

SENATE BILL REPORT

SB 5269

As Reported By Senate Committee On:
Early Learning & K-12 Education, February 12, 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: Senators McAuliffe, Delvin, Kauffman, Roach, Franklin, Rasmussen, Kohl-Welles, Sheldon, Marr, Murray, Oemig, Jacobsen, Rockefeller, Shin and Kilmer.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/22/07, 2/12/07 [DPS].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 5269 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Holmquist, Ranking Minority Member; Clements, Eide, Hobbs, Kauffman, Oemig, Rasmussen and Weinstein.

Staff: Susan Mielke (786-7422)

Background: In 2003, the Washington State Board of Education (SBE) adopted a rule establishing a three-year First Peoples' Language/Culture Certification pilot program. SBE's stated purpose for establishing the program included contributing to the preservation, recovery, revitalization, and promotion of First Peoples' languages and providing the opportunity for tribal children to learn and share their language at a public school.

In 2005, the Legislature passed legislation transferring authority for educator preparation and certification from SBE to the Professional Educator Standards Board (PESB). The First Peoples' Language/Culture Certification pilot program was to conclude at the end of the 2005-06 school year. However, in May 2006, the PESB provided a one-year extension of the First Peoples' Language/Culture Certification pilot program. At the January 2007 meeting of PESB, PESB voted to make the pilot program a permanent program.

To date, 11 tribal governments have participated in the pilot program. Twenty First Peoples' Language/Culture teacher certificates were awarded addressing eight different tribal languages.

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.

Summary of Bill: The Washington State First Peoples' Language/Culture pilot program is expanded to include history and is established as a program in statute.

PESB will adopt rules to implement the program in collaboration with tribal governments that choose to participate. Participating tribal governments may certify individuals who meet a tribe's criteria for First Peoples' language, culture, and history teacher certification. The tribal government will then send the necessary information for a state certificate for the individual to PESB so that PESB may issue a state certificate. The tribal government will review the award of the certificate every five years and notify PESB if the tribal government modifies or revokes the state certification, which is valid unless modified or revoked by the tribal government. Teaching certificates awarded under the pilot language/culture program remain valid.

Individuals with this certification meet the federal definition of a "highly qualified teacher" requirements of the federal No Child Left Behind act when teaching First Peoples' language, culture, and history, if the federal Department of Education grants approval of the program for that purpose.

Schools and school districts are encouraged to contract with tribal governments and the First People's language, culture and history certification programs for approved in-service training and continuing education in the culture and history appropriate for their geographic area.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Early Learning & K-12 Education): A reference to the 2004 Accord is added to the intent language. The phrase "whose traditional lands and territories lie within the borders of the state of Washington" is added when describing the participating sovereign tribal governments in this program. The scope of the certification is narrowed to include language and culture but not history.

The participating sovereign tribal governments must conduct a records check through the tribal police departments prior to awarding the certification to an individual and are required to provide any information acquired to the PESB. It is clarified that the documentation sent by the sovereign tribal government to the PESB must include the information that is necessary for the individual to have a record check through the state patrol and the Federal Bureau of Investigation. The Superintendent of Public Instruction is authorized to suspend or revoke these teaching certificates using the authority and criteria already established for other teaching certificates.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: Our Native American kids are least likely to graduate from high school or go to college. This program will help our kids have an identity and provide relevancy. It will allow us to expose children to native values and philosophy. We are appropriately turning to the tribes for help. The tribes are the content experts and that

is why the tribes establish the criteria to get this certification. Students would rather learn the language of family instead of some foreign language. Too many of our people are a product of the boarding schools where they were not allowed to participate in their native culture; they were forced to assimilate and not allowed to speak their own language. Many of our languages have disappeared and we need to act so that our languages do not die. This establishes a platform for new speakers of our language. It will help the tribes to reclaim their language, culture and history.

OTHER: The Professional Educators Standards Board did approve the pilot program for First People's Language/Culture teacher certification as a permanent program at the January 2007 meeting.

Persons Testifying: PRO: Joran Laville, Lummi Tribe; Linda James, Education Opportunity Caucus; Lee Adolph, Colville Tribes; Bob Cooper, Washington Association of Colleges of Teacher Education; Lucinda Young, Washington Education Association; George Scarola, League of Education Voters.

OTHER: Nasue Nishida, Professional Educator Standards Board.