

HOUSE BILL REPORT

HB 1226

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to establishing the first peoples' language, culture, and history teacher certification program.

Brief Description: Establishing the first peoples' language, culture, and history teacher certification program.

Sponsors: Representatives Sells, Barlow, Santos, Appleton, Lovick, Strow, Hasegawa, Quall, Dunshee, Hunt, McCoy, Priest, Ormsby, Wood, Wallace, Conway, Kenney, VanDeWege, Dickerson, Haigh and Simpson.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 2/14/07, 2/20/07 [DPS].

Brief Summary of Substitute Bill

- Establishes the First Peoples' Language, Culture, and History Teacher Certification Program.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Hunt, Chair; Appleton, Vice Chair; Green, McDermott, Miloscia and Ormsby.

Minority Report: Do not pass. Signed by 3 members: Representatives Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member and Kretz.

Staff: Colleen Kerr (786-7168).

Background:

In 2003, the Washington State Board of Education (SBE) adopted a rule creating the First Peoples' Language/Culture Certification Pilot Program (Pilot Program). The intent of the three-year Pilot Program was to:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- contribute to the preservation, recovery, revitalization, and promotion of First Peoples' language;
- provide an opportunity for tribal children to learn and share their native language at public schools;
- promote cultural sensitivity for all students; and
- provide tangible implementation of the 1989 Centennial Accord between Washington and the sovereign tribal governments in the state.

Under the terms of the pilot project, the Pilot Program was set to expire at the end of the 2005-06 school year. In 2005, however, jurisdiction over educator preparation and certification transferred from the SBE to the Professional Educator Standards Board (PESB) as a result of legislation. In May 2006, the PESB provided a one-year extension of the Pilot Program. Then, in January 2007, the PESB voted to make the program permanent.

To date, government-to-government agreements for the pilot program have been signed with the Confederated Tribes of the Colville Reservation, the Cowlitz Indian Tribe, the Jamestown S'Klallam Indian Tribe, the Lower Elwha Klallam Tribe, the Makah Tribe, the Nooksack Indian Tribe, the Skokomish Indian Tribe, the Spokane Tribe of Indians, the Tulalip Tribes of Washington, the Suquamish Tribe, and the Kalispel Tribe of Indians. Through these agreements 20 teachers have been certified to teach eight different tribal languages.

Summary of Substitute Bill:

The Washington State First Peoples' Language, Culture, and History Teacher Certification program is created in statute. The program is expanded from the Pilot Program to include history.

The PESB will adopt rules to implement the program in collaboration with tribal governments that choose to participate. Tribal governments will develop program criteria for the First Peoples' language, culture, and history teacher certification; the PESB does not review the program certification.

Participating tribal governments are authorized to certify individuals who meet the criteria. The tribal governments will send the necessary information for a state certificate for the individual to the Office of the Superintendent of Public Instruction (OSPI) so that the OSPI may issue a state certificate.

If the federal Department of Education grants approval, individuals with this certification will meet the federal definition of "highly qualified teacher" requirements of the No Child Left Behind Act when teaching First Peoples' language, culture, and history.

Schools and school districts are encouraged to contract with tribal governments and the First Peoples' Language, Culture, and History Certification Programs for approved in-service training and continuing education in the culture and history appropriate for that geographic area.

Substitute Bill Compared to Original Bill:

The substitute clarifies references to the tribal governments by adding language referring to the sovereign tribal governments whose traditional lands and territories lie within the borders of Washington, and includes references to government-to-government agreements in addition to the 1989 Centennial Accord. A new section is added stating that the act may be cited to and known as the "First Peoples' Language/Culture/History Teacher Certification Act: Honoring Our Ancestors." References to the Professional Educator Standards Board are changed to refer to the Office of the Superintendent of Public Instruction (OSPI) where appropriate based on the entities respective existing statutory responsibilities and functions.

Language is added that tribal governments may provide the OSPI with a background check conducted by the appropriate Tribal Police Department, but this is not a requirement. There is also replacement language to the original bill, which states that in order to teach First Peoples' Language, Culture, and History, individuals must have certificates from both the OSPI and a sovereign tribal government or a sovereign tribal government, and omits any reference to revocation of the teaching certificate.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) This bill rightfully makes permanent a four-year successful Pilot Program. It is also significant that the language of the bill is tied to the language of HB 1495 and encourages schools to work with tribes to provide these educational opportunities. It allows the experts in the subject to be the ones obtaining certification. The certification itself is important because it rightfully gives these individuals validity in teaching in their subject areas. The program creates role models for tribal children. It provides students with an opportunity to culturally identify with their teachers. Increasing cultural specialists will help to diversify the student body and improve Native American graduation rates. Cultural sensitivity and training assists students in developing an identity; it creates family and helps to repair societal dysfunction for these children. The tribes would like to keep history in the bill. It will allow tribes to bring their expertise in these subject areas into the public school system. It is a step in the right direction for government-to-government relations and strengthens the relationship between tribal and non-tribal people in the state. The tribes hope to use this as a strategy to stem high school dropout rates. Both the state and the tribes are committed to student success and this bill contributes to student success.

(Opposed) None.

Persons Testifying: (In support) Representative Sells, prime sponsor; Representative Barlow; Natasha Gobin and Eliza Davis, Tulalip Tribes; Nasue Nishida, Professional Educator Standard Board; Agripina Smith and George Adams, Nooksack Tribe; Keith Johnson, Makah Tribe; Miguel Perez-Gibson, Brian Nissen and Lee Adolph, Colville Confederated Tribes; Keri Acker-Peltier, Suquamish Tribe; Dixie Husser and Lena Maloney, North Kitsap School District; Bob Cooper, Washington Association of Colleges for Teacher Education; and Lucinda Young, Washington Education Association.

Persons Signed In To Testify But Not Testifying: None.