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[WAC 392-160-010\(1\)](#) requires that districts “make available to each eligible student a transitional bilingual instructional program” as defined in [WAC 392-160-005](#), 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) Teaches concepts and knowledge in the primary language of a student, while the student also acquires English language skills.
- (c) Tests students in the subject matter in English.

If the use of two languages is not practicable, an [alternative instructional program](#), defined as “a program of instruction which may include English as a second language...designed to enable the student to achieve competency in English”, may be provided. School districts may elect to provide an alternative instructional program (AIP) under one or more of the following conditions: [WAC 392-160-040](#)

- Necessary instructional materials in the student's primary language are unavailable and the district has made reasonable efforts to obtain necessary materials without success.
- The capacity of the district's bilingual instructional program is temporarily exceeded by an unexpected increase in the enrollment of eligible students.
- Bilingual instruction cannot be provided to students without substantially impairing their basic education because of their distribution throughout many grade levels or schools, or both.
- Teachers who are trained in bilingual education methods and sufficiently skilled in the non-English primary language(s) are unavailable, and the district has made reasonable attempts to obtain the services of such teachers.

Districts that meet one or more of the preceding conditions and choose to provide an alternative instructional program must be able to provide evidence in the TBIP iGrant application that they meet the conditions.

Program Models

Washington State recognizes six types of program model for the purposes of TBIP funding and reporting.

Bilingual Programs:

- 1) Dual Language (Two-Way Immersion or Two-Way Bilingual Education)



- 2) Developmental Bilingual Education (DBE or Late-Exit)
- 3) Transitional Bilingual Education (TBE or Early-Exit)

Alternative Instructional Programs (AIP) (Districts must meet AIP criteria.)

- 4) Content-Based Instruction (CBI) or Sheltered Instruction (SI)
- 5) English as a Second Language (ESL) Instructional Model
- 6) Newcomer Program

Program Descriptions

Bilingual Instructional Programs:

- **Dual Language Program (Two-Way Immersion or Two-Way Bilingual Education):**

Dual Language Programs (also known as Two-Way Bilingual Education and Two-Way Immersion) integrate language development with academic instruction for both native speakers of English and new speakers of English (ELL students). The goal is for students to become highly proficient in both their native language and their second language while simultaneously gaining high academic achievement in both languages. Additionally, dual language programs seek to foster student success in becoming bilingual, biliterate, and bicultural.

Dual Language Programs typically balance native language (L1) and English language (L2) instruction 50/50 by means of content areas, unit of study, or by instructional time such as class period or day. This model differs from a Developmental Bilingual Education model in that instruction is provided to both native English speakers and English language learners in the same instructional setting simultaneously. Teachers use techniques and strategies to make content accessible regardless of the language being used for instruction.

Students in a Dual Language Program may continue to be enrolled in the program after they have exited TBIP on the annual English language proficiency test. However, once the student exits TBIP based on the annual English language proficiency test, they are no longer counted for TBIP funding. Such exited students would then be counted as "Exited TBIP Students" for up to two years. Refer to the [guidelines](#) on reporting and serving TBIP-eligible Exited Students.

- **Developmental Bilingual Education (DBE or Late-Exit):**

Developmental Bilingual Education (DBE) or Late-Exit Bilingual programs are similar to Dual Language programs in that instruction is carried out in both English and the student's native language. Typically, Late-Exit programs begin in kindergarten or first grade with 90% of instruction occurring in the native language and 10% in English. Instruction in English incrementally increases, while instruction using the native language gradually decreases until there is an equal balance of instruction occurring in both languages. The 50/50 division of instructional time continues through the completion of the program, which is usually in the 6th grade. Students then transition into regular mainstream instruction in English.

Developmental Bilingual Programs typically divide native language (L1) and English language (L2) instruction by means of content areas, unit of study, or by instructional time such as class period or day. As with Dual Language programs, students may continue in the Late-Exit program after they exit TBIP on the annual



English language proficiency test. However, once the student exits TBIP based on the annual English language proficiency test, they are no longer counted for TBIP funding. Such exited students would then be counted as “Exited TBIP Students” for up to two years after scoring at exit level on the annual English language proficiency test. Refer to the [guidelines](#) on reporting and serving TBIP-eligible Exited Students.

