

1 H.614

2 Introduced by Representatives Headrick of Burlington, Greer of Bennington,  
3 and Wells of Brownington

4 Referred to Committee on

5 Date:

6 Subject: Education; courses of study; Indigenous history curricula

7 Statement of purpose of bill as introduced: This bill proposes to require  
8 supervisory unions; school districts; approved independent schools receiving  
9 public funds; or any museum, historical society, or other cultural or  
10 educational institution that receives school groups to engage in consultation  
11 with and obtain written endorsement from each of the Odanak and Wôlinak  
12 First Nations in order to utilize or present materials addressing the Indigenous  
13 history or culture of the land now called Vermont.

14 An act relating to the consultation and endorsement by the Abenaki First  
15 Nations of Odanak and Wôlinak in the development of Indigenous history  
16 and culture curricula

17 It is hereby enacted by the General Assembly of the State of Vermont:

18 Sec. 1. FINDINGS

19 The General Assembly finds that:

20 (1) The peoples of the Abenaki First Nation of Odanak and the Abenaki  
21 First Nation of Wôlinak are descendant communities of the Western Abenaki,

1       whose ancestral homeland encompassed the territory now known as Vermont,  
2       New Hampshire, and the adjacent regions of southern Québec.

3           (2) Archaeological, ethnohistorical, and linguistic scholarship locate the  
4       Indigenous territory of the Western Abenaki in the Champlain Valley,  
5       Connecticut River Basin, and adjoining lands, and recognize the movement  
6       and consolidation of those peoples into the villages of Odanak and Wôlinak in  
7       the early 18th century.

8           (3) The international instrument United Nations Declaration on the  
9       Rights of Indigenous Peoples (UNDRIP), adopted on September 23, 2007,  
10       articulates that Indigenous Peoples have the right to participate in decision-  
11       making in matters that affect them and to maintain and strengthen their  
12       institutions, cultures, traditions, and languages.

13           (4) Article 19 of UNDRIP provides that states shall “consult and  
14       cooperate in good faith with the indigenous peoples concerned … in order to  
15       obtain their free, prior and informed consent” before adopting legislative or  
16       administrative measures that may affect them.

17           (5) Article 36(1) of UNDRIP recognizes that Indigenous Peoples,  
18       especially those divided by international or other borders, have the right to  
19       maintain and develop contacts, relations, and cooperation, including for  
20       cultural, political, social, and economic purposes.

1                   (6) Article 14 of UNDRIP affirms that Indigenous Peoples have the  
2                   right to establish and control educational systems and institutions that reflect  
3                   their cultural methods of teaching and learning, and that states shall, in  
4                   conjunction with Indigenous Peoples, take effective measures to ensure that  
5                   Indigenous children have access to an education in their own culture and  
6                   language.

7                   (7) Article 14 further recognizes that education concerning Indigenous  
8                   Peoples must be developed in cooperation with them, ensuring accuracy,  
9                   cultural integrity, and respect for Indigenous knowledge and identity.  
10                  Curriculum that addresses the history of the Abenaki people therefore directly  
11                  implicates the rights of the Abenaki First Nations of Odanak and Wôlinak.

12                  (8) Article 31 of UNDRIP affirms that Indigenous Peoples have the  
13                  right to maintain, control, protect, and develop their cultural heritage,  
14                  traditional knowledge, and cultural expressions, including historical narratives,  
15                  oral traditions, and understandings of ancestral lands.

16                  (9) Article 31 further provides that states shall take effective measures,  
17                  in conjunction with Indigenous Peoples, to recognize and protect the exercise  
18                  of these rights. Because educational curricula constitute one of the primary  
19                  vehicles through which cultural heritage and historical knowledge are  
20                  transmitted, the development and approval of curricula concerning the  
21                  Indigenous history of the land now called Vermont necessarily requires

1 meaningful participation and endorsement from the actual Abenaki Nations,  
2 whose heritage is being taught.

