

➤ Hearing Records ... HR

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WISCONSIN STATE
LEGISLATURE COMMITTEE
HEARING RECORDS

2009-10

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on
Education

(AC-Ed)

(FORM UPDATED: 06/28/2010)

COMMITTEE NOTICES ...

➤ Committee Reports ... CR

**

➤ Executive Sessions ... ES

**

➤ Public Hearings ... PH

**

➤ Record of Comm. Proceedings ... RCP

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**INFORMATION COLLECTED BY
COMMITTEE FOR AND AGAINST
PROPOSAL ...**

➤ Appointments ... Appt

**

Name:

➤ Clearinghouse Rules ... CRule

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➤ Hearing Records ... HR (bills and resolutions)

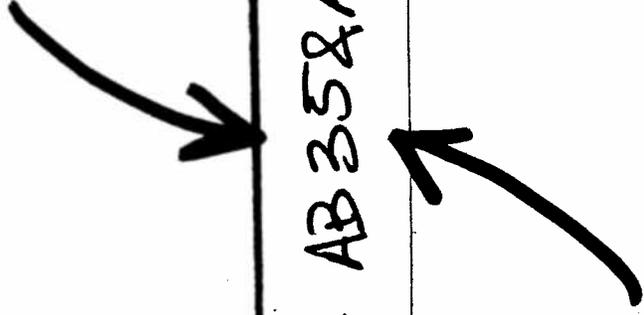
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➤ Miscellaneous ... Misc

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AB 35



Public Hearings 3/17/09 - AB 35 & AB 119





417 North
(GAR Hall)

Support AB-35

Monday, March 16, 2009 2:06 PM

From: "Jackie Tiller" <jackietiller_biz@yahoo.com>
To: Rep.Pope-Roberts@legis.wisconsin.gov
Cc: Sen.Kreitlow@legis.wisconsin.gov, Sen.Vinehout@legis.wisconsin.gov,
Rep.Danou@legis.wisconsin.gov, Rep.Dexter@legis.wisconsin.gov,
Rep.Smith@legis.wisconsin.gov

Dear Rep. Pope-Roberts,

I am unable to attend the public hearing on AB-35 tomorrow, but would like my comments in support of this legislation to be shared with all members of the Education Committee:

Dear Education Committee Members:

The time is NOW for this legislation AB-35 to improve the discrimination complaint process as it applies to race-based Logos/Mascots/Names.

I am the mother of 6 children and a resident of Osseo, WI. I have been a member of this community and the Osseo-Fairchild School District for 50 years and have witnessed and experienced the short and long term human destruction that having this race based L/M/N has caused. There are those in my community who have not heard the voices of our children and families that have expressed the hurt and harm that this race based L/M/N has caused. They continue to project behaviors that are not the model I want for my children. This harm along with the information from the Fryberg research has not been enough to change this for my children and the children across my community and other communities. While my children are not American Indian, they are bi-racial and have experienced bullying/harassment that I feel is encouraged due to the negative climate this issue has created in my community. As the Fryberg research states, these race-based L/M/N have harmful affects on all children.

The continuing of this race-based L/M/N has created a hostile climate in my community. It is a climate where some adults have shown that as long as we keep our L/M/N, it's OK to discriminate against anyone that is different from them. Bullying/Harassment are serious issues in today's schools and communities. According to the 2007 Wisconsin YRBS, 20% of high school students reported being bullied to the point that they felt unsafe at school or it was hard to do their best at school. Adults who support race-based L/M/N are role modeling bullying behavior since they say that this L/M/N doesn't hurt anyone (even though research and human testimony say differently). Our children are watching, and in turn learn that if a race-based L/M/N is OK, then it's also OK to bully/harass others who are of a different race/culture/religion...etc. Having a race-based L/M/N affects all children in all of our communities.

Please help move Wisconsin Forward and support this legislation for our children and our future.

Sincerely,

Jackie Tiller

Jackie Tiller, RN, BSN
Prevention Education Consultant

Everything happens for a reason and a purpose, and it serves us.
Unknown



**Representative Jim Soletski
Testimony on Assembly Bill 35
Assembly Committee on Education
March 17, 2009**

Madame Chairman, thank you for holding this hearing, today, on Assembly Bill 35.

Today is a significant day in Wisconsin. March 17, 2009, will be the day that we finally begin to address a situation that has gone on for entirely too long in our state and unfortunately our nation. That situation is the discrimination and the marginalization of a portion of our population who are unable to find redress of these actions of the majority and in some cases a very vocal minority in their communities. Assembly Bill 35 offers a stepped approach to handling complaints of racial stereotyping in the use of Native American Mascots and logos.

