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**SUBSTITUTE HOUSE BILL 1226**

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**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Sells, Barlow, Santos, Appleton, Lovick, Strow, Hasegawa, Quall, Dunshee, Hunt, McCoy, Priest, Ormsby, Wood, Wallace, Conway, Kenney, VanDeWege, Dickerson, Haigh and Simpson)

READ FIRST TIME 02/22/07.

1 AN ACT Relating to establishing the first peoples' language,  
2 culture, and history teacher certification program; amending RCW  
3 28A.415.020; adding a new section to chapter 28A.410 RCW; and creating  
4 new sections.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that:

7 (1) Teaching first peoples' languages, cultures, and history is a  
8 critical factor in successful educational experiences and promoting  
9 cultural sensitivity for all students. Experience shows such teaching  
10 dramatically raises student achievement. The effect is particularly  
11 strong for Native American students;

12 (2) Native American students have the highest high school dropout  
13 rate among all groups of students. Less than one-fourth of Native  
14 American students in the class of 2008 are on track to graduate based  
15 on the results of the Washington assessment of student learning.  
16 Positive and supportive educational experiences are critical for Native  
17 American students' success;

18 (3) The sole expertise of sovereign tribal governments whose  
19 traditional lands and territories lie within the borders of the state

1 of Washington in the transmission of their indigenous languages,  
2 heritage, cultural knowledge, histories, customs, and traditions should  
3 be honored;

4 (4) Government-to-government collaboration between the state and  
5 the sovereign tribal governments whose traditional lands and  
6 territories lie within the borders of the state of Washington serves to  
7 implement the spirit of the 1989 centennial accord and other similar  
8 government-to-government agreements, including the 2004 accord between  
9 the federally recognized Indian tribes with treaty reserved rights in  
10 Washington state and the state of Washington;

11 (5) Establishing a first peoples' language, culture, and history  
12 teacher certification program both achieves educational objectives and  
13 models effective government-to-government relationships;

14 (6) Establishing a first peoples' language, culture, and history  
15 certification program implements the following policy objectives of  
16 P.L. 101-477, the federal Native American languages act of 1990, in a  
17 tangible way:

18 (a) To preserve, protect, and promote the rights and freedom of  
19 Native Americans to use, practice, and develop Native American  
20 languages;

21 (b) To allow exceptions to teacher certification requirements for  
22 federal programs and programs funded in whole or in part by the federal  
23 government, for instruction in Native American languages when such  
24 teacher certification requirements hinder the employment of qualified  
25 teachers who teach in Native American languages, and to encourage state  
26 and territorial governments to make similar exceptions;

27 (c) To encourage and support the use of Native American languages  
28 as a medium of instruction in order to encourage and support Native  
29 American language survival, educational opportunity, increased student  
30 success and performance, increased student awareness and knowledge of  
31 their culture and history, and increased student and community pride;

32 (d) To encourage state and local education programs to work with  
33 Native American parents, educators, Indian tribes, and other Native  
34 American governing bodies in the implementation of programs to put this  
35 policy into effect; and

36 (e) To encourage all institutions of elementary, secondary, and  
37 higher education, where appropriate, to include Native American

1 languages in the curriculum in the same manner as foreign languages and  
2 to grant proficiency in Native American languages the same full  
3 academic credit as proficiency in foreign languages;

4 (7) Establishing a first peoples' language, culture, and history  
5 certification program is consistent with the intent of presidential  
6 executive order number 13336 from 2004, entitled "American Indian and  
7 Alaska native education," to assist students in meeting the challenging  
8 student academic standards of P.L. 107-110, the no child left behind  
9 act of 2001, in a manner that is consistent with tribal traditions,  
10 languages, and cultures.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.410  
12 RCW to read as follows:

13 (1) The Washington state first peoples' language, culture, and  
14 history teacher certification program is established. The professional  
15 educator standards board shall adopt rules to implement the program in  
16 collaboration with the sovereign tribal governments whose traditional  
17 lands and territories lie within the borders of the state of  
18 Washington, including the tribal leader congress on education and the  
19 first peoples' language and culture committee. The collaboration  
20 required under this section shall be defined by a protocol for  
21 cogovernance in first peoples' language, culture, and history education  
22 developed by the professional educator standards board, the office of  
23 the superintendent of public instruction, and the sovereign tribal  
24 governments whose traditional lands and territories lie within the  
25 borders of the state of Washington.

26 (2) Any sovereign tribal government whose traditional lands and  
27 territories lie within the borders of the state of Washington may  
28 participate individually on a government-to-government basis in the  
29 program.

