
SENATE BILL 5441

State of Washington

68th Legislature

2023 Regular Session

By Senators C. Wilson, Lias, Hunt, Lovelett, Nguyen, Saldaña, and Valdez

Read first time 01/18/23. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to promoting and supporting the development and
2 adoption of school district curricula that is diverse, equitable, and
3 inclusive; amending RCW 28A.320.230; adding a new section to chapter
4 28A.320 RCW; adding a new section to chapter 28A.310 RCW; adding a
5 new section to chapter 43.06D RCW; and creating a new section.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature recognizes public
8 school instruction should include the study of the role and
9 contributions of men, women, indigenous peoples, Black Americans,
10 Mexican Americans, Asian Americans, Pacific Islanders, European
11 Americans, LGBTQIA2S+ Americans, persons with disabilities, and
12 members of other ethnic and cultural groups. This study is especially
13 important in the social sciences, which should seek to understand the
14 economic, political, and social development of Washington state and
15 the United States and should emphasize portraying the role of these
16 groups in contemporary society.

17 (2) The legislature believes that an inclusive education helps
18 students of all backgrounds, cultures, and identities connect with
19 the instructional materials and helps all students feel a sense of
20 belonging at school. Further, the legislature has confidence that
21 students who do not share these backgrounds, cultures, and identities

1 get a more complete and well-rounded education of history and society
2 when it is inclusive.

3 (3) The legislature recognizes that inclusive curricula have been
4 shown to often improve the mental health, academic performance,
5 attendance rates, and graduation rates of marginalized communities.
6 For example, a 2017 study showed a 38 percent to 306 percent increase
7 in the fluency rates of African American second grade children when
8 they read culturally relevant stories. Children felt more motivated
9 and interested when reading stories that reflected them.
10 Additionally, students in schools with inclusive curricula have also
11 reported hearing fewer homophobic remarks and in schools with
12 inclusive curricula, less than half of students felt unsafe at school
13 due to their sexual orientation compared to the two-thirds of
14 students who attended schools without inclusive curricula.

15 (4) The legislature intends to promote and support the
16 development and adoption of curricula that is diverse, equitable, and
17 inclusive through inclusive curricula coordinators, youth advisory
18 councils, and an open educational resource database.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320
20 RCW to read as follows:

21 (1)(a) Subject to the availability of amounts appropriated for
22 this specific purpose, first-class districts must designate an
23 inclusive curricula coordinator to promote, advise, and support the
24 development and adoption of curricula that is diverse, equitable, and
25 inclusive. The goal of this curricula is to minimize students' fear
26 and anxiety and help facilitate a sense of safety, belonging,
27 inclusion, and engagement among students.

28 (b) The inclusive curricula coordinator may be a current employee
29 with the additional duties described in subsection (2) of this
30 section or a new employee with these duties.

31 (2) Inclusive curricula coordinators have the following duties:

32 (a) Help ensure that diversity, equity, and inclusion are
33 interwoven throughout curricula and not treated as stand-alone
34 topics;

35 (b) Facilitate the use of a bias screening tool to review
36 instructional materials;

37 (c) Serve on the instructional materials committee established
38 under RCW 28A.320.230;

1 (d) Work with the regional youth advisory council for inclusive
2 curricula and equity established by section 3 of this act and other
3 students to address issues related to diversity, equity, and
4 inclusion;

5 (e) Coordinate with any school district employee leading efforts
6 on diversity, equity, or inclusion, the office of the superintendent
7 of public instruction, and the Washington state office of equity
8 established by RCW 43.06D.020;

9 (f) Support professional development efforts regarding diversity,
10 equity, and inclusion including the professional learning days
11 required by RCW 28A.415.445; and

12 (g) Help improve school and classroom culture and climate.

13 (3) Subject to the availability of amounts appropriated for this
14 specific purpose, second-class districts must work with a regional
15 inclusive curricula coordinator required under section 3 of this act.

16 (4) For the purposes of this section:

17 (a) "Diverse," "equitable," and "inclusive" have the same
18 meanings as in RCW 28A.415.443.

19 (b) "First-class school district" and "second-class school
20 district" have the same meanings as in RCW 28A.300.065.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.310
22 RCW to read as follows:

23 (1) Subject to the availability of amounts appropriated for this
24 specific purpose, each educational service district must designate a
25 regional inclusive curricula coordinator with the relevant duties
26 described in section 2 of this act.

27 (2) Subject to the availability of amounts appropriated for this
28 specific purpose, each educational service district must establish a
29 regional youth advisory council for inclusive curricula and equity.

