

# HOUSE BILL REPORT

## ESSB 5269

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### As Passed House - Amended:

April 6, 2007

**Title:** An act relating to establishing the first peoples' language and culture teacher certification program.

**Brief Description:** Establishing the first peoples' language and culture teacher certification program.

**Sponsors:** By Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Delvin, Kauffman, Roach, Franklin, Rasmussen, Kohl-Welles, Sheldon, Marr, Murray, Oemig, Jacobsen, Rockefeller, Shin and Kilmer).

### Brief History:

#### Committee Activity:

State Government & Tribal Affairs: 3/28/07, 3/30/07 [DPA].

#### Floor Activity:

Passed House - Amended: 4/6/07, 70-24.

### Brief Summary of Engrossed Substitute Bill (As Amended by House)

- Establishes the First Peoples' Language, Culture, and Oral Tribal Traditions Teacher Certification Program.

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## HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

**Majority Report:** Do pass as amended. Signed by 6 members: Representatives Hunt, Chair; Appleton, Vice Chair; Green, McDermott, Miloscia and Ormsby.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member and Kretz.

**Staff:** Colleen Kerr (786-7168).

### Background:

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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 2003, the Washington State Board of Education (SBE) adopted a rule creating the First Peoples' Language/Culture Certification Pilot Program (Pilot Program). The intent of the three-year Pilot Program was to:

- contribute to the preservation, recovery, revitalization, and promotion of First Peoples' language;
- provide an opportunity for tribal children to learn and share their native language at public schools;
- promote cultural sensitivity for all students; and
- provide tangible implementation of the 1989 Centennial Accord between Washington and the sovereign tribal governments in the state.

The Pilot Program was set to expire at the end of the 2005-06 school year. In 2005, however, jurisdiction over educator preparation and certification transferred from the SBE to the Professional Educator Standards Board (PESB) as a result of legislation. In May 2006, the PESB provided a one-year extension of the Pilot Program. Then, in January 2007, the PESB voted to make the program permanent.

To date, government-to-government agreements for the Pilot Program have been signed with the Confederated Tribes of the Colville Reservation, the Cowlitz Indian Tribe, the Jamestown S'Klallam Indian Tribe, the Lower Elwha Klallam Tribe, the Makah Tribe, the Nooksack Indian Tribe, the Skokomish Indian Tribe, the Spokane Tribe of Indians, the Tulalip Tribes of Washington, the Suquamish Tribe, and the Kalispel Tribe of Indians. Through these agreements 20 teachers have been certified to teach eight different tribal languages.

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### **Summary of Amended Bill:**

The Washington State First Peoples' Language, Culture, and Oral Tribal Traditions Teacher Certification Program is established in statute. The act may be known as the "First Peoples' Language, Culture, and Oral Tribal Traditions Teacher Certification Act: Honoring Our Ancestors."

The PESB will adopt rules to implement the program in collaboration with sovereign tribal governments that choose to participate. Participating tribal governments may certify individuals who meet the tribe's criteria. The individual must be certified by both the tribal government and the OSPI to teach the languages and cultures designated on the certificate and no other subjects under this certification.

Pursuant to statute, the OSPI must conduct a background check through the Washington State Patrol and the Federal Bureau of Investigation before awarding a state certificate. Tribal law enforcement and the WSP must enter into government-to-government negotiations regarding the exchange of background information of applicants for certification.

Individuals with this certification meet the definition of a "highly qualified teacher" of the federal No Child Left Behind Act when teaching First Peoples' Language, Culture, and Oral

Tribal Traditions subject to approval by the federal Department of Education. Teaching certificates awarded under the pilot language/culture program remain valid.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) This bill has been heard in both the House and the Senate already. It is an existing program that is already successful. The OSPI and the Washington Education Association support this bill. It is clear that the sovereign tribal governments are the subject area specialists and it is appropriate for them to certify those individuals who seek certification to teach First Peoples' Language and Culture.

(Opposed) None.

**Persons Testifying:** Bob Cooper, Washington Association of Colleges for Teacher Education.

**Persons Signed In To Testify But Not Testifying:** None.