
Education Committee

HB 1356

Brief Description: Prohibiting the inappropriate use of Native American names, symbols, or images as public school mascots, logos, or team names.

Sponsors: Representatives Lekanoff, Dolan, Davis, Ramos, Fitzgibbon, Callan, Simmons, Lovick, Berg, Ormsby, Bateman, Bergquist, Goodman, Macri, Ramel, Harris-Talley and Pollet.

Brief Summary of Bill

- Prohibits public schools from using Native American names, symbols, or images as school mascots, logos, or team names.
- Establishes exceptions to the prohibition if certain requirements met, including consultation with and authorization by, the applicable tribe or tribes.
- Allows for the phasing out of uniforms or other materials bearing Native American names, symbols, or images as mascots, logos, or team names if specified requirements are met.

Hearing Date: 2/5/21

Staff: Ethan Moreno (786-7386).

Background:

Policies and decisions about public school mascots, logos, and team names are determined at the local school district or building level.

The State Board of Education has twice adopted resolutions related to Native American Mascots. A 2012 resolution directed districts to discontinue the use of Native American

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mascots. A 1993 resolution asked all school districts to review building names, mascots, logos, activities, events, portrayal of caricatures, and behaviors to ensure that such references and activities were free from bias and derogatory connotations or effects associated with race, creed, color, national origin, gender, sexual orientation, and disability.

There are 29 federally-recognized tribes in Washington. Tribes are recognized by federal law as sovereign governments with inherent powers of self-governance, including the power to regulate within tribal territory and certain immunities from state authority.

Summary of Bill:

Unless specified requirements are met, beginning January 1, 2022, public schools may not use Native American names, symbols, or images as school mascots, logos, or team names.

The prohibition does not apply to public schools located within, or with enrollment boundaries that include a portion of, "Indian country," as the term is defined in federal law, or public schools in a county that contains all or part of a tribal reservation or tribal trust lands, if the tribe or tribes having regulatory jurisdiction over the territory within that boundary have:

- been consulted by the appropriate school, district, or both, in accordance with specified requirements; and
- authorized the use of the name, symbol, or image as a mascot, logo, or team name through an appropriate enactment or resolution.

A public school may use uniforms or other materials after January 1, 2022, bearing Native American names, symbols, or images as mascots, logos, or team names if the uniforms or materials were purchased before January 1, 2022, and if:

- the school selects a new mascot, logo, or team name by December 31, 2021, to take effect in the 2021-22 school year;
- the school does not purchase or acquire any uniforms or materials that include the discontinued Native American name, symbol, or image. However, a school using the discontinued Native American name, symbol, or image may, until January 1, 2023, purchase or acquire a limited number of uniforms solely to replace damaged or lost uniforms;
- the school does not purchase, create, or acquire any yearbook, newspaper, program, or other similar material that includes or bears the discontinued Native American name, symbol, or image; and
- the school does not purchase, construct, or acquire a marquee, sign, or other new or replacement fixture that includes or bears the discontinued Native American name, symbol, or image.

Appropriation: None.

Fiscal Note: Requested on January 29, 2021.

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