

FINAL BILL REPORT

SHB 1356

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Synopsis as Enacted

Brief Description: Prohibiting the inappropriate use of Native American names, symbols, or images as public school mascots, logos, or team names.

Sponsors: House Committee on Education (originally sponsored by Representatives Lekanoff, Dolan, Davis, Ramos, Fitzgibbon, Callan, Simmons, Lovick, Berg, Ormsby, Bateman, Bergquist, Goodman, Macri, Ramel, Harris-Talley and Pollet).

House Committee on Education
Senate Committee on Early Learning & K-12 Education
Senate Committee on Ways & Means

Background:

Policies and decisions about public school mascots, logos, and team names are determined at the local school district or building level.

The State Board of Education has twice adopted resolutions related to Native American school mascots. A 2012 resolution encouraged school districts to review policies related to the use of Native American mascots or other symbols that may have an adverse affect on students. A 1993 resolution asked all school districts to review building names, mascots, logos, activities, events, portrayal of caricatures, and behaviors to ensure that the references and activities were free from bias and derogatory connotations or effects associated with race, creed, color, national origin, gender, sexual orientation, and disability.

There are 29 federally recognized tribes in Washington. Tribes are recognized by federal law as sovereign governments with inherent powers of self-governance, including the power to regulate within tribal territory, and certain immunities from state authority.

Summary:

Unless specified requirements are met, beginning January 1, 2022, public schools may not

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use Native American names, symbols, or images as school mascots, logos, or team names.

The prohibition does not apply to public schools located within, or with enrollment boundaries that include a portion of, "Indian country," as the term is defined in federal law, or public schools in a county that contains all or part of a tribal reservation or tribal trust lands, if the tribe or tribes having regulatory jurisdiction over the territory within that boundary have:

- been consulted by the appropriate school, school district, or both, in accordance with delineated requirements; and
- authorized the use of the name, symbol, or image as a mascot, logo, or team name through an appropriate enactment or resolution.

Additionally, a public school that does not meet the geographic requirements for a potential exemption to the prohibition may be exempted from the prohibition if:

- the school is located in a county that is adjacent to a county that contains all or part of a tribal reservation or trust lands; and
- the tribe that authorizes the use of the name, symbol, or image, subject to specified consultation and approval requirements, is the nearest federally recognized tribe.

A public school may use uniforms or other materials after January 1, 2022, bearing Native American names, symbols, or images as mascots, logos, or team names if the uniforms or materials were purchased before January 1, 2022. Additionally, the school:

- must select a new mascot, logo, or team name by December 31, 2021, to take effect in the 2021-22 school year;
- may not purchase or acquire any uniforms or materials that include the discontinued Native American name, symbol, or image. However, a school using the discontinued Native American name, symbol, or image may, until January 1, 2023, purchase or acquire a limited number of uniforms solely to replace damaged or lost uniforms;
- may not purchase, create, or acquire any yearbook, newspaper, program, or other similar material that includes or bears the discontinued Native American name, symbol, or image; and
- may not purchase, construct, or acquire a marquee, sign, or other new or replacement fixture that includes or bears the discontinued Native American name, symbol, or image.

The Office of the Superintendent of Public Instruction must create and administer a grant program to provide transitional support grants to school districts for schools that incur costs resulting from discontinuing the use of Native American names, symbols, or images as school mascots, logos, or team names. The grant program expires August 31, 2023.

The grant funds may be used for the replacement or redesign of items and materials that display Native American names, symbols, or images, including: uniforms and equipment used by a team, band, cheer squad, or other extracurricular activity; school signage and floor designs ; school letterhead and office supplies; and school web pages.

Votes on Final Passage:

House	92	5	
Senate	40	9	(Senate amended)
House	90	8	(House concurred)

Effective: July 25, 2021