3 (10) Taken together, Articles 14, 19, 31, and 36 of UNDRIP establish  
4 that states must collaborate with Indigenous Peoples in good faith; obtain their  
5 free, prior, and informed consent when policies affect them; recognize their  
6 authority over their own historical and cultural narratives; and respect their  
7 inherent rights across international borders. Curriculum concerning Abenaki  
8 history and culture falls squarely within these obligations.

9 (11) Historical and archaeological scholarship does not support a  
10 distinction between “Canadian” and “Vermont” Abenaki as separate  
11 Indigenous Peoples. The Abenaki First Nations of Odanak and Wôlinak are  
12 the political, cultural, and genealogical successors of the Western Abenaki,  
13 whose historical territory includes present-day Vermont.

14 (12) Because the ancestral territory of the Western Abenaki extended  
15 across what is now the U.S.–Canada border and the contemporary Abenaki  
16 First Nations of Odanak and Wôlinak hold membership and heritage that span  
17 that border, the State of Vermont must respect their cross-border Indigenous  
18 rights under Article 36 of UNDRIP.

19 (13) Education curricula addressing Indigenous history, culture, and  
20 presence in the lands now comprising Vermont implicate the heritage, identity,  
21 and cultural responsibility of the Abenaki First Nations of Odanak and

1       Wôlinak; failing to secure their meaningful participation risks undermining the  
2       accuracy, legitimacy, and integrity of such curricula.

3           (14) It is therefore appropriate for the State of Vermont, through the  
4       Vermont Agency of Education, the Vermont State Board of Education, local  
5       school districts, supervisory unions, and any institutions receiving school  
6       groups for educational programming, to require consultation with and written  
7       endorsement from the Abenaki First Nations of Odanak and Wôlinak before  
8       adopting or presenting any curriculum or materials that address Indigenous  
9       Peoples of the Vermont region.

10      Sec. 2. 16 V.S.A. § 913 is added to read:

11      § 913. INDIGENOUS HISTORY AND CULTURE CURRICULUM

12           (a) Definitions. As used in this section:

13            (1) “Consultation” means meaningful engagement, sufficiently in  
14       advance of curriculum adoption or material presentation, with representatives  
15       of the Abenaki First Nations of Odanak and Wôlinak, providing relevant  
16       materials, time for review, opportunity for adjustment, and a written record of  
17       issues raised and responses.

18            (2) “Endorsement” means documented approval in writing by the  
19       governing council of each of the Abenaki First Nations of Odanak and  
20       Wôlinak, after reasonable opportunity for review, comment, and revision of the  
21       proposed curriculum content.

15                   (6) “Supervisory union” has the same meaning as in subdivision 11(23)  
16                   of this title.

17 (b) Consultation and endorsement.

18                   (1) Before any Indigenous history and culture curriculum is submitted to  
19                   the State Board of Education or the Agency of Education; or adopted by a  
20                   supervisory union, school district, or approved independent school receiving  
21                   public funds; or before any museum, historical society, or other cultural or

1 educational institution that receives school groups utilizes or presents materials  
2 addressing the Indigenous history or culture of the land now called Vermont,  
3 the proposing entity must:

4       (A) provide a draft of the curriculum or materials to the governing  
5 councils of the Odanak and Wôlinak First Nations;

6       (B) engage in consultation as defined under subdivision (a)(1) of this  
7 section; and

8       (C) obtain written endorsement from each of the Odanak and  
9 Wôlinak First Nations as defined under subdivision (a)(2) of this section.

10      (2) The Agency of Education shall not approve; the State Board shall  
11 not adopt; and no school district, supervisory union, approved independent  
12 school receiving public funds, museum, historical society, or other institution  
13 receiving school groups may implement such a curriculum or utilize such  
14 materials without documentation that the required consultation occurred and  
15 the endorsement was obtained.