We have heard that Indian mascots and logos are honoring Native Americans; the mascot is our tradition; that this issue should be one of local control; and, that change will place a financial burden on struggling school districts. On that later point, we will be working to amend the bill to insure that no undue financial burden is placed on any school district attempting to comply with change.

Today we will hear testimony from children, parents and grandparents. Friends and colleagues, as well as teachers and administrators, will also add their voices to the call for change. Professionals in the psychiatric and social work field will testify as to the harm to Native American and white children alike. I'm sure this will be a long day, but a very important day for all of us.

Opponents have called this a politically correct attack by liberal legislators hell bent to impose state control on local issues. I would like to point out that some forty to fifty years ago an argument against ending segregation was that the issue should be one of local control. Had the issue been left to local control would segregation have ended? And, when conflict exists between two parties, do we not often use someone from outside, an arbitrator to resolve that conflict? This legislation provides a means for arbitration regarding an issue that sadly divides communities when an effort made to address it locally fails to reach agreement.

A few communities have claimed to have permission to use a logo or name while the eleven Native American nations in Wisconsin have called for the removal of said names and logos. Other detractors of the legislation have chosen to conflate the use of Indian words for place names with the stereotyping of a race of people. This of course is an intellectually dishonest argument and should be rejected out of hand for what it is. A mere distraction used to continue the degradation of a group of people.

I have received numerous letters and emails and read all the editorials and positions in our state newspapers as well as many posts on blogs. In my opinion and it is just my opinion, few of the opponents of this legislation can claim to honor native Americans and their culture when their correspondence has been so derogatory, not necessarily to me, but to the members of the tribal organizations requesting this legislation.

Having come of age in the 60's and 70's, I wonder if we really learned anything at all from the civil rights movements of those years. Civil rights, and I emphasize "civil", do not have a limiting number as in, "It's only a couple of trouble makers." Just as I would not want to see a high school mascot named the Green Bay Honkies and Senator Coggs would not accept the Milwaukee Black Boys, the majority of Wisconsin's Native Americans see no honor in the redmen, chiefs, chieftains, blackhawks or Indians.

It is particularly important to realize that children are being harmed by these mascots, and not just the Native American children. When stereotypes are established in a child's mind, it makes it very difficult to learn the truth about and respect for other people.

Some object, saying "this is our tradition". Traditions that truly honor and are respectful are wonderful. But because we have done something for as long as we remember does not make it right. Change can successfully occur for the better. That is why we have presented this legislation to bring about this conflict resolution. Senator Coggs and I are proud to assist in this effort and believe that our Native American constituents deserve the same protections and respect as all other citizens of Wisconsin receive.

Thank you, Madame Chairman, and members of the committee.



Assembly Education Committee Public Hearing on AB-35

March 17, 2009

Testimony of: Brett Munson – Menasha, WI

715-571-2521

brett.munson@gmail.com

Hi representatives, family, friends, supporters, and opposers to AB35.

I want to say what so many state and national organizations have - what so many people here today are saying – and what several fairly designed and executed research studies have found. I'm here not because I think race-based logos, mascots, and team names harm children. I'm here because I know they do.

It's not about my experience as the sole “ethnic” kid in the schools I went to, and what happened to me, but my experience is how I first learned that race-based logos, mascots and team names harm children.

As an adult, I've heard and seen horrible first hand experiences and testimonies from wonderful people who have gone through awful things, directly caused by this issue. Other people here will/have share a few today.

Some people have/will talk about research findings that show harm done to Indian and non-Indian students in public schools. The American Psychological Association, American Sociological Association, American Association of Social Workers, several religious, education, and tribal groups, and frankly too many national and state organizations to speak of here have taken positions against the continued use of race-based logos, mascots, and team names in public schools – again Because the practice Harms Our Children. I'll share this with you too: one of our state legislator's offices to remain unnamed, told me, after glancing at Dr Stephanie Fryberg's dissertation research – told me 'who cares what some broad from Arizona says about this.' “Some broad,” well come on – no one can tell me stereotypes don't limit the perception of people.

The reason to act on this, is not because race-based mascots, logos, and team names offend some people – [although that really should be enough anyway] – the reason is that It Harms Our Children.

