

ESSB 5269 - H COMM AMD

By By Committee on State Government & Tribal Affairs

NOT ADOPTED 4/6/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that:

4 (1) Teaching first peoples' languages, cultures, and history is
5 a critical factor in successful educational experiences and
6 promoting cultural sensitivity for all students. Experience shows
7 such teaching dramatically raises student achievement. The effect
8 is particularly strong for Native American students;

9 (2) Native American students have the highest high school
10 dropout rate among all groups of students. Less than one-fourth of
11 Native American students in the class of 2008 are on track to
12 graduate based on the results of the Washington assessment of
13 student learning. Positive and supportive educational experiences
14 are critical for Native American students' success;

15 (3) The sole expertise of sovereign tribal governments whose
16 traditional lands and territories lie within the borders of the
17 state of Washington in the transmission of their indigenous
18 languages, heritage, cultural knowledge, histories, customs, and
19 traditions should be honored;

20 (4) Government-to-government collaboration between the state
21 and the sovereign tribal governments whose traditional lands and
22 territories lie within the borders of the state of Washington
23 serves to implement the spirit of the 1989 centennial accord and
24 other similar government-to-government agreements, including the
25 2004 accord between the federally recognized Indian tribes with
26 treaty reserved rights in the state of Washington;

27 (5) Establishing a first peoples' language, culture, and
28 history teacher certification program both achieves educational

1 objectives and models effective government-to-government
2 relationships;

3 (6) Establishing a first peoples' language, culture, and
4 history certification program implements the following policy
5 objectives of P.L. 101-477, the federal Native American languages
6 act of 1990, in a tangible way:

7 (a) To preserve, protect, and promote the rights and freedom of
8 Native Americans to use, practice, and develop Native American
9 languages;

10 (b) To allow exceptions to teacher certification requirements
11 for federal programs and programs funded in whole or in part by the
12 federal government, for instruction in Native American languages
13 when such teacher certification requirements hinder the employment
14 of qualified teachers who teach in Native American languages, and
15 to encourage state and territorial governments to make similar
16 exceptions;

17 (c) To encourage and support the use of Native American
18 languages as a medium of instruction in order to encourage and
19 support Native American language survival, educational opportunity,
20 increased student success and performance, increased student
21 awareness and knowledge of their culture and history, and increased
22 student and community pride;

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

27 (e) To encourage all institutions of elementary, secondary, and
28 higher education, where appropriate, to include Native American
29 languages in the curriculum in the same manner as foreign languages
30 and to grant proficiency in Native American languages the same full
31 academic credit as proficiency in foreign languages;

32 (7) Establishing a first peoples' language, culture, and
33 history certification program is consistent with the intent of
34 presidential executive order number 13336 from 2004, entitled
35 "American Indian and Alaska native education," to assist students
36 in meeting the challenging student academic standards of P.L. 107-
37 110, the no child left behind act of 2001, in a manner that is
38 consistent with tribal traditions, languages, and cultures.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter
2 28A.410 RCW to read as follows:

3 (1) The Washington state first peoples' language, culture, and
4 history teacher certification program is established. The
5 professional educator standards board shall adopt rules to
6 implement the program in collaboration with the sovereign tribal
7 governments whose traditional lands and territories lie within the
8 borders of the state of Washington, including the tribal leader
9 congress on education and the first peoples' language and culture
10 committee. The collaboration required under this section shall be
11 defined by a protocol for cogovernance in first peoples' language,
12 culture, and history education developed by the professional
13 educator standards board, the office of the superintendent of
14 public instruction, and the sovereign tribal governments whose
15 traditional lands and territories lie within the borders of the
16 state of Washington.

17 (2) Any sovereign tribal government whose traditional lands and
18 territories lie within the borders of the state of Washington may
19 participate individually on a government-to-government basis in the
20 program.

