
SUBSTITUTE SENATE BILL 5441

State of Washington

68th Legislature

2023 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators C. Wilson, Llias, Hunt, Lovelett, Nguyen, Saldaña, and Valdez)

READ FIRST TIME 02/09/23.

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.310 RCW; adding a new section to chapter 43.06D RCW; and creating
5 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 Latinos, Asian Americans, Pacific Islanders, European Americans,
11 multiracial individuals, LGBTQIA2S+ Americans, persons with
12 disabilities, and members of other ethnic and cultural groups. This
13 study is especially important in the social sciences, which should
14 seek to understand the economic, political, and social development of
15 Washington state and the United States and should emphasize
16 portraying the role of these 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 regional inclusive curricula coordinators, youth
18 advisory councils, and an open educational resource database.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.310
20 RCW to read as follows:

21 (1) Subject to the availability of amounts appropriated for this
22 specific purpose, each educational service district must designate a
23 regional inclusive curricula coordinator with the following duties:

24 (a) Help school districts ensure that diversity, equity, and
25 inclusion are interwoven throughout curricula and not treated as
26 stand-alone topics;

27 (b) Facilitate school district use of a bias screening tool to
28 review instructional materials;

29 (c) Serve as a resource to the instructional materials committee
30 established under RCW 28A.320.230 for school districts within the
31 educational service district;

32 (d) Coordinate with and assist any school districts that are
33 leading efforts on diversity, equity, or inclusion, the office of the
34 superintendent of public instruction, and the Washington state office
35 of equity established in RCW 43.06D.020;

36 (e) Support professional development efforts regarding diversity,
37 equity, and inclusion including the professional learning days
38 required by RCW 28A.415.445; and

1 (f) Help school districts improve school and classroom culture
2 and climate using inclusive instructional materials.

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

6 (a)(i) The purpose of the council is to advise and inform the
7 work of school districts and the office of the superintendent of
8 public instruction.

9 (ii) The council must distribute an annual survey to students to
10 assess student access to inclusive instructional materials.

11 (iii) The council must coordinate with the legislative youth
12 advisory council established under RCW 43.15.095, the Washington
13 state leadership board established under RCW 43.388.010, student
14 representatives on school boards, and any other relevant student or
15 youth councils or groups that include student representation.

16 (b)(i) The council must consist of at least one student
17 representative from each school district within the educational
18 service district.

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

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

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

29 (4) For the purposes of this section, "diversity," "equity," and
30 "inclusion" have the same meanings as in RCW 28A.415.443.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.06D
32 RCW to read as follows:

33 (1) Subject to the availability of amounts appropriated for this
34 specific purpose, the office of the superintendent of public
35 instruction, in collaboration with the statewide association of
36 educational service districts, the regional youth advisory councils
37 for inclusive curricula and equity established under section 2 of
38 this act, the legislative youth advisory council established under
39 RCW 43.15.095, and the Washington state school directors'

1 association, must create an open educational resource database for
2 developing inclusive curricula. The office of the superintendent of
3 public instruction must consult with the Washington state office of
4 equity established in RCW 43.06D.020 and any other relevant state
5 agencies when creating the database.

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

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

12 **Sec. 4.** RCW 28A.320.230 and 1989 c 371 s 1 are each amended to
13 read as follows:

14 Every board of directors, unless otherwise specifically provided
15 by law, shall:

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

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

21 (b) Delegate responsibility for the preparation and
22 recommendation of teachers' reading lists and specify the procedures
23 to be followed in the selection of all instructional materials
24 including text books;

25 (c) Establish an instructional materials committee to be
26 appointed, with the approval of the school board, by the school
27 district's chief administrative officer. This committee shall consist
28 of representative members of the district's professional staff,
29 including representation from the district's curriculum development
30 committees, and, to the extent the person is available, the regional
31 inclusive curricula coordinator established under section 2 of this
32 act, and, in the case of districts which operate elementary school(s)
33 only, the educational service district superintendent, one of whose
34 responsibilities shall be to assure the correlation of those
35 elementary district adoptions with those of the high school
36 district(s) which serve their children. The committee may include
37 parents at the school board's discretion: PROVIDED, That parent
38 members shall make up less than one-half of the total membership of
39 the committee;

1 (d) Provide for reasonable notice to parents of the opportunity
2 to serve on the committee and for terms of office for members of the
3 instructional materials committee;

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

7 (f) Provide free text books, supplies and other instructional
8 materials to be loaned to the pupils of the school, when, in its
9 judgment, the best interests of the district will be subserved
10 thereby and prescribe rules and regulations to preserve such books,
11 supplies and other instructional materials from unnecessary damage.

12 Recommendation of instructional materials shall be by the
13 district's instructional materials committee in accordance with
14 district policy. Approval or disapproval shall be by the local school
15 district's board of directors.

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

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

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

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

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