This is not an issue appropriately decided by Local Control – Because It Harms Our Children across the state. Because schools that have changed play teams that haven't, and are subject to the harm stereotypes cause even after they struggled to address the issues. This is not a local control issue because it is a Civil-Rights issue. If civil rights issues were left to local control, then in some localities black people, women, and Indians still wouldn't have the right to vote, and worse, in some localities, some people could still legally 'own' some other people. A sage once wrote: “'Indian' logos and nicknames create, support and maintain stereotypes of a race of people. When such cultural abuse is supported by one or more of society's institutions, it constitutes institutional racism.” Barbara Munson wrote that, and since she did, study after study have come out that support what so many, unfortunately, already had learned.

Some state legislators offices told me they believe few Indian students are concerned with school mascots, logos, and team names. Some think a few 'instigators' rile up Indian students about something they wouldn't care about otherwise, and that's what's harmful to Indian students – not the stereotypes that “honor” them. These people are just wrong, and although I understand their defense mechanisms – Because I understand their defense mechanisms, I hope they, and others who think this learn, not my

opinion, but the truth. And the truth is, race based logos, mascots, and team names harm our children.

Even if it was just my opinion, and more importantly, the opinion of so many tribes, groups, and individuals – even if it was not proved yet, and even if national professional organizations hadn't made statements and resolutions about discontinuing race based logos, mascots, and team names - It still should be enough for school districts to discontinue the practice – we need to teach our children respect for others if they are to succeed and thrive in our increasingly globally interrelated world.

I also want to talk about the “What's Next?” 'argument' for opposing this legislation. Some legislators and citizens worry that town and state names could be targeted for change if this bill goes through (I don't know any advocates with a problem with place names – as long as they don't contain the word “squaw.” There I said that word, and I do apologize, but I want to make the point as fast as I can. Many people know the debated reproductive organ connotation of the word. I don't know of place names in Wisconsin with that word in them, but I do know that Montana recently and thankfully decided to change place names with that s-word in them. Anyway, other than that s-word, I don't know anyone who takes issue with place names of Indian etiology - This 'slippery slope' argument has been expanded to fear that groups like PETA could petition for discontinuing animal team names. (when something is right, we do it, and look at whatever happens next in the future – otherwise, again, women and black people wouldn't be voting for fear that children, rabbits, and worms could vote next).

Briefly, not to whine, but to explain – I'll tell you my story. Like I said, I was the only kid in my school who could be considered ethnic. Things were great at school in kindergarten and part of first grade for me – but then when our teacher sat us down and talked about the apocryphal first Thanksgiving, I raised my hand and shared that I was part Indian. That was the first day I was tackled by a group of kids at recess, held down and had spit and dirt kicked into my face while my mouth was held open, while being called a dirty Indian. My name was changed from Brett to Squanto, and I was forced to do all sorts of things I'm not going to go into now.

I saw not un-similar sorts of things happen to desperately poor children and children who were unattractive in various ways. We were not us, we were stereotypes, and we were scapegoats. The fact my school had ubiquitous stereotypic depictions of Indians now I understand helped my 'peers' see me as something other, and less than, human. It makes sense more now that I see research by people like Dr. Fryberg. My self esteem obviously went in the toilet, and my quote unquote peers' self-esteem was artificially boosted. Such it is with coping mechanisms when people don't learn more respectful and rational ways to cope with the hardships and fears of life.

Anyway, later these same kids who decided I was lower than the other s-word for being Indian took amazing pride in 'their' Indians – that was the team name where I went to school, and it still is. So, proud 'Indians' with purple and white 'war paint' danced around at pep rallies and sang/chanted about Indian pride and Indian power. While these non-Indians were proud to be Indians, they treated the only Indian in school like, well as I said. The irony was the worst of it for me, and the fact that my cultural identity was taken by people not of the culture – so it was not available to me as a font of solace to cope. This is one reason I know mascots logos and team names harm children. Even 'strong' stereotypes of races are reductionistic, and promulgate the idea that people in groups are not people, but embodiments of a 2-dimensional stereotype. I was seen as 2 dimensionally as the ubiquitous logo's were in my schools.

Anyway, I take responsibility for my life, and I understand the kids were just kids, and the adults didn't understand. I know some still don't understand. But I also know this has to change, or else my nieces and nephews and all our relatives will remain subject to this sort of hypocrisy – Hypocrisy supported

by public schools, supported by our tax dollars – and that's not right. I'll also share with you that just a few years ago I made an earnest suicide attempt. I'll not give details now, but it was earnest and not a cry for help. Suicide is the second highest cause of death for Indian men and women in my age range. Why don't we lets do what we can to change this – where it's obvious – where it's been demonstrated – where it's been called for by so many many tribes, groups, and organizations.