21 (3) Under the first peoples' language, culture, and history
22 teacher certification program:

23 (a) Only a participating sovereign tribal government may
24 certify individuals who meet the tribe's criteria for certification
25 as a teacher in the Washington state first peoples' language,
26 culture, and history program. Before certification of the
27 individual, the participating sovereign tribal government may
28 conduct a background check through the tribal police departments
29 within Washington state to determine, to the extent possible,
30 whether the individual has been convicted of any crimes that may
31 otherwise disqualify the person from being awarded a teacher
32 certificate and provide this information to the office of the
33 superintendent of public instruction. The office of the
34 superintendent of public instruction shall not authorize or accept
35 a certificate or endorsement in Washington state first peoples'
36 language, culture, and history without certification from a
37 participating sovereign tribal government and without conducting a
38 record check of an individual applying for certification as
39 required under RCW 28A.410.010;

1 (b) For each teacher to be certified in the program, the
2 participating sovereign tribal government shall submit information
3 and documentation necessary for the issuance of a state
4 certificate, as defined by rule, to the office of the
5 superintendent of public instruction;

6 (c) A Washington state first peoples' language, culture, and
7 history teacher certificate serves as a subject area endorsement in
8 first peoples' language, culture, and history. The holder of a
9 Washington state first peoples' language, culture, and history
10 teacher certificate who does not also hold an initial, residency,
11 continuing, or professional teaching certificate authorized by the
12 professional educator standards board may be assigned to teach only
13 the languages, cultures, and histories designated on the
14 certificate and no other subject;

15 (d) In order to teach first peoples' language, culture, and
16 history, teachers must hold certificates from both the office of
17 the superintendent of public instruction and the sovereign tribal
18 government; and

19 (e) The holder of a Washington state first peoples' language,
20 culture, and history teacher certificate meets Washington state's
21 definition of a highly qualified teacher under P.L. 107-110, the no
22 child left behind act of 2001, for the purposes of teaching first
23 peoples' language, culture, and history, subject to approval by the
24 United States department of education.

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

30 (5) Schools and school districts on or near tribal reservations
31 are encouraged to contract with sovereign tribal governments whose
32 traditional lands and territories lie within the borders of the
33 state of Washington and first peoples' language, culture, and
34 history certification programs for in-service teacher training and
35 continuing education in the culture and history appropriate for
36 their geographic area, as well as suggested pedagogy and
37 instructional strategies.

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

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

7 (2) Certificated personnel shall receive for each ten clock
8 hours of approved continuing education earned, as continuing
9 education is defined by rule adopted by the professional educator
10 standards board, the equivalent of a one credit college quarter
11 course on the salary schedule developed by the legislative
12 evaluation and accountability program committee.

13 (3) Certificated personnel shall receive for each forty clock
14 hours of participation in an approved internship with a business,
15 an industry, or government, as an internship is defined by rule of
16 the professional educator standards board in accordance with RCW
17 28A.415.025, the equivalent of a one credit college quarter course
18 on the salary schedule developed by the legislative evaluation and
19 accountability program committee.

20 (4) An approved in-service training program shall be a program
21 approved by a school district board of directors, which meet
22 standards adopted by the professional educator standards board, and
23 the development of said program has been participated in by an in-
24 service training task force whose membership is the same as
25 provided under RCW 28A.415.040, or a program offered by an
26 education agency approved to provide in-service for the purposes of
27 continuing education as provided for under rules adopted by the
28 professional educator standards board, or both.

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

36 (6) In-service training or continuing education in first
37 peoples' language, culture, or history provided by a sovereign
38 tribal government participating in the Washington state first
39 peoples' language, culture, and history program authorized under

1 section 2 of this act shall be considered approved in-service
2 training or approved continuing education under this section and
3 RCW 28A.415.023.

4 NEW SECTION. **Sec. 4.** This act may be known and cited as the
5 "First peoples' language/culture/history teacher certification act:
6 Honoring our ancestors.""

7 Correct the title.

EFFECT: Strikes underlying bill and inserts companion ESHB
1226, which includes First Peoples' History as a subject area
for teacher certification in the program.