

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5269

60th Legislature
2007 Regular Session

Passed by the Senate April 21, 2007
YEAS 32 NAYS 15

President of the Senate

Passed by the House April 6, 2007
YEAS 70 NAYS 24

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5269** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5269

AS AMENDED BY THE HOUSE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Delvin, Kauffman, Roach, Franklin, Rasmussen, Kohl-Welles, Sheldon, Marr, Murray, Oemig, Jacobsen, Rockefeller, Shin and Kilmer)

READ FIRST TIME 02/13/07.

1 AN ACT Relating to establishing the first peoples' language and
2 culture teacher certification program; amending RCW 28A.415.020; adding
3 a new section to chapter 28A.410 RCW; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) Teaching first peoples' languages, cultures, and oral tribal
7 traditions is a critical factor in fostering successful educational
8 experiences and promoting cultural sensitivity for all students.
9 Experience shows that such teaching dramatically raises student
10 achievement and that the effect is particularly strong for Native
11 American students;

12 (2) Native American students have the highest high school dropout
13 rate among all groups of students. Less than one-fourth of Native
14 American students in the class of 2008 are on track to graduate based
15 on the results of the Washington assessment of student learning.
16 Positive and supportive educational experiences are critical for the
17 success of Native American students;

18 (3) The sole expertise of sovereign tribal governments whose
19 traditional lands and territories lie within the borders of the state

1 of Washington in the transmission of their indigenous languages,
2 heritage, cultural knowledge, histories, customs, and traditions should
3 be honored;

4 (4) Government-to-government collaboration between the state and
5 the sovereign tribal governments whose traditional lands and
6 territories lie within the borders of the state of Washington serves to
7 implement the spirit of the 1989 centennial accord and other similar
8 government-to-government agreements, including the 2004 accord between
9 the federally recognized Indian tribes with treaty reserved rights in
10 the state of Washington;

11 (5) Establishing a first peoples' language, culture, and oral
12 tribal traditions teacher certification program both achieves
13 educational objectives and models effective government-to-government
14 relationships;

15 (6) Establishing a first peoples' language, culture, and oral
16 tribal traditions certification program implements the following policy
17 objectives of the federal Native American languages act of 1990 (P.L.
18 101-477) in a tangible way:

19 (a) To preserve, protect, and promote the rights and freedom of
20 Native Americans to use, practice, and develop Native American
21 languages;

22 (b) To allow exceptions to teacher certification requirements for
23 federal programs and programs funded in whole or in part by the federal
24 government, for instruction in Native American languages when such
25 teacher certification requirements hinder the employment of qualified
26 teachers who teach in Native American languages, and to encourage state
27 and territorial governments to make similar exceptions;

28 (c) To encourage and support the use of Native American languages
29 as a medium of instruction in order to encourage and support Native
30 American language survival, educational opportunity, increased student
31 success and performance, increased student awareness and knowledge of
32 their culture and history, and increased student and community pride;

33 (d) To encourage state and local education programs to work with
34 Native American parents, educators, Indian tribes, and other Native
35 American governing bodies in the implementation of programs to put this
36 policy into effect; and

37 (e) To encourage all institutions of elementary, secondary, and
38 higher education, where appropriate, to include Native American

1 languages in the curriculum in the same manner as foreign languages and
2 to grant proficiency in Native American languages the same full
3 academic credit as proficiency in foreign languages;

4 (7) Establishing a first peoples' language, culture, and oral
5 tribal traditions certification program is consistent with the intent
6 of presidential executive order number 13336 from 2004, entitled
7 "American Indian and Alaska native education," to assist students in
8 meeting the challenging student academic standards of the no child left
9 behind act of 2001 (P.L. 107-110) in a manner that is consistent with
10 tribal traditions, languages, and cultures.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.410
12 RCW to read as follows:

13 (1) The Washington state first peoples' language, culture, and oral
14 tribal traditions teacher certification program is established. The
15 professional educator standards board shall adopt rules to implement
16 the program in collaboration with the sovereign tribal governments
17 whose traditional lands and territories lie within the borders of the
18 state of Washington, including the tribal leader congress on education
19 and the first peoples' language and culture committee. The
20 collaboration required under this section shall be defined by a
21 protocol for cogovernance in first peoples' language, culture, and oral
22 tribal traditions education developed by the professional educator
23 standards board, the office of the superintendent of public
24 instruction, and the sovereign tribal governments whose traditional
25 lands and territories lie within the borders of the state of
26 Washington.

27 (2) Any sovereign tribal government whose traditional lands and
28 territories lie within the borders of the state of Washington may
29 participate individually on a government-to-government basis in the
30 program.