For the Love of God, Truth, Science or whatever you believe in – Please let's get this legislation passed. Many of us would be so proud if Wisconsin sets the precedent, and hope we don't lag behind in some harmful Archie Bunker backwards racist way.

Thank You All. And Again – Lets Stop hurting our children.

The time of blissful ignorance has past – Why should I have to 'ask' – Please stop this harm to our children.

Respectfully Submitted,
Brett Munson





State of Wisconsin Department of Public Instruction

Elizabeth Burmaster, State Superintendent

March 17, 2009

Assembly Committee on Education

Department of Public Instruction Testimony on 2009 Assembly Bill 35

Thank you Chairperson Pope-Roberts and members of the Assembly Education committee for the opportunity to testify before you today on Assembly Bill 35. My name is J P Leary, and I am the American Indian Studies Program Consultant. With me today is Paul Sherman, Consultant for the Pupil Nondiscrimination Program. We are here on behalf of State Superintendent Elizabeth Burmaster to testify in support of AB 35.

The Department of Public Instruction has supported legislation to address this issue in the past as we do today. Assembly Bill 35 would amend the existing pupil nondiscrimination statute to allow those objecting to a school district's use of an ethnic name, nickname, logo, or mascot to file a discrimination complaint directly with the state superintendent. At the ensuing hearing, the school district must prove by clear and convincing evidence that its use of the ethnic name, nickname, logo, or mascot does not promote discrimination, harassment, or stereotyping. The bill recognizes the authority and expertise of professional educators and locally elected school boards regarding local curriculum and calls upon them to ensure that the entirety of the educational program sponsored by the school, academics, extra-curricular activities, and athletics, is educationally sound and free of discrimination in intent and impact.

A growing body of research highlights the negative educational outcomes associated with the use of American Indian nicknames, mascots, and logos regardless of intent. To highlight these findings, the state superintendent sent a memo to all school districts informing them of a resolution that the American Psychological Association (APA) adopted in 2005 calling upon schools to end the use of American Indian mascots, symbols, images, and personalities for their athletic teams. The resolution was based on research showing a clear link between the use of American Indian mascots, logos, and nicknames and psychological harm. The resolution cites, among other concerns, the potential negative impact of the use of such mascots, symbols, images, and personalities have on the mental health of all students, particularly American Indian students. The resolution states "The continued use of American Indian mascots, symbols, images, and personalities establishes an unwelcome and often times hostile learning environment that affirms negative images and stereotypes that are promoted in mainstream society."

The department believes that stereotypical American Indian logos interfere with a school's efforts to provide accurate, authentic instruction on the history, culture, and tribal sovereignty of American Indian nations. The ongoing use of stereotypical messages occurring throughout a student's K-12 education is an impediment to effective classroom instruction about American Indians, because, however authentic and well designed those lessons may be, they

occur only at specific points in a student's educational career. Students are best served by an educational program that is accurate, authentic, and consistent in its messages.

Educators are responsible for ensuring that schools provide an educational environment that is conducive to learning such that all of our children feel welcome in our schools. The New Wisconsin Promise calls for a quality education for every child through attention to and respect for diversity, including differences in race and culture. Stereotypical logos run counter to that promise and can hurt our children, however unintentional that harm may be.

In challenging economic times, we must pay particular attention to the practices we pay for using public funds. We must ensure that the educational programs supported through our tax dollars reflect our professional responsibilities, are educationally sound, and do not discriminate against, nor foster a hostile environment for, any group of people. The use of American Indians as mascots, logos, and nicknames by our educational institutions does not meet these standards.

For all these reasons, the state superintendent has consistently called for the elimination of these mascots, logos, and nicknames from our schools. In doing so, we stand with the eleven federally recognized tribal governments in Wisconsin, the Great Lakes Inter-Tribal Council, the Wisconsin Indian Education Association, the Wisconsin Education Association Council, other Indian nations and organizations across the country, various national nonprofit and faith-based organizations, the United States Commission on Civil Rights and the National Collegiate Athletic Association, all of whom have called for the elimination of these logos, mascots, and nicknames. Those purportedly honored by this practice continue to say that it is no honor.

The department has seen some positive changes in Wisconsin's schools with regard to the discontinuation of American Indian logos. Over the past 18 years, 32 districts have replaced their ethnic logos. The state superintendent continues to encourage those districts who continue to use American Indian logos and/or mascots to engage their communities in finding positive alternatives.

