

Education Committee

SSB 5570

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

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Kauffman, Wellman, Hasegawa, Nobles, Riccelli, Stanford, Valdez and Wilson, C.).

Brief Summary of Substitute Bill

- Requires 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, 2026.
- Requires the State Board of Education, in coordination with the Office of Native Education (ONE), to implement a system of annual monitoring and evaluations of school district compliance with the social studies curricula requirements.
- Directs the Office of the Superintendent of Public Instruction, in conjunction with the ONE, to develop recommendations for compensating federally recognized Indian tribes for actions related to tribal sovereignty curriculum incorporation obligations and related requirements.

Hearing Date: 3/13/25

Staff: Ethan Moreno (786-7386).

Background:

Social Studies Curricula—Tribal History and Culture.

School districts must incorporate curricula about the history, culture, and government of the

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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 the John McCoy (lulilaš) Since Time Immemorial Curriculum (STI curriculum) developed by the Office of the Superintendent of Public Instruction (OSPI). The STI curriculum has been endorsed for use by the 29 federally recognized tribes in Washington, and school 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 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 OSPI and charged the Superintendent of Public Instruction 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.

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 Curricular Requirements by September 1, 2026.

By September 1, 2026, school districts must incorporate the John McCoy (lulilaš) Since Time Immemorial Curriculum (STI curriculum) into their social studies curricula.

As school districts conduct regularly scheduled reviews and revisions of their social studies and history curricula, they must consult and collaborate with any federally recognized Indian tribe within their district and neighboring Indian tribes, including federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia.

School districts must also collaborate with the Office of the Superintendent of Public Instruction (OSPI) and the Office of Native Education (ONE), instead of only the OSPI, on curricular areas regarding tribal government and history that are statewide in nature.

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

Monitoring and Evaluation Requirements.

Beginning in the 2026-27 school year and concluding in 2029, the State Board of Education (SBE), in coordination with the ONE, 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, which may be conducted concurrently with other oversight and monitoring conducted by the SBE, 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;
- summaries of the curriculum implementation process; and
- the availability and implementation of applicable professional development.

Beginning in 2027 and concluding in 2029, the SBE must annually provide a report to the education committees of the Legislature that summarizes school district compliance with tribal sovereignty curriculum incorporation obligations and related requirements. The reports may be incorporated within other oversight and monitoring reports produced by the SBE.

Additional Requirements for the Office of Native Education.

The annual reports of the ONE issued in 2026 through 2029 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.

Provisions directing the ONE to assist school districts in identifying federally recognized Indian tribes whose reservations are in whole or in part within the boundaries of the school district and those that are nearest to the school district, are modified to require the ONE to also assist school districts in identifying federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia.

Development of Recommendations.

By September 1, 2026, the OSPI, in conjunction with the ONE, must provide the education committees of the Legislature with a report of recommendations for:

- compensating federally recognized Indian tribes, including federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia, who provide expertise, consultation, or collaboration pursuant to tribal sovereignty curriculum incorporation obligations and related requirements;
- retroactively compensating federally recognized Indian tribes, including federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia, who have previously provided expertise, consultation, or collaboration pursuant to tribal sovereignty curriculum incorporation obligations and related requirements; and
- evaluation and accountability metrics for the implementation of the curriculum and government-to-government consultation in provisions governing tribal sovereignty curriculum incorporation obligations and related requirements.

Appropriation: None.

Fiscal Note: Available.

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