30 (3) Under the first peoples' language, culture, and history teacher  
31 certification program:

32 (a) Only a participating sovereign tribal government may certify  
33 individuals who meet the tribe's criteria for certification as a  
34 teacher in the Washington state first peoples' language, culture, and  
35 history program. Before certification of the individual, the  
36 participating sovereign tribal government may conduct a background  
37 check through the tribal police departments within Washington state to

1 determine, to the extent possible, whether the individual has been  
2 convicted of any crimes that may otherwise disqualify the person from  
3 being awarded a teacher certificate and provide this information to the  
4 office of the superintendent of public instruction. The office of the  
5 superintendent of public instruction shall not authorize or accept a  
6 certificate or endorsement in Washington state first peoples' language,  
7 culture, and history without verification from a participating  
8 sovereign tribal government;

9 (b) For each teacher to be certified in the program, the  
10 participating sovereign tribal government shall submit information and  
11 documentation necessary for the issuance of a state certificate, as  
12 defined by rule, to the office of the superintendent of public  
13 instruction;

14 (c) A Washington state first peoples' language, culture, and  
15 history teacher certificate serves as a subject area endorsement in  
16 first peoples' language, culture, and history. The holder of a  
17 Washington state first peoples' language, culture, and history teacher  
18 certificate who does not also hold an initial, residency, continuing,  
19 or professional teaching certificate authorized by the professional  
20 educator standards board may be assigned to teach only the languages,  
21 cultures, and histories designated on the certificate and no other  
22 subject;

23 (d) In order to teach first peoples' language, culture, and  
24 history, teachers must hold certificates from both the office of the  
25 superintendent of public instruction and the sovereign tribal  
26 government, or from the sovereign tribal government; and

27 (e) The holder of a Washington state first peoples' language,  
28 culture, and history teacher certificate meets Washington state's  
29 definition of a highly qualified teacher under P.L. 107-110, the no  
30 child left behind act of 2001, for the purposes of teaching first  
31 peoples' language, culture, and history, subject to approval by the  
32 United States department of education.

33 (4) First peoples' language/culture teacher certificates issued  
34 under rules approved by the state board of education or the  
35 professional educator standards board under a pilot program before the  
36 effective date of this section remain valid as certificates under this  
37 section, subject to modification or revocation as provided in this  
38 section.

1 (5) Schools and school districts on or near tribal reservations are  
2 encouraged to contract with sovereign tribal governments whose  
3 traditional lands and territories lie within the borders of the state  
4 of Washington and first peoples' language, culture, and history  
5 certification programs for in-service teacher training and continuing  
6 education in the culture and history appropriate for their geographic  
7 area, as well as suggested pedagogy and instructional strategies.

8 **Sec. 3.** RCW 28A.415.020 and 2006 c 263 s 808 are each amended to  
9 read as follows:

10 (1) Certificated personnel shall receive for each ten clock hours  
11 of approved in-service training attended the equivalent of a one credit  
12 college quarter course on the salary schedule developed by the  
13 legislative evaluation and accountability program committee.

14 (2) Certificated personnel shall receive for each ten clock hours  
15 of approved continuing education earned, as continuing education is  
16 defined by rule adopted by the professional educator standards board,  
17 the equivalent of a one credit college quarter course on the salary  
18 schedule developed by the legislative evaluation and accountability  
19 program committee.

20 (3) Certificated personnel shall receive for each forty clock hours  
21 of participation in an approved internship with a business, an  
22 industry, or government, as an internship is defined by rule of the  
23 professional educator standards board in accordance with RCW  
24 28A.415.025, the equivalent of a one credit college quarter course on  
25 the salary schedule developed by the legislative evaluation and  
26 accountability program committee.

27 (4) An approved in-service training program shall be a program  
28 approved by a school district board of directors, which meet standards  
29 adopted by the professional educator standards board, and the  
30 development of said program has been participated in by an in-service  
31 training task force whose membership is the same as provided under RCW  
32 28A.415.040, or a program offered by an education agency approved to  
33 provide in-service for the purposes of continuing education as provided  
34 for under rules adopted by the professional educator standards board,  
35 or both.

36 (5) Clock hours eligible for application to the salary schedule  
37 developed by the legislative evaluation and accountability program

1 committee as described in subsections (1) and (2) of this section,  
2 shall be those hours acquired after August 31, 1987. Clock hours  
3 eligible for application to the salary schedule as described in  
4 subsection (3) of this section shall be those hours acquired after  
5 December 31, 1995.

6 (6) In-service training or continuing education in first peoples'  
7 language, culture, or history provided by a sovereign tribal government  
8 participating in the Washington state first peoples' language, culture,  
9 and history program authorized under section 2 of this act shall be  
10 considered approved in-service training or approved continuing  
11 education under this section and RCW 28A.415.023.

12 NEW SECTION. **Sec. 4.** This act may be known and cited as the  
13 "First peoples' language/culture/history teacher certification act:  
14 Honoring our ancestors."

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