Thank you for the opportunity to testify before you today. At this time we would be happy to answer any questions you may have.



Oneida Tribe of Indians of Wisconsin

Post Office Box 365



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Phone: (920) 869-2214



Oneida, WI 54155



UGWA DEMOLUM YATEHE
Because of the help of
this Oneida Chief in
cementing a friendship
between the six nations
and the colony of
Pennsylvania, a new
nation, the United States
was made possible.

TESTIMONY PROVIDED ON BEHALF OF ONEIDA TRIBE OF INDIANS OF WISCONSIN

To the Assembly Committee on Education

RE: Support for AB-35

Tuesday, March 17, 2009

Members of the Committee:

The Oneida Nation of Wisconsin strongly objects to the use of derogatory and inflammatory mascots. In 1993 the Oneida Nation hosted the National Congress of American Indians conference which represents more than 250 Tribes and supported their action to denounce the use of any American Indian name or artifice associated with team mascots.

The impartiality of opposition to this practice still exists all these years later, and Oneida continues to support a ban on race-based names, nicknames, logos or mascots of schools. The bill before the Committee provides that a school district resident may object to a school board's use of a race-based name, nickname, logo or mascot by filing a complaint with the State Superintendent of Public Instruction. This bill also requires that a hearing must be held on the complaint. It is up to the school board to provide clear and convincing evidence that the use of the race-based nickname, logo or mascot does not promote discrimination, pupil harassment or stereotyping. The bill further allows the Superintendent to prohibit the use of the logo or nickname.

This procedure does provide for local input as to whether the practice of race-based names, nicknames, logos or mascots is indeed harmful. It would allow for a forum for all parties to discuss the issue and our hope would be that it leads to a greater understanding between Native Americans and non-natives.

The saga of Native America is one which truly reflects the will of a nation to survive increasing change. Since the influence of European culture on Native American life, there exists a long arduous history of cultural conflict and change. There is no other ethnic group in the United States that has experienced the devitalizing challenges put before Native American Nations over the past 500 years. We have met these challenges successfully through the strength and tenacity of many generations of a strong people who held on to their traditions, languages and cultural values.

The Oneida Nation has made a concerted effort to create a standard of living in our community which provides our people with a vision for the future and an appreciation for the rich, cultural history and traditions of the Iroquois people. This is reflected throughout the Oneida community through our buildings, community programs and signs within the reservation.

We encourage you to approve this legislation. To have these symbols and depictions of this cultural history used in inappropriate ways and without an understanding of the cultural significance and history behind them is a practice that must stop.



To: Assembly Education Committee, Rep. Sindy Pop-Roberts Chair
Subject: Assembly Bill 35 - Testimony for Mar 17 meeting

From: Margaret Breisch, School Board member – Menomonie Area School District
N6820 539 St
Menomonie WI 54751
715-235-7124

Testimony:

I do not support Assembly Bill 35 in its current form. The bill creates a new process to allow school district residents to object to school board use of race-based nicknames, logos or mascots.

Let me share my concerns.

There is already a mechanism in place to address the concerns expressed in Assembly Bill 35. Any resident who believes the use of a race-based nickname, logo or mascot promotes discrimination, pupil harassment or stereotypes can bring the concern to their local school board. If the resident is not satisfied with the school district ruling, they have the right to appeal the decision to the Department of Public Instruction under State Statute 118.13. Under the proposed bill, the concern goes directly to the Department of Public Instruction. The state superintendent then notifies the school board of receipt of the complaint and schedules a hearing within 45 days after the complaint is filed. School districts have no opportunity to address concerns prior being required to defend their positions. The legislation does not differentiate between that which might be considered frivolous and that which appears to have merit. Both the Department of Public Instruction and local school district staff time and resources can be tied up in numerous frivolous cases. Also, any anti-mascot activist could move from district to district solely for the purpose of filing complaints. They need have no real connection to the school districts they file complaints against.

Another concern centers on burden of proof. The school board has the burden of proving by clear and convincing evidence that their use of the race-based nicknames, logos or mascots does not promote discrimination, pupil harassment or stereotypes. We do not have “innocent unless proven guilty”. We have “guilty unless you have clear and convincing evidence you are innocent”. There are several levels for burden of proof. “Clear and convincing evidence” represents the highest level of proof required for a civil case. A lesser level of proof would be “the preponderance of evidence”. In my mind, it would be more reasonable to set the burden of proof level at “the preponderance of evidence”. I also question why the burden of proof is being placed on the school district rather than the individual filing the charges.

