

---

## Education Committee

---

### HB 1332

**Brief Description:** Supporting public school instruction in tribal sovereignty and federally recognized Indian tribes.

**Sponsors:** Representatives Lekanoff, Berry, Ramel, Rude, Reed, Donaghy, Pollet and Macri.

#### Brief Summary of Bill

- Requires all school districts to incorporate a tribal sovereignty curriculum into their social studies curricula by September 1, 2023.
- Requires all school districts to incorporate materials about the history, culture, and government of their nearest federally recognized Indian tribe or tribes into their social studies curricula by September 1, 2025, and to consult with the tribes about meeting the requirement.
- Authorizes the Superintendent of Public Instruction, subject to the availability of specifically appropriated amounts, to administer grants to school districts for meeting the social studies curricula update requirements.
- Requires the Office of Native Education (ONE), in collaboration with the State Board of Education, to implement a system of annual monitoring and evaluations of school district compliance with the social studies curricula requirements.
- Modifies the annual reporting requirements of the ONE.

**Hearing Date:** 1/24/23

**Staff:** Ethan Moreno (786-7386).

**Background:**

---

*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.*

### Social Studies Curricula—Tribal History and Culture.

School districts must incorporate curricula about the history, culture, and government of the nearest federally recognized Indian tribe or tribes into their social studies curricula. The requirement is activated when a school district reviews or adopts social studies curricula. In meeting the requirement, school districts must use a curriculum developed by the Office of the Superintendent of Public Instruction (OSPI) called *Since Time Immemorial: Tribal Sovereignty in Washington State* (STI curriculum). The STI curriculum has been endorsed for use by the 29 federally recognized tribes in Washington, and districts may modify the curriculum to incorporate elements that have a regionally specific focus.

As school districts conduct regularly scheduled reviews and revisions of their social studies and history curricula, they must collaborate with any federally recognized Indian tribe within their district, and with neighboring Indian tribes, for the purpose of incorporating expanded and improved curricular materials about Indian tribes, and creating programs of classroom and community cultural exchanges.

School districts must also collaborate with the OSPI 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.

### The Office of Native Education.

Legislation adopted in 2011 established the Office of Native Education (ONE) as a division within the Office of the Superintendent of Public Instruction and charged the Superintendent with appointing an individual to lead the ONE.

To the extent that state and other funds are available, the ONE is prescribed numerous duties in statute, including:

- providing assistance to school districts in meeting the educational needs of American Indian and Alaska Native students;
- facilitating the development and implementation of curricula and instructional materials in native languages, culture and history, and the concept of tribal sovereignty in provisions requiring school districts to use the STI curriculum;
- coordinating technical assistance for public schools that serve American Indian and Alaska Native students; and
- reporting annually to the governor, the legislature, and the Governor's Office of Indian Affairs regarding the state of Indian education and the implementation of state laws governing Indian education, specifically noting system successes and accomplishments, deficiencies, and needs.

### State Board of Education.

With origins predating statehood, the 16-member State Board of Education (SBE) is comprised of five members elected by geographic regions by school directors, one member elected by private school directors, seven members appointed by the Governor, the Superintendent of Public Instruction, and two student members.

The SBE has various duties and powers prescribed in statute, including:

- providing advocacy and strategic oversight of public education;
- establishing high school graduation requirements or equivalencies;
- identifying scores students must meet to achieve standard on statewide assessments; and
- ensuring school district compliance with basic education requirements.

### **Summary of Bill:**

#### Incorporation of Materials into School District Curricula by Specified Dates.

By September 1, 2023, school districts must incorporate the STI curriculum developed and made available free of charge by the OSPI into their social studies curricula. School districts may modify the STI curriculum in order to: include elements with a regionally specific focus; or integrate it into existing curricular materials.

By September 1, 2025, school districts shall incorporate materials about the history, culture, and government of the nearest federally recognized Indian tribe or tribes 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. School districts, before making the curricula updates, must consult with the nearest federally recognized Indian tribe or tribes for the purposes of discussing strategies and practices for effectively implementing the curricula incorporation requirements.

Additional requirements obligating school districts to consult with tribes are established. As school districts conduct regularly scheduled reviews and revisions of their social studies and history curricula, they must consult and collaborate (instead of only collaborating) with any federally recognized Indian tribe within their district, and with neighboring Indian tribes, for the purpose of incorporating expanded and improved curricular materials about Indian tribes, and creating programs of classroom and community cultural exchanges.

A new duty is specified for the ONE. The ONE is directed to collaborate with tribes that may have unique consultation difficulties with school district in implementing the social studies curricular requirements. Examples of the difficulties include consulting with a large number of school districts or with school districts that have large student enrollments.

#### Grant Program.

Subject to the availability of amounts appropriated for this specific purpose, the Superintendent of Public Instruction, for the 2023-24 and 2024-25 school years, must administer grants to school districts for incorporating into their social studies curricula:

- the STI curriculum; and
- materials about the history, culture, and government of the nearest federally recognized Indian tribe or tribes.

Additional Requirements for the Office of Native Education.

*Reporting Requirements.* Beginning in 2024, the annual report of the ONE must include information about consultations and collaborations between school districts and federally recognized Indian tribes for required social studies curricula updates. This information must include tribal perspectives on the implementation of the required curriculum and recommendations for promoting tribal consultation efforts with school districts.

*Monitoring and Evaluation Requirements.* Beginning in the 2023-24 school year, the ONE, in coordination with the State Board of Education (SBE), must implement a system of annual monitoring and evaluations of school district compliance with tribal sovereignty curriculum incorporation obligations and related requirements. The monitoring and evaluations may be implemented through existing basic education compliance duties of the SBE or through other means determined by the ONE in coordination with the SBE, and must include collected information for each school district about:

- collaborations with the nearest federally recognized Indian tribes;
- the grade levels in which the curriculum is taught;
- 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;
- evaluations of the curriculum implementation process; and
- the availability and implementation of applicable professional development.

**Appropriation:** None.

**Fiscal Note:** Requested on January 19, 2023.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.