

SENATE BILL REPORT

SB 5462

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 8, 2023

Title: An act relating to promoting inclusive learning standards and instructional materials in public schools.

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.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/30/23, 2/08/23 [DP, DNP].

Brief Summary of Bill

- Directs the Office of the Superintendent of Public Instruction (OSPI) to review and update relevant state learning standards at all grade levels to include the histories, contributions, and perspectives of LGBTQ people, by December 1, 2024.
- Directs the Washington State School Directors' Association, with the assistance of OSPI, to review and update a model policy and procedure to require school districts to adopt inclusive curricula and select inclusive, age-appropriate instructional materials that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups.
- Requires school districts, charter schools, and state-tribal compact schools to amend their policies and procedures to incorporate all the elements of the model by October 1, 2025.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: Do pass.

Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt, Mullet and Pedersen.

Minority Report: Do not pass.

Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Staff: Ailey Kato (786-7434)

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:

- 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.

Washington State LGBTQ Commission. The LGBTQ Commission is established in the Office of the Governor. The commission has several duties including:

- providing a clearinghouse for information regarding state and federal legislation;
- consulting with state agencies regarding the effect of agency policies, procedures,

- practices, laws, and administrative rules on the unique problems and needs of LGBTQ people;
- providing resource and referral information; and
 - reviewing best practices for discrimination and harassment policies and training, and providing recommendations to state agencies.

LGBTQ includes lesbian, gay, bisexual, transgender, and queer communities.

Summary of Bill: State Learning Standards. By December 1, 2024, OSPI, in consultation with the LGBTQ Commission, must review and update relevant state learning standards at all grade levels to include the histories, contributions, and perspectives of LGBTQ people.

Model Policy and Procedure. By June 1, 2025, WSSDA, 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 the school board of directors adopt inclusive curricula and select inclusive, age-appropriate instructional materials that include histories, contributions, and perspectives of historically marginalized and underrepresented groups. Certain groups are named in a non-exhaustive list.

By October 1, 2025, school districts, charter schools, and state-tribal compact schools must amend their policies and procedures to incorporate all the elements in the model.

Inclusive means curricula and instructional materials that create and sustain a sense of respect, belonging, safety, and attention to individual needs and background that ensure the full access to engagement and participation in available activities and opportunities.

Instructional Materials Policy and Committee. School boards of directors must include all the elements of the model policy and procedure in their policy relative to the selection or deletion of instructional materials. School boards must determine that the Instructional Materials Committee made recommendations in accordance with the policy.

The requirements of the instructional materials policy and committee are reorganized, and state law is amended to align with the model policy and procedure.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: Inclusive curricula is important to reflect the diverse identities of students. When students see themselves in the curricula, it leads to better attendance, achievement, and mental health. Washington State has a rich history of contributions of LGBTQ people, and it is important for students to hear about this rich history. This bill will help students feel comfortable to be their full selves and feel good about who they are. If this bill passes, Washington would be the eighth state to pass legislation that makes sure the learning standards and curricula honor the histories, contributions, and perspectives of historically marginalized and underrepresented groups.

CON: This bill does not define women, and women have been marginalized throughout human history. Any bill that teaches intersectionality is divisive. Teaching equity over equality teaches racism. Parents will not be able to opt their children out of this instruction, which will lead to more families leaving public schools. Like comprehensive sexual education and social-emotional learning, the bill will alienate families.

OTHER: It is important to eliminate discrimination from curriculum. School districts work on inclusive education in a variety of ways. It is important that school districts maintain their established timelines for curriculum review and adoption.

Persons Testifying: PRO: Senator Marko Liias, Prime Sponsor; Nasue Nishida, Washington Education Association.

CON: Jennifer Heine-Withee; Gary Wilson; Dawn Land.

OTHER: Rebecca Stillings, Washington State School Directors' Association.

Persons Signed In To Testify But Not Testifying: No one.