



# Washington Office of Superintendent of **PUBLIC INSTRUCTION**

## *SHB 1356 (Native American Names)*

### 1. **Purpose:**

This proviso supported districts changing their school mascots as a result of the passage of 2021 HB 1356: Prohibiting the inappropriate use of Native American names, symbols, or images as public-school mascots, logos, or team names. The legislature directed OSPI to administer a grant program to help districts cover costs associated with these mascot changes. This report covers the second year of the grant program.

### 2. **Description of services provided:**

The grant was again made available to all districts changing their school mascot(s) because of the new legislation. As in FY 2022, FY 2023 funds were paid out to districts through their August apportionment payments to ensure that they were able to spend these dollars on the types of materials and activities allowed by the bill. OSPI surveyed those districts who applied for and were awarded funds in FY 2023 to gather information on what kinds of services and materials were purchased with these dollars.

### 3. **Criteria for receiving services and/or grants:**

OSPI administered the second round of the 1356 grant program using the same criteria and process used in round I. To be eligible, districts had to:

- be changing or updating their mascot as a result of the passage of HB 1356;
- assure that this funding will only be used for costs related to changing their mascot;
- agree to report to OSPI on how funds are spent; and
- submit a budget indicating how much they plan to spend in which of the approved categories as laid out in HB1256, which include
  - a. uniforms and equipment used by a team, band, cheer squad, or other extracurricular activity
  - b. school signage, including reader boards and score boards
  - c. floor designs in gymnasiums or other flooring or surfaces
  - d. school letterhead and other office supplies
  - e. school spirit store supplies and items
  - f. school web pages
  - g. other allowable expenses, including staff time, new mascot designs, etc.

To equitably distribute funds, OSPI again funded districts at a difference percentage of their overall ask based on the size of that ask.



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## Beneficiaries in the 2022-23 School Year:

Number of School Districts: 27  
 Number of Schools: Unsure  
 Number of Students: N/A  
 Number of Educators: N/A  
 Other: N/A

### 4. Are federal or other funds contingent on state funding?

No

### 5. State funding history:

Fiscal Year	Amount Funded	Actual Expenditures
2023	\$5,300,000	\$5,299,752
2022	\$800,000	\$798,589

### 6. Number of beneficiaries (e.g., school districts, schools, students, educators, other) history:

Fiscal Year	Number of School Districts
2023	27
2022	22

### 7. Programmatic changes since inception (if any):

The funding for this second round of grants was increased significantly, from \$800,000 to \$5,300,000.

### 8. Program evaluation or evaluation of major findings:

Of the 27 districts who applied for and received funding under this grant program in FY 2023, 20 of them had also applied for and received funding in FY 2022. In many cases, the reason a district applied in FY 2023 but was unable to apply in FY 2022 was the tribal consultation process, which took longer than the time between the bill going into effect and the end of FY 2022. While the final decision to accept a new or existing mascot lay with the tribes, both districts and tribes engaged numerous and important voices from school boards



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and tribal councils to students and community members to land on a decision that worked authentically for their district.

In FY 2023, as a result of HB 1356, districts spent a total of:

- \$1.9M on uniforms and equipment
- \$1.6M on signs
- \$1.7M on designs
- \$22.8K on spirit supplies
- \$15.7K on office supplies
- \$18.7K on web pages
- \$663.6K on “other” expenses, including gym floor removal and staff time.

## **9. Major challenges faced by the program:**

Administering this second year of grant funding provided two key challenges. First, while the additional funds appropriated in FY 2023 provided significantly more financial support to districts and were intended by lawmakers to cover the full cost of all changes across the state, the assumptions behind that amount were based on districts’ best estimates at the time of an OSPI survey conducted in June of 2021, timed to inform OSPI’s decision package development and submission process. At the time the 2022 supplemental budget went into effect, the amount appropriated again fell short of district need. Some of the factors contributing to changes in total funding needs include price fluctuations and inflation, product and contractor availability, and the inability to contract for work so far in advance of receiving funds made the true final cost of any given project unknowable at that time.

One thing that OSPI can improve in the future is in messaging around funding requests based on these types of estimates, knowing that many factors outside anyone’s control can change real costs in the many months between budget request submission and a new budget taking effect.

The second challenge faced during implementation of the second round of funding was related to allowable uses and project timelines. These challenges arose for two main reasons:

- 1) Delays in the supply chain meant that supplies ordered during FY 2022 did not necessarily arrive within that same fiscal year, and the same was true for supplies ordered in FY 2023. Districts required technical assistance around how to use these funds as intended within the established practices and procedures of state-funded grants.
- 2) Large and expensive pieces of work on school facilities, such as alternations to gym floors, had to be completed over the summer when those facilities were not in daily



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use by students. Because these projects had to be scheduled and contracted well in advance, the contracting was done in the appropriate FY but the work could not be completed until the following FY. Again, OSPI set the contract date as the allowable use requirement.

## **10. Future opportunities:**

The Legislature appropriated a third round of funding for this grant program in FY 2024 to support the completion of work started under rounds I and II. OSPI conducted a survey to school districts in January 2023 on the costs of outstanding work related to implementation of HB 1356. Based on current applications, we anticipate the third round of grant funding will fund completion of all work connected to HB 1356, pending any unknown factors.

Eliminating any possibility of future, unforeseen costs to districts changing mascots to comply with 2021 HB 1356 would be difficult. Because the bill does not expire it is possible that a future tribal consultation could result in a district being legally mandated to change its mascot without funding available from this grant program. These situations are likely rare but may occur in districts where the consultation process resulted in the district keeping or making minor alterations to the original mascot, and a future generation of tribal leadership finds that mascot noncompliant. Different decisions arising from future consultations are an example of tribal sovereignty and OSPI does not recommend any action to prohibit future consultations around mascots, but believe this possibility is worth flagging.

To mitigate the challenges connecting to FY timelines and allowable uses for grant funds, the Legislature could consider that future grant programs that apply to atypical purchases such as those covered by this program be funded over the biennium rather than by each fiscal year to allow for the longer timelines necessitated by these types of projects.

## **11. Statutory and/or budget language:**

\$800,000 of the general fund—state appropriation for fiscal year 2022 and ~~\$800,000~~ \$5,300,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for transitional support grants to school districts to support schools that incur costs transitioning from Native American school mascots, logos, or team names under section 3 of Substitute House Bill No. 1356 (Native American names, etc.).

## **12. Other relevant information:**

N/A

## **13. Schools/districts receiving assistance:**

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