

SENATE BILL REPORT

ESHB 2551

As Passed Senate, March 3, 2020

Title: An act relating to permitting students to wear traditional tribal regalia and objects of cultural significance at graduation ceremonies and related events.

Brief Description: Permitting students to wear traditional tribal regalia and objects of cultural significance at graduation ceremonies and related events.

Sponsors: House Committee on State Government & Tribal Relations (originally sponsored by Representatives Lekanoff, Ramel, Rude, Leavitt, Valdez, Davis, Doglio, Walen, Pollet, Macri, Ormsby and Santos).

Brief History: Passed House: 2/12/20, 95-1.

Committee Activity: Early Learning & K-12 Education: 2/21/20 [DP, w/oRec].

Floor Activity:

Passed Senate: 3/03/20, 48-1.

Brief Summary of Engrossed First Substitute Bill

- Specifies that public schools and public institutions of higher education may not prohibit students who are members of a federally recognized tribe from wearing traditional tribal regalia or objects of Native American cultural significance along with or attached to a gown at graduation ceremonies or related events.
- Directs school districts, public institutions of higher education, and, when necessary, public schools to update any relevant policies or procedures.
- Specifies that the provisions applying to school districts and public institutions apply to students in the graduating class of 2020 and subsequent classes.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy, Hunt, McCoy, Mullet, Padden, Pedersen and Salomon.

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.

Minority Report: That it be referred without recommendation.

Signed by Senator Wagoner.

Staff: Benjamin Omdal (786-7442)

Background: Policies on student dress are determined at the local or institution level. Policies on regalia, dress, and decorum for ceremonies and graduations are also set by local policies.

In 2018, the superintendent of public instruction issued guidance to schools encouraging high schools to adopt policies that allow for tribal students to wear items of cultural significance during graduation ceremonies.

Summary of Engrossed First Substitute Bill: School districts, public schools, and institutions of higher education may not prohibit students who are members of a federally recognized tribe from wearing tribal regalia or objects of Native American cultural significance along with or attached to a gown at graduation ceremonies or related events. Districts, public schools, and public institutions may not require these students to wear a cap if it is incompatible with the regalia or significant object.

School districts, institutions of higher education, and, when necessary, public schools shall update any relevant policies or procedures accordingly.

For the purposes of the legislation, "institutions of higher education" means public four-year universities and public community and technical colleges.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony: PRO: The bill recognizes the nation-to-nation relationship between tribes and the state government. Carrying an object of cultural significance is a way to pay tribute to ancestors and those that have paid the way for tribal students. Wearing regalia is an important tradition for tribal students. Students should not have to choose between representing their culture and violating their school's dress code. Native Americans should have the freedom to represent their culture. All tribal students should have the same opportunity to represent their cultures. We should do all that we can support Native students in their futures, including representing their tribes in these events. OSPI has encouraged tribes to adopt these policies. A statewide policy will replace the lengthy process that tribes currently must maneuver. This policy is long overdue, and has received support from tribal groups over the years. Currently, not all schools allow student to wear regalia. Representation matters and this bill would help demonstrate the importance of these cultures. Gown requirements perpetuate the erasure of Native culture. Being forced to wear a cap and gown is forced assimilation into white culture and a violation of body

sovereignty. Tribal regalia is a direct representation of Native students and their cultural ties. No students should have to hide their cultural identity in these types of events.

Persons Testifying: PRO: Representative Debra Lekanoff, Prime Sponsor; Sauncha Romey, Tsimshian; Simone Romey, Tsimshian; Chairman Delano Saluskin, Yakama Nation Tribal Council; Gayle Pauley, OSPI; Lawrence Solomon, Lummi Nation Chairman; Daimon Rosario, Lummi Nation Student; Teralynn Gaona-Martin, Lummi Nation Student; Chiara Solomon, Lummi Nation Student; Patricia Whitefoot, citizen; Zintkala Johnson, Generations of Empowering Women; Joel Boyd, Confederated Tribes of the Colville Reservation; Chelsea Hendrickson, Program Coordinator of the Cowlitz Indian Tribe; Claudia Kauffman, citizen.

Persons Signed In To Testify But Not Testifying: No one.