
SECOND SUBSTITUTE HOUSE BILL 1332

State of Washington

68th Legislature

2023 Regular Session

By House Appropriations (originally sponsored by Representatives Lekanoff, Berry, Ramel, Rude, Reed, Donaghy, Pollet, and Macri)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to supporting public school instruction in tribal
2 sovereignty and federally recognized Indian tribes; amending RCW
3 28A.300.105 and 28A.320.170; adding a new section to chapter 28A.305
4 RCW; creating a new section; and providing an expiration date.

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

6 **Sec. 1.** RCW 28A.300.105 and 2011 c 270 s 2 are each amended to
7 read as follows:

8 (1) To the extent funds are available, an Indian education
9 division, to be known as the office of Native education, is created
10 within the office of the superintendent of public instruction. The
11 superintendent shall appoint an individual to be responsible for the
12 office of Native education.

13 (2) To the extent state funds are available, with additional
14 support of federal and local funds where authorized by law, the
15 office of Native education shall:

16 (a) Provide assistance to school districts in meeting the
17 educational needs of American Indian and Alaska Native students;

18 (b) Facilitate the development and implementation of curricula
19 and instructional materials in native languages, culture and history,
20 and the concept of tribal sovereignty pursuant to RCW 28A.320.170;

1 (c) Provide assistance to districts in the acquisition of funding
2 to develop curricula and instructional materials in conjunction with
3 native language practitioners and tribal elders;

4 (d) Coordinate technical assistance for public schools that serve
5 American Indian and Alaska Native students;

6 (e) Seek funds to develop, in conjunction with the Washington
7 state native American education advisory committee, and implement the
8 following support services for the purposes of both increasing the
9 number of American Indian and Alaska Native teachers and principals
10 and providing continued professional development for educational
11 assistants, teachers, and principals serving American Indian and
12 Alaska Native students:

13 (i) Recruitment and retention;

14 (ii) Academic transition programs;

15 (iii) Academic financial support;

16 (iv) Teacher preparation;

17 (v) Teacher induction; and

18 (vi) Professional development;

19 (f) Facilitate the inclusion of native language programs in
20 school districts' curricula;

21 (g) Work with all relevant agencies and committees to highlight
22 the need for accurate, useful data that is appropriately
23 disaggregated to provide a more accurate picture regarding American
24 Indian and Alaska Native students; and

25 (h) Report to the governor, the legislature, and the governor's
26 office of Indian affairs on an annual basis, beginning in December
27 2012, regarding the state of Indian education and the implementation
28 of all state laws regarding Indian education, specifically noting
29 system successes and accomplishments, deficiencies, and needs. The
30 reports issued in 2024 through 2027, must also include: Information
31 about consultations and collaborations between school districts and
32 federally recognized Indian tribes under RCW 28A.320.170, including
33 tribal perspectives on the implementation of the required curriculum;
34 and recommendations for promoting tribal consultation efforts with
35 school districts.

36 **Sec. 2.** RCW 28A.320.170 and 2015 c 198 s 2 are each amended to
37 read as follows:

38 (1) (a) (~~Beginning July 24, 2015, when a school district board of~~
39 ~~directors reviews or adopts its social studies curriculum, it~~) By

1 September 1, 2024, school districts shall incorporate a tribal
2 sovereignty curriculum developed and made available free of charge by
3 the office of the superintendent of public instruction into their
4 social studies curriculum. School districts may modify the curriculum
5 in order to: Include elements with a regionally specific focus; or
6 integrate the curriculum into existing curricular materials.
7 Instruction provided in accordance with this subsection (1)(a) must
8 be incorporated into all classes teaching United States history,
9 United States government, or civics in grades nine through 12, and
10 also provided no less than:

11 (i) Once to students in kindergarten through grade three;

12 (ii) Once to students in grades four through five; and

13 (iii) Twice to students in grades six through eight.

14 (b) By September 1, 2026, school districts shall incorporate
15 ((curricula)) materials about the history, culture, and government of
16 the nearest federally recognized Indian tribe or tribes, ((so that
17 students)) including federally recognized Indian tribes whose
18 traditional lands and territories included parts of Washington state,
19 but who now reside in the state of Oregon or the state of Idaho, into
20 their social studies curricula for the purpose of giving students the
21 opportunity to learn about the unique heritage and experience of
22 their closest federally recognized tribal neighbors.

