

# SENATE BILL REPORT

## SB 5433

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As Reported by Senate Committee On:  
Early Learning & K-12 Education, February 5, 2015

**Title:** An act relating to teaching Washington's tribal history, culture, and government in the common schools.

**Brief Description:** Requiring Washington's tribal history, culture, and government to be taught in the common schools.

**Sponsors:** Senators Litzow, Rolfes, Roach, Fain, Hasegawa, Dammeier, McCoy, Nelson, Frockt, McAuliffe, Rivers, Kohl-Welles, Chase, Jayapal, Conway and Habib.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/29/15, 2/05/15 [DPS].

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** That Substitute Senate Bill No. 5433 be substituted therefor, and the substitute bill do pass.

Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Fain, Mullet, Rivers and Rolfes.

**Staff:** Susan Mielke (786-7422)

**Background:** There are 29 federally recognized Indian tribes whose reservations are located in Washington. In a 2012 report, the Office of Superintendent of Public Instruction (OSPI) reported that 264 school districts in 2010 had between 1 and 1095 Native American or Alaskan Native students attending their schools.

In 2005 the Legislature encouraged OSPI to help school districts identify federally recognized Indian tribes within or near school districts and school districts were encouraged to do the following:

- incorporate curricula about tribal history, culture, and government of the nearest federally recognized tribe and work with tribes to develop such materials;
- collaborate with tribes to create materials, programs, and cultural exchanges; and
- collaborate with OSPI on curricular areas of tribal government and history that are statewide in nature.

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*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.*

In 2011 the Legislature directed OSPI to create the Office of Native Education (ONE). ONE was tasked with several duties including facilitating the development and implementation of curricula and instructional materials regarding native languages, culture and history, and the concept of tribal sovereignty. ONE posts curriculum and other resources for elementary, middle, and high schools on its website.

Washington's high school graduation requirements include a minimum of one-half credit of Course work in Washington State history and government. Courses designed to meet this requirement are encouraged to include information on the culture, history, and government of Washington Indian tribes.

**Summary of Bill (Recommended Substitute):** The legislative direction encouraging OSPI and school districts to collaborate and take certain actions to develop and incorporate curricula about tribes is changed to require such collaboration and actions. OSPI must help school districts identify federally recognized Indian tribes within or near school districts and school districts must do the following:

- when reviewing or adopting social studies curriculum, incorporate curricula about tribal history, culture, and government of the nearest federally recognized tribe and work with tribes to develop such materials;
- collaborate with tribes to create materials, programs, and cultural exchanges; and
- collaborate with OSPI on curricular areas of tribal government and history that are statewide in nature.

School districts must meet the requirements of collaboration and incorporation about tribal history, culture, and government by using the curriculum developed and made available free of charge by OSPI but may modify the curriculum in order to incorporate elements that have a regional focus or in order to incorporate the curriculum into existing curricular materials.

**EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Substitute):** The reference to the Centennial Accord in the intent section is removed. A reference is made to the “Since Time Immemorial” curriculum developed by OSPI and available online for free to schools and school districts. School districts must meet the requirements of the bill by using the curriculum developed and made available online by OSPI. The OSPI curriculum may be modified in order to incorporate elements that have a regionally specific focus or to incorporate the curriculum into existing curricular materials. The requirement that school districts near Washington's borders must work with tribes in Oregon, Idaho, and British Columbia to develop curriculum is removed.

**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on March 3, 2015.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** PRO: We want to restructure some of the intent language and would like to specifically acknowledge the excellent curriculum

that OSPI has developed, “Since Time Immemorial: Tribal Sovereignty in Washington.” It is already available online; it is free, and OSPI has already done some training with districts on the curriculum, which should address any funding issues perceived to be a concern with the bill. The Legislature formally encouraged school districts ten years ago but there are only three school districts and a few additional schools that have opted to incorporate information about their local tribe. It is time to take another step forward. We endorse this bill because most Native American children attend public schools and unfortunately tribal cultures and histories that are taught in the public schools are not accurate and provide misinformation to all students not just tribal students. The OSPI-developed curriculum, which is endorsed by the tribes, has the power to positively impact all students and educators. We believe that the existing curriculum will improve the academic performance of our tribal students but we also want the school districts to work with their local tribe to include their history and culture too. This required collaboration. This is not an immediate change but requires these efforts at each school district when the district reviews or adopts its social studies curriculum. The quality of the relationship between the school districts and the local tribes is not equal across the state so there may still be some uneven implementation across the state.

OTHER: We support the bill. We support the OSPI-developed curriculum and encourage the Committee to specifically support the use of it. The tribes in Yakama Nation participated in the development of the curriculum.

**Persons Testifying:** PRO: Senator McCoy; Dylan Doty, Madrienne Salgado, Muckleshoot Indian Tribe; Deb Merle, WA State School Directors' Assn.; Ken Kanikeberg, OSPI; Lucinda Young, WA Education Assn.; Steve Robinson, Quinault, Stillaguamish, Lummi, and Umatilla Tribes; Leonard Forsman, Suquamish Tribe.

OTHER: Dawn Vyvyan, Yakama Nation.