

H.614

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

Referred to Committee on

Date:

Subject: Education; courses of study; Indigenous history curricula

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

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

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

Sec. 1. FINDINGS

The General Assembly finds that:

(1) The peoples of the Abenaki First Nation of Odanak and the Abenaki
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.

1 (3) “Indigenous history and culture curriculum” means any school
2 course, supplementary material, required book, module, or instructional
3 framework bearing on the history, culture, land-use, presence, or heritage of
4 Indigenous Peoples whose ancestral territory includes lands now within
5 Vermont, and which is proposed for adoption by the Agency of Education, the
6 State Board of Education, a supervisory union, a school district, an approved
7 independent school receiving public funds, or any museum, historical society,
8 or other institution that receives school groups for educational programming.

9 (4) “School district” has the same meaning as in subdivision 11(10) of
10 this title.

11 (5) “State-recognized tribe” means a tribe recognized by the State of
12 Vermont under Vermont law; provided, however, that for the purposes of this
13 section does not confer or imply federal recognition nor extend to using such
14 recognition as the basis for endorsement under this section.

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.