in the past 5 years. Within the next two years, it is estimated that the state will need at least 150 to 200 bilingual teachers annually to meet the demand for staffing of dual language programs. It is anticipated this annual staffing need will triple within the next eight years as another 40 to 50 districts are aiming to begin or expand dual language programs.

The circumstances of the pandemic over the past few 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 virtually. While MLs are typically eligible for TBIP services for 3–5 years, the length of time in program may be impacted by these circumstances in future years.

## English Language Proficiency

Multilingual/English learners are assessed annually to determine progress toward English language proficiency. In the 2021–22 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.

Washington joined the WIDA Consortium in 2021 which includes 41 state education 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, 2020 Edition](#), was developed to align with Common Core State Standards and Next Generation Science Standards.

In the 2021–22 school year, 123,323 students (92.7%) participated in the WIDA annual assessment, and 7,390 students (5.6%) exited the program. These exit rates are likely lower than normal due to three possible factors which include impacts of the pandemic on learning, lack of familiarity with the new assessment, and exit criteria that were developed prior to having sufficient data to review. OSPI will be conducting further review of data in the coming year to establish an appropriate level of proficiency on the new assessment.

**Table 1: 2022 WIDA ACCESS Assessment Data**

Grade Level	Number Tested	Percent Tested	Number Proficient	Percent Proficient
Kindergarten	15,073	95.7%	1,936	12.3%
1	14,440	95.9%	1,433	9.5%
2	14,263	96.2%	574	3.9%
3	12,283	96.2%	310	2.4%
4	10,637	97.2%	864	7.9%
5	9,580	97.0%	819	8.3%
6	8,053	95.5%	217	2.6%
7	7,541	94.4%	182	2.3%
8	7,267	94.5%	225	2.9%
9	7,031	88.1%	235	2.9%
10	6,395	85.7%	274	3.7%
11	5,815	80.4%	214	3.0%
12	4,945	70.9%	107	1.5%

**Source:** Spring 2022 English Language Proficiency (ELP) and English Language Arts (ELA)/Math assessment score files, pulled on August 19, 2022.



## 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 state standards. Students in grades 3–8 are typically assessed on English language arts (ELA) and mathematics with the SBA. Multilingual/English learners are 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.

Tables 2 and 3 show the number and percent of current MLs and proficient MLs, based on the 2022 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 2022 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	2,075	16.7%	278	90.3%	47.3%
4	1,519	14.2%	528	61.9%	48.8%
5	1,175	12.3%	437	55.0%	51.4%
6	571	7.0%	137	65.9%	43.8%
7	701	9.1%	135	77.1%	50.9%
8	578	7.9%	135	59.7%	49.1%
10	985	14.1%	176	67.7%	62.0%

**Source:** Spring 2022 English Language Proficiency (ELP) and English Language Arts (ELA)/Math assessment score files, pulled on August 19, 2022.

**Table 3: Math Achievement of Current MLs and Proficient MLs based on the 2022 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	2,681	21.4%	288	92.9%	48.9%
4	1,640	15.2%	540	63.2%	45.5%
5	835	8.6%	327	41.0%	38.1%
6	558	6.8%	128	60.4%	34.3%
7	483	6.2%	109	61.9%	35.5%
8	417	5.6%	112	49.8%	32.1%
10	326	4.5%	101	38.4%	30.9%

**Source:** Spring 2022 English Language Proficiency (ELP) and English Language Arts (ELA)/Math assessment score files, pulled on August 19, 2022.

## 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/English 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 2022 WIDA ACCESS, who met or exceeded standard on the ELA and mathematics Smarter Balanced assessments.

**Table 4: 2022 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	287,695	50.5%	215,321	37.8%
Current MLs	7,604	12.1%	6,940	10.9%
Proficient MLs	1,893	64.8%	1,647	56.1%
1 Year After Transition	3,470	51.1%	2,920	43.1%
2 Years After Transition	5,589	48.1%	4,389	37.8%
3 Years After Transition	7,276	56.7%	5,287	41.2%
4 Years After Transition	7,138	58.5%	4,845	39.7%

**Source:** Spring 2022 English Language Proficiency (ELP) and English Language Arts (ELA)/Math assessment score files, pulled on August 19, 2022.

# CONCLUSION & NEXT STEPS

[Superintendent Reykdal's strategic vision](#) for Washington's schools and 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.

With these goals in mind, the TBIP work at OSPI in 2022–23 will focus on:

- Developing a statewide strategic plan for MLs in collaboration with the Multilingual Education Advisory Committee;
- Expanding dual language programs through grant funding, data and program development resources, and ongoing professional learning and collaboration;
- Developing strong, research-based program models for multilingual English learners in all districts through improved grant processes, direct district support, and collaborative Language Learning Regional Networks;
- Supporting educators in using the WIDA English Language Development Standards Framework, WIDA assessments, and WIDA professional learning resources;
- Partnering with internal and external stakeholders to increase the bilingual and ML educator workforce; and
- Providing clear and consistent information and support for districts through weekly newsletters, monthly virtual sessions, and timely individualized support.

# 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](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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