
SUBSTITUTE SENATE BILL 5269

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 and cultures is a critical
7 factor in successful educational experiences and promoting cultural
8 sensitivity for all students. Experience shows such teaching
9 dramatically raises student achievement. The effect is particularly
10 strong for Native American students;

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

17 (3) The sole expertise of sovereign tribal governments in the
18 transmission of their indigenous languages, heritage, cultural
19 knowledge, customs, and traditions should be honored;

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

8 (5) Establishing a first peoples' language and culture teacher
9 certification program both achieves educational objectives and models
10 effective government-to-government relationships;

11 (6) Establishing a first peoples' language and culture
12 certification program implements the following policy objectives of
13 P.L. 101-477, the federal Native American languages act of 1990, in a
14 tangible way:

15 (a) To preserve, protect, and promote the rights and freedom of
16 Native Americans to use, practice, and develop Native American
17 languages;

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

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

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

33 (e) To encourage all institutions of elementary, secondary, and
34 higher education, where appropriate, to include Native American
35 languages in the curriculum in the same manner as foreign languages and
36 to grant proficiency in Native American languages the same full
37 academic credit as proficiency in foreign languages;

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

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

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

22 (2) Any sovereign tribal government whose traditional lands and
23 territories lie within the borders of the state of Washington may
24 participate individually on a government-to-government basis in the
25 program.

26 (3) Under the first peoples' language and culture teacher
27 certification program:

28 (a) Only a participating sovereign tribal government may certify
29 individuals who meet the tribe's criteria for certification as a
30 teacher in the Washington state first peoples' language and culture
31 program. Before certification of the individual, the participating
32 sovereign tribal government shall conduct a background check through
33 the tribal police departments within Washington state to determine, to
34 the extent possible, whether the individual has been convicted of any
35 crimes that may otherwise disqualify the person from being awarded a
36 teacher certificate. The professional educator standards board shall

1 not authorize or accept a certificate or endorsement in Washington
2 state first peoples' language and culture without verification from a
3 participating sovereign tribal government;

4 (b) For each teacher to be certified in the program, the
5 participating sovereign tribal government shall submit information and
6 documentation necessary for the issuance of a state certificate, as
7 defined by rule, to the professional educator standards board. The
8 information and documentation shall include the necessary record check
9 information as required under RCW 28A.410.010 and any information
10 acquired when the participating sovereign tribal government conducted
11 a background check through the tribal police departments under this
12 section;

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

21 (d) A Washington state first peoples' language and culture teacher
22 certificate remains valid and recognized by the state of Washington
23 under this section until modified or revoked by the participating
24 sovereign tribal government that certified the teacher except that a
25 certificate may be suspended or revoked by the office of the
26 superintendent of public instruction under the authority in RCW
27 28A.410.090. A participating sovereign tribal government shall review
28 the award of the certificate every five years and notify the
29 professional educator standards board if the tribal government modifies
30 or revokes a first peoples' language and culture teacher certificate;
31 and

32 (e) The holder of a Washington state first peoples' language and
33 culture teacher certificate meets Washington state's definition of a
34 highly qualified teacher under P.L. 107-110, the no child left behind
35 act of 2001, for the purposes of teaching first peoples' language and
36 culture, subject to approval by the United States department of
37 education.

1 (4) First peoples' language/culture teacher certificates issued by
2 the state board of education or the professional educator standards
3 board under a pilot program before the effective date of this section
4 remain valid as certificates under this section, subject to
5 modification or revocation as provided in this section.

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

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

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

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

25 (3) Certificated personnel shall receive for each forty clock hours
26 of participation in an approved internship with a business, an
27 industry, or government, as an internship is defined by rule of the
28 professional educator standards board in accordance with RCW
29 28A.415.025, the equivalent of a one credit college quarter course on
30 the salary schedule developed by the legislative evaluation and
31 accountability program committee.

32 (4) An approved in-service training program shall be a program
33 approved by a school district board of directors, which meet standards
34 adopted by the professional educator standards board, and the
35 development of said program has been participated in by an in-service
36 training task force whose membership is the same as provided under RCW
37 28A.415.040, or a program offered by an education agency approved to

1 provide in-service for the purposes of continuing education as provided
2 for under rules adopted by the professional educator standards board,
3 or both.

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

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

17 NEW SECTION. **Sec. 4.** This act may be known and cited as the
18 "First peoples' language/culture teacher certification act: Honoring
19 our ancestors."

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