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**SENATE BILL 5441**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators C. Wilson and Lias

1 AN ACT Relating to promoting and supporting the development and  
2 adoption of school district curricula that is diverse, equitable, and  
3 inclusive; amending RCW 28A.320.230; adding a new section to chapter  
4 28A.320 RCW; adding a new section to chapter 28A.310 RCW; adding a  
5 new section to chapter 43.06D RCW; and creating a new section.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature recognizes public  
8 school instruction should include the study of the role and  
9 contributions of men, women, indigenous peoples, Black Americans,  
10 Mexican Americans, Asian Americans, Pacific Islanders, European  
11 Americans, LGBTQIA2S+ Americans, persons with disabilities, and  
12 members of other ethnic and cultural groups. This study is especially  
13 important in the social sciences, which should seek to understand the  
14 economic, political, and social development of Washington state and  
15 the United States and should emphasize portraying the role of these  
16 groups in contemporary society.

17 (2) The legislature believes that an inclusive education helps  
18 students of all backgrounds, cultures, and identities connect with  
19 the instructional materials and helps all students feel a sense of  
20 belonging at school. Further, the legislature has confidence that  
21 students who do not share these backgrounds, cultures, and identities

1 get a more complete and well-rounded education of history and society  
2 when it is inclusive.

3 (3) The legislature recognizes that inclusive curricula have been  
4 shown to often improve the mental health, academic performance,  
5 attendance rates, and graduation rates of marginalized communities.  
6 For example, a 2017 study showed a 38 percent to 306 percent increase  
7 in the fluency rates of African American second grade children when  
8 they read culturally relevant stories. Children felt more motivated  
9 and interested when reading stories that reflected them.  
10 Additionally, students in schools with inclusive curricula have also  
11 reported hearing fewer homophobic remarks and in schools with  
12 inclusive curricula, less than half of students felt unsafe at school  
13 due to their sexual orientation compared to the two-thirds of  
14 students who attended schools without inclusive curricula.

15 (4) The legislature intends to promote and support the  
16 development and adoption of curricula that is diverse, equitable, and  
17 inclusive through inclusive curricula coordinators, youth advisory  
18 councils, and an open educational resource database.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320  
20 RCW to read as follows:

21 (1)(a) Subject to the availability of amounts appropriated for  
22 this specific purpose, first-class districts must designate an  
23 inclusive curricula coordinator to promote, advise, and support the  
24 development and adoption of curricula that is diverse, equitable, and  
25 inclusive. The goal of this curricula is to minimize students' fear  
26 and anxiety and help facilitate a sense of safety, belonging,  
27 inclusion, and engagement among students.

28 (b) The inclusive curricula coordinator may be a current employee  
29 with the additional duties described in subsection (2) of this  
30 section or a new employee with these duties.

31 (2) Inclusive curricula coordinators have the following duties:

32 (a) Help ensure that diversity, equity, and inclusion are  
33 interwoven throughout curricula and not treated as stand-alone  
34 topics;

35 (b) Facilitate the use of a bias screening tool to review  
36 instructional materials;

37 (c) Serve on the instructional materials committee established  
38 under RCW 28A.320.230;

1 (d) Work with the regional youth advisory council for inclusive  
2 curricula and equity established by section 3 of this act and other  
3 students to address issues related to diversity, equity, and  
4 inclusion;

5 (e) Coordinate with any school district employee leading efforts  
6 on diversity, equity, or inclusion, the office of the superintendent  
7 of public instruction, and the Washington state office of equity  
8 established by RCW 43.06D.020;

9 (f) Support professional development efforts regarding diversity,  
10 equity, and inclusion including the professional learning days  
11 required by RCW 28A.415.445; and

12 (g) Help improve school and classroom culture and climate.

13 (3) Subject to the availability of amounts appropriated for this  
14 specific purpose, second-class districts must work with a regional  
15 inclusive curricula coordinator required under section 3 of this act.

16 (4) For the purposes of this section:

17 (a) "Diverse," "equitable," and "inclusive" have the same  
18 meanings as in RCW 28A.415.443.

19 (b) "First-class school district" and "second-class school  
20 district" have the same meanings as in RCW 28A.300.065.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.310  
22 RCW to read as follows:

23 (1) Subject to the availability of amounts appropriated for this  
24 specific purpose, each educational service district must designate a  
25 regional inclusive curricula coordinator with the relevant duties  
26 described in section 2 of this act.

27 (2) Subject to the availability of amounts appropriated for this  
28 specific purpose, each educational service district must establish a  
29 regional youth advisory council for inclusive curricula and equity.

