
ENGROSSED SUBSTITUTE HOUSE BILL 1226

State of Washington

60th Legislature

2007 Regular Session

By House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Sells, Barlow, Santos, Appleton, Lovick, Strow, Hasegawa, Quall, Dunshee, Hunt, McCoy, Priest, Ormsby, Wood, Wallace, Conway, Kenney, VanDeWege, Dickerson, Haigh and Simpson)

READ FIRST TIME 02/22/07.

1 AN ACT Relating to establishing the first peoples' language,
2 culture, and history teacher certification program; amending RCW
3 28A.415.020; adding a new section to chapter 28A.410 RCW; and creating
4 new sections.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that:

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

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

18 (3) The sole expertise of sovereign tribal governments whose
19 traditional lands and territories lie within the borders of the state

1 of Washington in the transmission of their indigenous languages,
2 heritage, cultural knowledge, histories, customs, and traditions should
3 be honored;

4 (4) Government-to-government collaboration between the state and
5 the sovereign tribal governments whose traditional lands and
6 territories lie within the borders of the state of Washington serves to
7 implement the spirit of the 1989 centennial accord and other similar
8 government-to-government agreements, including the 2004 accord between
9 the federally recognized Indian tribes with treaty reserved rights in
10 Washington state and the state of Washington;

11 (5) Establishing a first peoples' language, culture, and history
12 teacher certification program both achieves educational objectives and
13 models effective government-to-government relationships;

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

18 (a) To preserve, protect, and promote the rights and freedom of
19 Native Americans to use, practice, and develop Native American
20 languages;

21 (b) To allow exceptions to teacher certification requirements for
22 federal programs and programs funded in whole or in part by the federal
23 government, for instruction in Native American languages when such
24 teacher certification requirements hinder the employment of qualified
25 teachers who teach in Native American languages, and to encourage state
26 and territorial governments to make similar exceptions;

27 (c) To encourage and support the use of Native American languages
28 as a medium of instruction in order to encourage and support Native
29 American language survival, educational opportunity, increased student
30 success and performance, increased student awareness and knowledge of
31 their culture and history, and increased student and community pride;

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

36 (e) To encourage all institutions of elementary, secondary, and
37 higher education, where appropriate, to include Native American

1 languages in the curriculum in the same manner as foreign languages and
2 to grant proficiency in Native American languages the same full
3 academic credit as proficiency in foreign languages;

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

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

13 (1) The Washington state first peoples' language, culture, and
14 history teacher certification program is established. The professional
15 educator standards board shall adopt rules to implement the program in
16 collaboration with the sovereign tribal governments whose traditional
17 lands and territories lie within the borders of the state of
18 Washington, including the tribal leader congress on education and the
19 first peoples' language and culture committee. The collaboration
20 required under this section shall be defined by a protocol for
21 cogovernance in first peoples' language, culture, and history education
22 developed by the professional educator standards board, the office of
23 the superintendent of public instruction, and the sovereign tribal
24 governments whose traditional lands and territories lie within the
25 borders of the state of Washington.

26 (2) Any sovereign tribal government whose traditional lands and
27 territories lie within the borders of the state of Washington may
28 participate individually on a government-to-government basis in the
29 program.

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

32 (a) Only a participating sovereign tribal government may certify
33 individuals who meet the tribe's criteria for certification as a
34 teacher in the Washington state first peoples' language, culture, and
35 history program. Before certification of the individual, the
36 participating sovereign tribal government may conduct a background
37 check through the tribal police departments within Washington state to

1 determine, to the extent possible, whether the individual has been
2 convicted of any crimes that may otherwise disqualify the person from
3 being awarded a teacher certificate and provide this information to the
4 office of the superintendent of public instruction. The office of the
5 superintendent of public instruction shall not authorize or accept a
6 certificate or endorsement in Washington state first peoples' language,
7 culture, and history without certification from a participating
8 sovereign tribal government and without conducting a record check of an
9 individual applying for certification as required under RCW
10 28A.410.010;

11 (b) For each teacher to be certified in the program, the
12 participating sovereign tribal government shall submit information and
13 documentation necessary for the issuance of a state certificate, as
14 defined by rule, to the office of the superintendent of public
15 instruction;

16 (c) A Washington state first peoples' language, culture, and
17 history teacher certificate serves as a subject area endorsement in
18 first peoples' language, culture, and history. The holder of a
19 Washington state first peoples' language, culture, and history teacher
20 certificate who does not also hold an initial, residency, continuing,
21 or professional teaching certificate authorized by the professional
22 educator standards board may be assigned to teach only the languages,
23 cultures, and histories designated on the certificate and no other
24 subject;

25 (d) In order to teach first peoples' language, culture, and
26 history, teachers must hold certificates from both the office of the
27 superintendent of public instruction and the sovereign tribal
28 government; and

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

35 (4) First peoples' language/culture teacher certificates issued
36 under rules approved by the state board of education or the
37 professional educator standards board under a pilot program before the

1 effective date of this section remain valid as certificates under this
2 section, subject to the provisions of this chapter.

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

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

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

16 (2) Certificated personnel shall receive for each ten clock hours
17 of approved continuing education earned, as continuing education is
18 defined by rule adopted by the professional educator standards board,
19 the equivalent of a one credit college quarter course on the salary
20 schedule developed by the legislative evaluation and accountability
21 program committee.

22 (3) Certificated personnel shall receive for each forty clock hours
23 of participation in an approved internship with a business, an
24 industry, or government, as an internship is defined by rule of the
25 professional educator standards board in accordance with RCW
26 28A.415.025, the equivalent of a one credit college quarter course on
27 the salary schedule developed by the legislative evaluation and
28 accountability program committee.

29 (4) An approved in-service training program shall be a program
30 approved by a school district board of directors, which meet standards
31 adopted by the professional educator standards board, and the
32 development of said program has been participated in by an in-service
33 training task force whose membership is the same as provided under RCW
34 28A.415.040, or a program offered by an education agency approved to
35 provide in-service for the purposes of continuing education as provided
36 for under rules adopted by the professional educator standards board,
37 or both.

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

8 (6) In-service training or continuing education in first peoples'
9 language, culture, or history provided by a sovereign tribal government
10 participating in the Washington state first peoples' language, culture,
11 and history program authorized under section 2 of this act shall be
12 considered approved in-service training or approved continuing
13 education under this section and RCW 28A.415.023.

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

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