

# FINAL BILL REPORT

## ESB 5462

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Synopsis as Enacted

**Brief Description:** Promoting inclusive learning standards and instructional materials in public schools.

**Sponsors:** Senators Liias, Wilson, C., Kuderer, Lovelett, Nguyen, Pedersen, Randall, Saldaña and Valdez.

**Senate Committee on Early Learning & K-12 Education**  
**House Committee on Education**  
**House Committee on Appropriations**

**Background:** State Learning Standards. State law requires the Office of the Superintendent of Public Instruction (OSPI) to develop the state's learning standards, which defines what all students need to know and be able to do at each grade level. OSPI has published learning standards for 14 content areas.

Student learning standards are required to be taught in school districts. If a content area is not named as a primary goal, then the standards must be taught if and when the subject is offered.

School Board Responsibilities. State law identifies certain responsibilities of school district boards of directors including:

- establishing final curriculum standards consistent with law and OSPI rules, relevant to the particular needs or the unusual characteristics of the district, and ensuring a quality education for each student in the district; and
- evaluating teaching materials, including text books, teaching aids, handouts, or other printed materials, in public hearing upon complaint by parents, guardians, or custodians of students who consider dissemination of such material to students objectionable.

Instructional Materials Policy and Committee. State law requires school boards to adopt a policy related to the selection or deletion of instructional materials, which includes:

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- the school district's goals and principles related to instructional materials;
- the procedures to be followed in the selection of all instructional materials;
- the establishment of an Instructional Materials Committee to make recommendations on instructional materials, which may include parents; and
- the complaint procedures regarding instructional materials.

The Instructional Materials Committee makes a recommendation about the materials in accordance with district policy, and the school board approves or disapproves the recommendations.

Prohibited Discrimination. State law prohibits discrimination in Washington public schools on the basis of certain protected classes. OSPI is directed to develop rules and guidelines to eliminate discrimination as it applies to textbooks and instructional materials used by students in addition to other topics.

OSPI rule requires school districts and charter schools to adopt an instructional materials policy that includes selection criteria designed to eliminate bias based on protected classes in all textbooks and instructional materials including reference materials and audio-visual materials, and use the screening criteria to identify and eliminate bias.

Diversity, Equity, and Inclusion. State law defines the following terms:

- diversity describes the presence of similarities and differences within a given setting, collective, or group based on multiple factors including race and ethnicity, gender identity, sexual orientation, disability status, age, educational status, religion, geography, primary language, culture, and other characteristics and experiences;
- equity includes developing, strengthening, and supporting procedural and outcome fairness in systems, procedures, and resource distribution mechanisms to create equitable opportunities for all individuals, and also includes eliminating barriers that prevent the full participation of individuals and groups; and
- inclusion describes intentional efforts and consistent sets of actions to create and sustain a sense of respect, belonging, safety, and attention to individual needs and backgrounds that ensure full access to engagement and participation in available activities and opportunities.

**Summary:** State Learning Standards. OSPI must include a screening for biased content in each development or revision of a state learning standard and ensure that the concepts of diversity, equity, and inclusion are incorporated into each new or revised learning standard. In meeting this requirement, OSPI must consult with the applicable commissions and other persons and organizations with relevant expertise.

By September 1, 2025, OSPI must produce and post on its website a schedule for the revision of state learning standards. In addition to notifying parents, schools, and the public of the revision schedules and timelines, the website posting must be updated as necessary to inform persons of the status of any pending revisions, and of any plans or actions related to

developing new state learning standards.

Model Policy and Procedure and Best Practices. By June 1, 2025, the Washington State School Directors' Association, with the assistance of OSPI, must review and update a model policy and procedure regarding course design, selection, and adoption of instructional materials.

The model must require that school boards of directors, within available materials, adopt inclusive curricula and select diverse, equitable, inclusive, age-appropriate instructional materials that include histories, contributions, and perspectives of historically marginalized and underrepresented groups, including but not limited to, people from various racial, ethnic, and religious backgrounds, LGBTQ people, and people with various socioeconomic and immigration backgrounds.

The model must require that, in adopting curricula and selecting instructional materials, school boards must seek curricula and instructional materials that are as culturally and experientially diverse as possible, recognizing that the availability of materials that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups may vary.

By October 1, 2025, school districts, charter schools, and state-tribal compact schools must amend their policies and procedures to conform with the model. For the purpose of documenting compliance and assisting school districts, school boards, within ten days of completing the policy and procedure updates, must provide notice of the completed actions and electronic copies of the applicable policies and procedures to OSPI.

As soon as is practicable, OSPI must compile this information and prepare best practices and other informative materials to support school districts, charter schools, and state-tribal education compact schools in meeting the requirements. This OSPI requirement expires June 30, 2028.

Open Educational Resource Database. Subject to appropriations, OSPI, in collaboration with the statewide Association of Educational Service Districts, the Legislative Youth Advisory Council, and the Washington State School Directors' Association, must create an open collection of educational resources for inclusive curricula. OSPI must consult with the Office of Equity and other relevant agencies.

The open collection of educational resources must include resources that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups.

**Votes on Final Passage:**

2023 Regular Session

Senate 29 19

2024 Regular Session

Senate 29 19

House 56 37 (House amended)

Senate 28 20 (Senate concurred)

**Effective:** June 6, 2024