

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5269**

60th Legislature  
2007 Regular Session

Passed by the Senate April 21, 2007  
YEAS 32 NAYS 15

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**President of the Senate**

Passed by the House April 6, 2007  
YEAS 70 NAYS 24

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5269** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE SENATE BILL 5269

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AS AMENDED BY THE HOUSE

Passed Legislature - 2007 Regular Session

**State of Washington                      60th Legislature                      2007 Regular Session**

**By** Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Delvin, Kauffman, Roach, Franklin, Rasmussen, Kohl-Welles, Sheldon, Marr, Murray, Oemig, Jacobsen, Rockefeller, Shin and Kilmer)

READ FIRST TIME 02/13/07.

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

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

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

6            (1) Teaching first peoples' languages, cultures, and oral tribal  
7 traditions is a critical factor in fostering successful educational  
8 experiences and promoting cultural sensitivity for all students.  
9 Experience shows that such teaching dramatically raises student  
10 achievement and that the effect is particularly strong for Native  
11 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 the  
17 success of Native American students;

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 the state of Washington;

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

15 (6) Establishing a first peoples' language, culture, and oral  
16 tribal traditions certification program implements the following policy  
17 objectives of the federal Native American languages act of 1990 (P.L.  
18 101-477) in a tangible way:

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

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

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

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

37 (e) To encourage all institutions of elementary, secondary, and  
38 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 oral  
5 tribal traditions certification program is consistent with the intent  
6 of presidential executive order number 13336 from 2004, entitled  
7 "American Indian and Alaska native education," to assist students in  
8 meeting the challenging student academic standards of the no child left  
9 behind act of 2001 (P.L. 107-110) in a manner that is consistent with  
10 tribal traditions, 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 oral  
14 tribal traditions teacher certification program is established. The  
15 professional educator standards board shall adopt rules to implement  
16 the program in collaboration with the sovereign tribal governments  
17 whose traditional lands and territories lie within the borders of the  
18 state of Washington, including the tribal leader congress on education  
19 and the first peoples' language and culture committee. The  
20 collaboration required under this section shall be defined by a  
21 protocol for cogovernance in first peoples' language, culture, and oral  
22 tribal traditions education developed by the professional educator  
23 standards board, the office of the superintendent of public  
24 instruction, and the sovereign tribal governments whose traditional  
25 lands and territories lie within the borders of the state of  
26 Washington.

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

31 (3) Under the first peoples' language, culture, and oral tribal  
32 traditions teacher certification program:

33 (a) Only a participating sovereign tribal government may certify  
34 individuals who meet the tribe's criteria for certification as a  
35 teacher in the Washington state first peoples' language, culture, and  
36 oral tribal traditions teacher certification program. Tribal law  
37 enforcement agencies and the Washington state patrol shall enter into

1 government to government negotiations regarding the exchange of  
2 background information on applicants for certification. The office of  
3 the superintendent of public instruction shall not authorize or accept  
4 a certificate or endorsement in Washington state first peoples'  
5 language, culture, and oral tribal traditions without certification  
6 from a participating sovereign tribal government and without conducting  
7 a record check of an individual applying for certification as required  
8 under RCW 28A.410.010;

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

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

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

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

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 with first peoples' language, culture, and oral  
5 tribal traditions teacher certification programs for in-service teacher  
6 training and continuing education in the culture and history  
7 appropriate for their geographic area, as well as suggested pedagogy  
8 and instructional strategies.

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

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

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

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

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

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

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

15 NEW SECTION. **Sec. 4.** This act may be known and cited as the  
16 "First peoples' language, culture, and oral tribal traditions teacher  
17 certification act: Honoring our ancestors."

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