31 (3) Under the first peoples' language, culture, and oral tribal
32 traditions teacher certification program:

33 (a) Only a participating sovereign tribal government may certify
34 individuals who meet the tribe's criteria for certification as a
35 teacher in the Washington state first peoples' language, culture, and
36 oral tribal traditions teacher certification program. Tribal law
37 enforcement agencies and the Washington state patrol shall enter into

1 government to government negotiations regarding the exchange of
2 background information on applicants for certification. The office of
3 the superintendent of public instruction shall not authorize or accept
4 a certificate or endorsement in Washington state first peoples'
5 language, culture, and oral tribal traditions without certification
6 from a participating sovereign tribal government and without conducting
7 a record check of an individual applying for certification as required
8 under RCW 28A.410.010;

9 (b) For each teacher to be certified in the program, the
10 participating sovereign tribal government shall submit information and
11 documentation necessary for the issuance of a state certificate, as
12 defined by rule, to the office of the superintendent of public
13 instruction;

14 (c) A Washington state first peoples' language, culture, and oral
15 tribal traditions teacher certificate serves as a subject area
16 endorsement in first peoples' language, culture, and oral tribal
17 traditions. The holder of a Washington state first peoples' language,
18 culture, and oral tribal traditions teacher certificate who does not
19 also hold an initial, residency, continuing, or professional teaching
20 certificate authorized by the professional educator standards board may
21 be assigned to teach only the languages, cultures, and oral tribal
22 traditions designated on the certificate and no other subject;

23 (d) In order to teach first peoples' language, culture, and oral
24 tribal traditions, teachers must hold certificates from both the office
25 of the superintendent of public instruction and from the sovereign
26 tribal government; and

27 (e) The holder of a Washington state first peoples' language,
28 culture, and oral tribal traditions teacher certificate meets
29 Washington state's definition of a highly qualified teacher under the
30 no child left behind act of 2001 (P.L. 107-110) for the purposes of
31 teaching first peoples' language, culture, and oral tribal traditions,
32 subject to approval by the United States department of education.

33 (4) First peoples' language/culture teacher certificates issued
34 before the effective date of this section under rules approved by the
35 state board of education or the professional educator standards board
36 under a pilot program remain valid as certificates under this section,
37 subject to the provisions of this chapter.

1 (5) Schools and school districts on or near tribal reservations are
2 encouraged to contract with sovereign tribal governments whose
3 traditional lands and territories lie within the borders of the state
4 of Washington and with first peoples' language, culture, and oral
5 tribal traditions teacher certification programs for in-service teacher
6 training and continuing education in the culture and history
7 appropriate for their geographic area, as well as suggested pedagogy
8 and instructional strategies.

9 **Sec. 3.** RCW 28A.415.020 and 2006 c 263 s 808 are each amended to
10 read as follows:

11 (1) Certificated personnel shall receive for each ten clock hours
12 of approved in-service training attended the equivalent of a one credit
13 college quarter course on the salary schedule developed by the
14 legislative evaluation and accountability program committee.

15 (2) Certificated personnel shall receive for each ten clock hours
16 of approved continuing education earned, as continuing education is
17 defined by rule adopted by the professional educator standards board,
18 the equivalent of a one credit college quarter course on the salary
19 schedule developed by the legislative evaluation and accountability
20 program committee.

21 (3) Certificated personnel shall receive for each forty clock hours
22 of participation in an approved internship with a business, an
23 industry, or government, as an internship is defined by rule of the
24 professional educator standards board in accordance with RCW
25 28A.415.025, the equivalent of a one credit college quarter course on
26 the salary schedule developed by the legislative evaluation and
27 accountability program committee.

28 (4) An approved in-service training program shall be a program
29 approved by a school district board of directors, which meet standards
30 adopted by the professional educator standards board, and the
31 development of said program has been participated in by an in-service
32 training task force whose membership is the same as provided under RCW
33 28A.415.040, or a program offered by an education agency approved to
34 provide in-service for the purposes of continuing education as provided
35 for under rules adopted by the professional educator standards board,
36 or both.

1 (5) Clock hours eligible for application to the salary schedule
2 developed by the legislative evaluation and accountability program
3 committee as described in subsections (1) and (2) of this section,
4 shall be those hours acquired after August 31, 1987. Clock hours
5 eligible for application to the salary schedule as described in
6 subsection (3) of this section shall be those hours acquired after
7 December 31, 1995.

8 (6) In-service training or continuing education in first peoples'
9 language, culture, or oral tribal traditions provided by a sovereign
10 tribal government participating in the Washington state first peoples'
11 language, culture, and oral tribal traditions teacher certification
12 program authorized under section 2 of this act shall be considered
13 approved in-service training or approved continuing education under
14 this section and RCW 28A.415.023.

15 NEW SECTION. **Sec. 4.** This act may be known and cited as the
16 "First peoples' language, culture, and oral tribal traditions teacher
17 certification act: Honoring our ancestors."

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