23 ((b) School districts shall meet the requirements of this
24 section by using curriculum developed and made available free of
25 charge by the office of the superintendent of public instruction and
26 may modify that curriculum in order to incorporate elements that have
27 a regionally specific focus or to incorporate the curriculum into
28 existing curricular materials.)) School districts, before
29 incorporating the required materials into their social studies
30 curricula, shall consult with the nearest federally recognized Indian
31 tribe or tribes for the purposes of discussing strategies and
32 practices for effectively implementing this subsection (1)(b).

33 (2) As ((they)) school districts conduct regularly scheduled
34 reviews and revisions of their social studies and history curricula,
35 ((school districts)) they shall consult and collaborate with any
36 federally recognized Indian tribe within their district, and with
37 neighboring Indian tribes, including federally recognized Indian
38 tribes whose traditional lands and territories included parts of
39 Washington state, but who now reside in the state of Oregon or the
40 state of Idaho, to incorporate expanded and improved curricular

1 materials about Indian tribes, and to create programs of classroom
2 and community cultural exchanges.

3 (3)(a) School districts shall collaborate with the office of
4 Native education established in RCW 28A.300.105 within the office of
5 the superintendent of public instruction and the office of the
6 superintendent of public instruction on curricular areas regarding
7 tribal government and history that are statewide in nature, such as
8 the concept of tribal sovereignty and the history of federal policy
9 towards federally recognized Indian tribes.

10 (b) The (~~program of Indian education within the~~) office of the
11 superintendent of public instruction, through the office of Native
12 education, shall ((help)): (i) Assist local school districts to
13 identify federally recognized Indian tribes whose reservations are in
14 whole or in part within the boundaries of the district ((and/or)),
15 those that are nearest to the school district, including federally
16 recognized Indian tribes whose traditional lands and territories
17 included parts of Washington state, but who now reside in the state
18 of Oregon or the state of Idaho, or both; and (ii) collaborate with
19 tribes that may have unique consultation challenges under this
20 section, such as consulting with a large number of school districts
21 or with school districts that have large student enrollments.

22 (4) Subject to the availability of amounts appropriated for this
23 specific purpose, the office of superintendent of public instruction,
24 for the 2023-24 and 2024-25 school years, shall administer grants to
25 school districts and federally recognized Indian tribes in the state
26 of Washington for implementing the requirements of this section. In
27 implementing this section, the office of the superintendent of public
28 instruction shall establish limits on the percentage of grant funds
29 that a recipient may retain for administrative purposes.

30 NEW SECTION. Sec. 3. A new section is added to chapter 28A.305
31 RCW to read as follows:

32 Beginning in the 2023-24 school year, the state board of
33 education, in coordination with the office of native education
34 established in RCW 28A.300.105, shall implement a system of annual
35 monitoring and evaluations of school district compliance with RCW
36 28A.320.170(1). The monitoring and evaluations, which may be conducted
37 concurrently with other oversight and monitoring conducted by the
38 state board of education, must include collected information for each
39 school district about:

- 1 (1) Collaborations with the nearest federally recognized Indian
2 tribes;
- 3 (2) The grade levels in which the curriculum is taught;
- 4 (3) The courses for which credit may be awarded and the number of
5 students enrolled in, and having received credit for, those courses
6 during the preceding school year;
- 7 (4) Summaries of the curriculum implementation process; and
- 8 (5) The availability and implementation of applicable
9 professional development.
- 10 (6) Beginning in 2024 and concluding in 2027, the state board of
11 education, in accordance with RCW 43.01.036, shall annually provide a
12 report to the education committees of the legislature that summarizes
13 school district compliance with RCW 28A.320.170(1). The reports
14 required by this subsection may be incorporated within other
15 oversight and monitoring reports produced by the state board of
16 education.
- 17 (7) This section expires September 1, 2027.

18 NEW SECTION. **Sec. 4.** If specific funding for the purposes of
19 this act, referencing this act by bill or chapter number, is not
20 provided by June 30, 2023, in the omnibus appropriations act, this
21 act is null and void.

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