- **Transitional Bilingual Education (TBE or Early-Exit):**

The purpose of a Transitional Bilingual Education or Early-Exit model is to use the student’s native language as a foundation to support English language development.

TBE models generally begin by initially providing 90% of instruction in the native language and 10% in English, increasing English instruction systematically until all instruction is provided in English. TBE (Early-Exit) models differ from Developmental Bilingual (Late-Exit) models in that students move to English-only instruction more quickly, with students generally moving into mainstream English-only classes within three or four years.

When a student exits TBIP on the annual English language proficiency test, the student may or may not continue to be served in a TBE model. However, once the student exits TBIP based on the annual English language proficiency test, they are no longer counted for TBIP funding. Such exited students would then be counted as “Exited TBIP Students” for up to two years after scoring at exit level on the annual English language proficiency test. Refer to the [guidelines](#) on reporting and serving TBIP-eligible Exited Students.

Alternative Instructional Programs:

- **Content-Based Instruction (CBI) or Sheltered Instruction (SI):**

Content-Based Instruction (CBI) and Sheltered Instruction (SI) models both integrate English language development with academic content learning using English as the language of instruction.

CBI and SI models are used in classes comprised predominantly of English language learners with instruction delivered by teachers specially trained in the field of second language acquisition and instructional strategies to support both English language development and academic grade-level content. CBI and SI classes can be designed to meet core content credit requirements or to serve as language development support classes.

OSPI recommends that teachers be endorsed in both:

- ELL, ESOL, or Bilingual Education
- the content area of instruction.

Alternatively, SI and CBI courses may be team taught by ELL/ESOL teachers and content area teachers.

CBI and SI vary slightly in their focus. SI models focus primarily on content learning with a secondary focus on language development. CBI models focus primarily on English language development, using academic content as the vehicle of instruction. While the state recognizes the distinction between SI and CBI models, the terms *Sheltered Instruction* or *SI* will be used in CEDARS reporting and the LEP application for EDS.



Supportive Mainstream:

Consistent, focused, and effective language development instruction is provided through ELL pull-out/push-in instruction or through small group work with the classroom teacher. Language instruction is delivered in English by teachers who have been specifically trained in the field of second language acquisition and strategies. Instruction may occur either individually or in small groups within the mainstream classroom (Push-in) or separate from the mainstream classroom (Pull-out) with the focus of supporting English language development.

Students in this model access grade-level academic content through participation in their mainstream classrooms. It is therefore imperative that districts employing this model ensure that sufficient time and resources are allocated for professional development of classroom teachers who will be responsible for providing access to grade-level curriculum for the English language learners in their classrooms.

Note: Current schedules of TBIP eligible students must be kept on file indicating the type and amount of English language support services being provided to each student.

Newcomer Programs:

Newcomer Programs provide specialized instruction to beginning level English language learners who have newly immigrated to the United States and are especially useful for districts with large numbers of students with limited or interrupted formal education who may have low literacy in their native language. Such programs typically are employed at the secondary level, but could go as low as 3rd grade to provide a foundation of both basic English language skills and content instruction to facilitate students' transfer into a district's regular TBIP program while additionally serving to familiarize newcomers with American culture and educational settings.

The amount of time that students spend in a Newcomer Program varies both in daily schedule and program length depending on the particular district model. Districts must establish clear criteria for when students are to move out of the Newcomer Program and into the regular English language development program. Such criteria should be based on a combination of English language ability and length of time in the Newcomer Program. Individual student factors should also be considered regarding a student's preparedness to receive services through another program model. Program length is typically one semester to one year, but may be more or less time depending on individual student needs.

Note: Newcomer Programs should never constitute the district's entire English language development program, but should serve only as a foundation for students to move into the regular district TBIP program.

Sources:

U.S. Department of Education, Office of Planning, Evaluation and Policy Development. Policy and Program Studies Service (2012). Language Instruction Educational Programs (LIEPs): A Review of the Foundational Literature

Short, D., Echevarria, J., & Richards-Tutor, C. (2011). Research on Academic Literacy Development in Sheltered Instruction Classrooms. *Language Teaching Research*, 15 (3), 363-380.