30 (a)(i) The purpose of the council is to advise and inform the
31 work of school districts and inclusive curricula coordinators
32 described in section 2 of this act.

33 (ii) The council must distribute an annual survey to students to
34 assess the effectiveness of inclusive curricula coordinators.

35 (iii) The council must coordinate with the legislative youth
36 advisory council established under RCW 43.15.095, the Washington
37 state leadership board established under RCW 43.388.010, student
38 representatives on school boards, and any other relevant student or
39 youth councils or groups that include student representation.

1 (b) (i) The council must consist of at least one student
2 representative from each school district within the educational
3 service district.

4 (ii) Students may be selected to serve on the council by staff
5 recommendation, application, or interview.

6 (iii) The council must consist of students with diverse
7 backgrounds including backgrounds that include diversity as it
8 relates to sex, race, religion, national origin, connection with the
9 military, sexual orientation, gender expression or identity,
10 disability, socioeconomic status, and involvement in the community.

11 (3) Nothing in this section prevents any school district from
12 establishing its own youth advisory council for inclusive curricula
13 and equity.

14 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.06D
15 RCW to read as follows:

16 (1) Subject to the availability of amounts appropriated for this
17 specific purpose, the office of the superintendent of public
18 instruction, in collaboration with the statewide association of
19 educational service districts and the Washington state school
20 directors' association, must create an open educational resource
21 database for developing inclusive curricula. The office of the
22 superintendent of public instruction must consult with the Washington
23 state office of equity established by RCW 43.06D.020 and any other
24 relevant state agencies when creating the database.

25 (2) The open educational resource database must include resources
26 that include the histories, contributions, and perspectives of
27 historically marginalized and underrepresented groups.

28 (3) The open educational resource database must facilitate the
29 free use, adaptation, and sharing of these resources among school
30 districts and certificated staff.

31 **Sec. 5.** RCW 28A.320.230 and 1989 c 371 s 1 are each amended to
32 read as follows:

33 Every board of directors, unless otherwise specifically provided
34 by law, shall:

35 (1) Prepare, negotiate, set forth in writing and adopt, policy
36 relative to the selection or deletion of instructional materials.
37 Such policy shall:

1 (a) State the school district's goals and principles relative to
2 instructional materials;

3 (b) Delegate responsibility for the preparation and
4 recommendation of teachers' reading lists and specify the procedures
5 to be followed in the selection of all instructional materials
6 including text books;

7 (c) Establish an instructional materials committee to be
8 appointed, with the approval of the school board, by the school
9 district's chief administrative officer. This committee shall consist
10 of representative members of the district's professional staff,
11 including representation from the district's curriculum development
12 committees, and the inclusive curricula coordinator established under
13 section 2 of this act or the regional inclusive curricula coordinator
14 established under section 3 of this act, and, in the case of
15 districts which operate elementary school(s) only, the educational
16 service district superintendent, one of whose responsibilities shall
17 be to assure the correlation of those elementary district adoptions
18 with those of the high school district(s) which serve their children.
19 The committee may include parents at the school board's discretion:
20 PROVIDED, That parent members shall make up less than one-half of the
21 total membership of the committee;

22 (d) Provide for reasonable notice to parents of the opportunity
23 to serve on the committee and for terms of office for members of the
24 instructional materials committee;

25 (e) Provide a system for receiving, considering and acting upon
26 written complaints regarding instructional materials used by the
27 school district;

28 (f) Provide free text books, supplies and other instructional
29 materials to be loaned to the pupils of the school, when, in its
30 judgment, the best interests of the district will be subserved
31 thereby and prescribe rules and regulations to preserve such books,
32 supplies and other instructional materials from unnecessary damage.

33 Recommendation of instructional materials shall be by the
34 district's instructional materials committee in accordance with
35 district policy. Approval or disapproval shall be by the local school
36 district's board of directors.

37 Districts may pay the necessary travel and subsistence expenses
38 for expert counsel from outside the district. In addition, the
39 committee's expenses incidental to visits to observe other districts'
40 selection procedures may be reimbursed by the school district.

1 Districts may, within limitations stated in board policy, use and
2 experiment with instructional materials for a period of time before
3 general adoption is formalized.

4 Within the limitations of board policy, a school district's chief
5 administrator may purchase instructional materials to meet deviant
6 needs or rapidly changing circumstances.

7 (2) Establish a depreciation scale for determining the value of
8 texts which students wish to purchase.

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