30 (a)(i) The purpose of the council is to advise and inform the  
31 work of school districts and inclusive curricula coordinators  
32 described in section 2 of this act.

33 (ii) The council must distribute an annual survey to students to  
34 assess the effectiveness of inclusive curricula coordinators.

35 (iii) The council must coordinate with the legislative youth  
36 advisory council established under RCW 43.15.095, the Washington  
37 state leadership board established under RCW 43.388.010, student  
38 representatives on school boards, and any other relevant student or  
39 youth councils or groups that include student representation.

1 (b) (i) The council must consist of at least one student  
2 representative from each school district within the educational  
3 service district.

4 (ii) Students may be selected to serve on the council by staff  
5 recommendation, application, or interview.

6 (iii) The council must consist of students with diverse  
7 backgrounds including backgrounds that include diversity as it  
8 relates to sex, race, religion, national origin, connection with the  
9 military, sexual orientation, gender expression or identity,  
10 disability, socioeconomic status, and involvement in the community.

11 (3) Nothing in this section prevents any school district from  
12 establishing its own youth advisory council for inclusive curricula  
13 and equity.

14 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.06D  
15 RCW to read as follows:

16 (1) Subject to the availability of amounts appropriated for this  
17 specific purpose, the office of the superintendent of public  
18 instruction, in collaboration with the statewide association of  
19 educational service districts and the Washington state school  
20 directors' association, must create an open educational resource  
21 database for developing inclusive curricula. The office of the  
22 superintendent of public instruction must consult with the Washington  
23 state office of equity established by RCW 43.06D.020 and any other  
24 relevant state agencies when creating the database.

25 (2) The open educational resource database must include resources  
26 that include the histories, contributions, and perspectives of  
27 historically marginalized and underrepresented groups.

28 (3) The open educational resource database must facilitate the  
29 free use, adaptation, and sharing of these resources among school  
30 districts and certificated staff.

31 **Sec. 5.** RCW 28A.320.230 and 1989 c 371 s 1 are each amended to  
32 read as follows:

33 Every board of directors, unless otherwise specifically provided  
34 by law, shall:

35 (1) Prepare, negotiate, set forth in writing and adopt, policy  
36 relative to the selection or deletion of instructional materials.  
37 Such policy shall:

1 (a) State the school district's goals and principles relative to  
2 instructional materials;

3 (b) Delegate responsibility for the preparation and  
4 recommendation of teachers' reading lists and specify the procedures  
5 to be followed in the selection of all instructional materials  
6 including text books;

7 (c) Establish an instructional materials committee to be  
8 appointed, with the approval of the school board, by the school  
9 district's chief administrative officer. This committee shall consist  
10 of representative members of the district's professional staff,  
11 including representation from the district's curriculum development  
12 committees, and the inclusive curricula coordinator established under  
13 section 2 of this act or the regional inclusive curricula coordinator  
14 established under section 3 of this act, and, in the case of  
15 districts which operate elementary school(s) only, the educational  
16 service district superintendent, one of whose responsibilities shall  
17 be to assure the correlation of those elementary district adoptions  
18 with those of the high school district(s) which serve their children.  
19 The committee may include parents at the school board's discretion:  
20 PROVIDED, That parent members shall make up less than one-half of the  
21 total membership of the committee;

22 (d) Provide for reasonable notice to parents of the opportunity  
23 to serve on the committee and for terms of office for members of the  
24 instructional materials committee;

25 (e) Provide a system for receiving, considering and acting upon  
26 written complaints regarding instructional materials used by the  
27 school district;

28 (f) Provide free text books, supplies and other instructional  
29 materials to be loaned to the pupils of the school, when, in its  
30 judgment, the best interests of the district will be subserved  
31 thereby and prescribe rules and regulations to preserve such books,  
32 supplies and other instructional materials from unnecessary damage.

33 Recommendation of instructional materials shall be by the  
34 district's instructional materials committee in accordance with  
35 district policy. Approval or disapproval shall be by the local school  
36 district's board of directors.

37 Districts may pay the necessary travel and subsistence expenses  
38 for expert counsel from outside the district. In addition, the  
39 committee's expenses incidental to visits to observe other districts'  
40 selection procedures may be reimbursed by the school district.

1        Districts may, within limitations stated in board policy, use and  
2 experiment with instructional materials for a period of time before  
3 general adoption is formalized.

4        Within the limitations of board policy, a school district's chief  
5 administrator may purchase instructional materials to meet deviant  
6 needs or rapidly changing circumstances.

7        (2) Establish a depreciation scale for determining the value of  
8 texts which students wish to purchase.

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