16      (c) Guidance. The Agency of Education shall issue guidance to ensure  
17 timely coordination, cost-neutral access to review for the Abenaki First  
18 Nations of Odanak and Wôlinak, and deadlines for the endorsement process  
19 and shall update curriculum approval procedures accordingly.

20      (d) Peer review. All Indigenous history and culture curricula and related  
21 materials submitted for review under this section shall undergo a peer-review

1       process conducted jointly with the Abenaki First Nations of Odanak and  
2       Wôlinak to ensure that such materials are fact-based, historically accurate, and  
3       free from ideological distortion or unsubstantiated claims.

4       (e) Governmental recognition. Nothing in this section grants any new  
5       governmental recognition of the Abenaki First Nations of Odanak or Wôlinak  
6       under State law beyond the consultation and endorsement rights expressed  
7       here, nor does this act confer federal recognition or alter the legal status of any  
8       State-recognized tribe other than to establish this separate curricular  
9       consultation mechanism.

10      Sec. 3. REVIEW OF EXISTING CURRICULA

11       (a) On or before July 1, 2026, the Agency of Education shall compile a  
12       comprehensive inventory of any curriculum, instructional material, required  
13       book, or learning resource currently in use that addresses the history, culture,  
14       or contemporary identity of Indigenous Peoples whose ancestral territories  
15       include the land now called Vermont, including any such materials used by any  
16       public or approved independent school, museums, historical societies, or other  
17       institutions that receive school groups.

18       (b) The Agency shall provide the compiled inventory to the governing  
19       councils of the Abenaki First Nations of Odanak and Wôlinak for:  
20       (1) review of historical and cultural accuracy;

1                   (2) identification of any necessary corrections, clarifications, or  
2                   revisions;

3                   (3) consultation consistent with the standards of free, prior, and  
4                   informed consent; and

5                   (4) determination of whether the curriculum or material should be  
6                   endorsed, revised, or withdrawn.

7                   (c) No Indigenous history and culture curriculum or material currently in  
8                   use shall remain in effect after July 1, 2026, unless:

9                   (1) it has received written endorsement from both the Abenaki First  
10                   Nation of Odanak and the Abenaki First Nation of Wôlinak; or  
11                   (2) it has been revised to address concerns identified through the  
12                   consultation process and has subsequently received written endorsement from  
13                   both First Nations.

14                   (d) The mandatory review of existing curricula and materials shall include  
15                   a peer-review process conducted jointly with the Abenaki First Nations of  
16                   Odanak and Wôlinak to ensure that all content is fact-based and historically  
17                   accurate.

18                   (e) The Vermont Commission on Native American Affairs shall coordinate  
19                   with the Abenaki First Nations of Odanak and Wôlinak, as requested, solely  
20                   for purposes of facilitating the review and endorsement process laid out in this  
21                   section.

1 Sec. 4. IMPLEMENTATION

2 The Agency of Education shall provide technical assistance and guidance to  
3 supervisory unions, school districts, approved independent schools receiving  
4 public funds, museums, historical societies, and other institutions receiving  
5 school groups to ensure compliance with this act and shall also develop  
6 timelines and transition plans necessary to retire nonendorsed materials and  
7 adopt endorsed materials.

8 Sec. 5. EDUCATION QUALITY STANDARDS UPDATE; STATE BOARD  
9 OF EDUCATION RULEMAKING

10 On or before January 1, 2027, the State Board of Education shall initiate  
11 rulemaking pursuant to 3 V.S.A. chapter 25 to update education quality  
12 standards contained in Agency of Education, Rule Series 2000—Education  
13 Quality Standards (CVR 22-000-003) to ensure compliance with 16 V.S.A.  
14 § 913, including a requirement that any Indigenous history and culture  
15 curriculum or related material must include a documented endorsement from  
16 the Abenaki First Nations of Odanak and Wôlinak.

17 Sec. 6. EFFECTIVE DATE

18 This act shall take effect on July 1, 2026.