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**SECOND SUBSTITUTE HOUSE BILL 1332**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Lekanoff, Berry, Ramel, Rude, Reed, Donaghy, Pollet, and Macri)

AN ACT Relating to supporting public school instruction in tribal sovereignty and federally recognized Indian tribes; amending RCW 28A.300.105 and 28A.320.170; adding a new section to chapter 28A.305 RCW; creating a new section; and providing an expiration date.

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

**Sec.**  RCW 28A.300.105 and 2011 c 270 s 2 are each amended to read as follows:

(1) To the extent funds are available, an Indian education division, to be known as the office of Native education, is created within the office of the superintendent of public instruction. The superintendent shall appoint an individual to be responsible for the office of Native education.

(2) To the extent state funds are available, with additional support of federal and local funds where authorized by law, the office of Native education shall:

(a) Provide assistance to school districts in meeting the educational needs of American Indian and Alaska Native students;

(b) Facilitate the development and implementation of curricula and instructional materials in native languages, culture and history, and the concept of tribal sovereignty pursuant to RCW 28A.320.170;

(c) Provide assistance to districts in the acquisition of funding to develop curricula and instructional materials in conjunction with native language practitioners and tribal elders;

(d) Coordinate technical assistance for public schools that serve American Indian and Alaska Native students;

(e) Seek funds to develop, in conjunction with the Washington state native American education advisory committee, and implement the following support services for the purposes of both increasing the number of American Indian and Alaska Native teachers and principals and providing continued professional development for educational assistants, teachers, and principals serving American Indian and Alaska Native students:

(i) Recruitment and retention;

(ii) Academic transition programs;

(iii) Academic financial support;

(iv) Teacher preparation;

(v) Teacher induction; and

(vi) Professional development;

(f) Facilitate the inclusion of native language programs in school districts' curricula;

(g) Work with all relevant agencies and committees to highlight the need for accurate, useful data that is appropriately disaggregated to provide a more accurate picture regarding American Indian and Alaska Native students; and

(h) Report to the governor, the legislature, and the governor's office of Indian affairs on an annual basis, beginning in December 2012, regarding the state of Indian education and the implementation of all state laws regarding Indian education, specifically noting system successes and accomplishments, deficiencies, and needs. The reports issued in 2024 through 2027, must also include: Information about consultations and collaborations between school districts and federally recognized Indian tribes under RCW 28A.320.170, including tribal perspectives on the implementation of the required curriculum; and recommendations for promoting tribal consultation efforts with school districts.

**Sec.**  RCW 28A.320.170 and 2015 c 198 s 2 are each amended to read as follows:

(1)(a) ((~~Beginning July 24, 2015, when a school district board of directors reviews or adopts its social studies curriculum, it~~)) By September 1, 2024, school districts shall incorporate a tribal sovereignty curriculum developed and made available free of charge by the office of the superintendent of public instruction into their social studies curriculum. School districts may modify the curriculum in order to: Include elements with a regionally specific focus; or integrate the curriculum into existing curricular materials. Instruction provided in accordance with this subsection (1)(a) must be incorporated into all classes teaching United States history, United States government, or civics in grades nine through 12, and also provided no less than:

(i) Once to students in kindergarten through grade three;

(ii) Once to students in grades four through five; and

(iii) Twice to students in grades six through eight.

(b) By September 1, 2026, school districts shall incorporate ((~~curricula~~)) materials about the history, culture, and government of the nearest federally recognized Indian tribe or tribes, ((~~so that students~~)) including federally recognized Indian tribes whose traditional lands and territories included parts of Washington state, but who now reside in the state of Oregon or the state of Idaho, into their social studies curricula for the purpose of giving students the opportunity to learn about the unique heritage and experience of their closest federally recognized tribal neighbors.

((~~(b) School districts shall meet the requirements of this section by using curriculum developed and made available free of charge by the office of the superintendent of public instruction and may modify that curriculum in order to incorporate elements that have a regionally specific focus or to incorporate the curriculum into existing curricular materials.~~)) School districts, before incorporating the required materials into their social studies curricula, shall consult with the nearest federally recognized Indian tribe or tribes for the purposes of discussing strategies and practices for effectively implementing this subsection (1)(b).

(2) As ((~~they~~)) school districts conduct regularly scheduled reviews and revisions of their social studies and history curricula, ((~~school districts~~)) they shall consult and collaborate with any federally recognized Indian tribe within their district, and with neighboring Indian tribes, including federally recognized Indian tribes whose traditional lands and territories included parts of Washington state, but who now reside in the state of Oregon or the state of Idaho, to incorporate expanded and improved curricular materials about Indian tribes, and to create programs of classroom and community cultural exchanges.

(3)(a) School districts shall collaborate with the office of Native education established in RCW 28A.300.105 within the office of the superintendent of public instruction and the office of the superintendent of public instruction on curricular areas regarding tribal government and history that are statewide in nature, such as the concept of tribal sovereignty and the history of federal policy towards federally recognized Indian tribes.

(b) The ((~~program of Indian education within the~~)) office of the superintendent of public instruction, through the office of Native education, shall ((~~help~~)): (i) Assist local school districts to identify federally recognized Indian tribes whose reservations are in whole or in part within the boundaries of the district ((~~and/or~~)), those that are nearest to the school district, including federally recognized Indian tribes whose traditional lands and territories included parts of Washington state, but who now reside in the state of Oregon or the state of Idaho, or both; and (ii) collaborate with tribes that may have unique consultation challenges under this section, such as consulting with a large number of school districts or with school districts that have large student enrollments.

(4) Subject to the availability of amounts appropriated for this specific purpose, the office of superintendent of public instruction, for the 2023-24 and 2024-25 school years, shall administer grants to school districts and federally recognized Indian tribes in the state of Washington for implementing the requirements of this section. In implementing this section, the office of the superintendent of public instruction shall establish limits on the percentage of grant funds that a recipient may retain for administrative purposes.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.305 RCW to read as follows:

Beginning in the 2023-24 school year, the state board of education, in coordination with the office of native education established in RCW 28A.300.105, shall implement a system of annual monitoring and evaluations of school district compliance with RCW 28A.320.170(1). The monitoring and evaluations, which may be conduced concurrently with other oversight and monitoring conducted by the state board of education, must include collected information for each school district about:

(1) Collaborations with the nearest federally recognized Indian tribes;

(2) The grade levels in which the curriculum is taught;

(3) The courses for which credit may be awarded and the number of students enrolled in, and having received credit for, those courses during the preceding school year;

(4) Summaries of the curriculum implementation process; and

(5) The availability and implementation of applicable professional development.

(6) Beginning in 2024 and concluding in 2027, the state board of education, in accordance with RCW 43.01.036, shall annually provide a report to the education committees of the legislature that summarizes school district compliance with RCW 28A.320.170(1). The reports required by this subsection may be incorporated within other oversight and monitoring reports produced by the state board of education.

(7) This section expires September 1, 2027.

NEW SECTION. **Sec.**  If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void.

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