Summary of Program Models

Bilingual Programs	Dual Language - Mixed classrooms of ELLs and native English speakers - Content instruction in both languages - Language of instruction is balanced with goal of 50/50 balance by completion of program - Academic content is made meaningfully accessible using sheltered strategies - Program length is clearly established, and TBIP exited students continue for duration of program - Goal of bilingualism, biliteracy, biculturalism, and grade level academic achievement for all students
	Developmental Bilingual Education (Late Exit) - Classrooms of English language learners in K-6 grades 90% of instruction using students' native language during primary grades, progressing to 50/50 balance by 5th or 6th grade - Program length is clearly established, and TBIP exited students continue for duration of program - Goal of bilingualism, biliteracy, and grade level academic achievement for English language learners
	Transitional Bilingual Education (Early Exit) - Classrooms of English language learners - Instruction using students' native language initially - Instruction progresses toward using only English over approximately a 3-year period - Goal of English proficiency and grade-level academic achievement with gradual reduction of native language supports
Alternative Instructional Programs	Content-Based Instruction (CBI) or Sheltered Instruction (SI) - Classrooms of English language learners - ELL teachers provide content instruction using English sheltered strategies to foster English language development and make grade-level content meaningfully accessible Goal of English language proficiency integrated with grade level academic achievement
	Supportive Mainstream - Students in mainstream English speaking classrooms most of the day - ELL teachers provide supplemental English language support inside or outside of the mainstream classroom - Mainstream and supplemental English instruction conducted using English with specific strategies to foster English language development and make grade-level content meaningfully accessible - Mainstream content teachers collaborate with ELL teacher or ELL coach to facilitate language support in content classrooms - Goal of English language proficiency integrated with grade-level academic achievement
Newcomer Programs	Newcomer Programs - Classrooms of beginning level newly immigrated English language learners all or part of the day - Instruction conducted using English or bilingual model appropriate to district's program - Teachers have specific background for working with newly arrived immigrants and students with limited formal schooling - Specific criteria is established to move students into other English language development program models offered by district - Goal of basic English language proficiency, basic content knowledge, and introduction to US school culture in order to prepare for other district ELL program



Each of the program models requires that teachers be well prepared in the application of language acquisition theories and specific strategies appropriate to each model to develop language and prepare students to access grade level content in meaningful and appropriate ways.

Equal Access to School and District Programs:

State and federal civil rights laws, including Title VI of the Civil Rights Act of 1964, require school districts to allow ELL students the opportunity to participate in all programs, services, and activities offered by the district. Districts may not categorically deny ELL students from participating in any program, service, or activity solely based on students' limited English proficiency. This includes honors and advanced courses, Career and Technical Education, Highly Capable Programs, online programs, Title I services, special education, Advanced Placement, extracurricular activities, and athletic programs. If, for example, a school district has a process for locating and identifying students for a particular program or activity, it must also locate and identify ELL students who could benefit from the program.

If a school district excludes an ELL student from a specialized program, the exclusion must be educationally justified by the needs of the particular students or by the nature of the specialized program. Educational justifications for excluding a particular ELL student from a specialized program should be comparable to those used in excluding a non-ELL peer. For example: time for the program would unduly hinder his/her participation in an alternative language program; or the specialized program itself requires proficiency in English language skills for meaningful participation.

Unless a particular program requires proficiency in English for meaningful participation, school districts should ensure that procedures do not screen out ELL students because of their limited English proficiency. Tests used to place students in specialized programs should not prevent a student from qualifying simply based on a student's limited English proficiency. For programs with entrance exams, testing ELL students in English may not effectively demonstrate their ability or skills. Testing in the student's primary language may be necessary to provide ELL students an equal opportunity to participate.

For more information, refer to [Prohibiting Discrimination in Washington Public Schools: Guidelines for school districts to implement Chapters 28A.640 and 28A.642 RCW and Chapter 392-190 WAC.](#)