I believe the intent of the legislation could be accomplished by banning all race-based nicknames, logos or mascots as of a certain date except in cases where school districts are granted waivers by the Department of Public Instruction. The waivers would be based on guidelines set by the Department of Public Instruction. School districts would not be left in limbo wondering when, or if, a complaint will be filed.



Assembly Public Hearing Committee on Education

Tuesday, March 17, 2009, 10:00 AM
417 North (GAR HALL), State Capitol



Testimony of Richard E. Hanson
2402 Panorama Drive Menomonie, WI 54751

The proposed Assembly Bill and Senate Bill 25 seeks to create a statute relating to the use of race-based names, nicknames, logos, and mascots.

In 1939, residents of the Menomonie Area School District set out establish a nickname, logo, and identity for the high school spirit. As the area already had many of the favored logos and nicknames, after many community discussions, Menomonie chose Indians for a nickname and established a Indian logo. In 1942, after consideration of further community discussions the Menomonie Indian nickname and logo was reaffirmed.

In 1993, Menomonie updated the logo and spirit cheers. Then in 1996, faculty activists bought the issue to the Menomonie High School student council. After seven meetings and at a student council retreat a consensus was reached by 37 of the original 77 members who called for the retirement of the Indian nickname and logo. Activist had been elected to the Menomonie Area School Board. They decided to retire the Menomonie School Indian nickname and logo.

The community objected, followed by a petition, a recall petition and election. During that process a referendum was voted on by the electors and for demonstration by the high school and middle school students. The community and students voted to reinstall the Menomonie Indian nickname and logo

During the public debate and mediation, not one person classified the Menomonie Indian nickname and logo as a vehicle for intentional and institutionalized discrimination.

I have yet to find, to see, or to discover the clear and convincing evidence of victims or testimony, that the use of a symbol has caused humiliation, psychological harm, or harassment to a protected class.

Menomonie High School nickname and logo has been re-evaluated constantly, in the 1940's, 1950's, 1960's, 1970's, 1980's, 1990's, and this decade.

Voting to retain or abandon the use of the Menomonie Indian nickname and logo should be done on basis of conviction not political whim or expediency. Changing the nickname will not result in greater understanding, better relations, or an end to unacceptable comments. There are 208 school districts that have objectionable nicknames and logos.

Signed Richard E. Hanson 1(715) 235-2292

Richard E. Hanson 03/17/09

see attached testimony by Margaret Breisch



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Attached to Richard E. Ha



WISCONSIN EDUCATION ASSOCIATION COUNCIL

Affiliated with the National Education Association

*Great Schools
benefit
Everyone!*

To: Members of the Assembly Committee on Education
From: Wisconsin Education Association Council
Date: March 17, 2009
Re: Support for Assembly Bill 35

The Wisconsin Education Association Council (WEAC) supports Assembly Bill 35.

As you are aware, Wisconsin school districts using American Indian names, nicknames, logos, or mascots draw considerable criticism. It raises the objections of American Indian tribes, groups, and citizens in our state to being reduced to caricatures. WEAC opposes the use of American Indian mascots, nicknames and logos by Wisconsin school districts and supports accurate teaching and curricular materials relating to American Indian issues, past and present. WEAC's official position, revised by our Representative Assembly in 2004 to include a statement putting WEAC in opposition to Indian mascots, is as follows:

Resolution B-16 American Indian Education

The WEAC encourages curriculum and teaching programs that foster respect for Wisconsin American Indian culture, history, treaty rights and sovereignty.

The Council recognizes that the use of American Indian mascots, nicknames, logos and symbols within our public schools is offensive, and has a detrimental effect on the educational achievement of American Indian students.

The Council supports and recommends the elimination of American Indian mascots, nicknames, logos, fight songs, insignias, antics and team descriptors by all Wisconsin schools. 04 (B-16)

We believe that a school's use of an American Indian name, nickname, logo, or mascot stands in the way of Wisconsin citizens gaining a deeper understanding of important American Indian issues. Promoting cultural and racial sensitivity and respect is an important issue for public schools and the use of these objectionable images harms not only the many American Indian people who are offended, but all citizens of our state.

The following groups all oppose the use of Indian names, nicknames, logos, and/or mascots, and WEAC stands with them:

The Wisconsin Indian Education Association, the Youth Indian Mascot and Logo Task Force, the Great Lakes Inter-Tribal Council, the Bad River Band of Lake Superior Chippewa Indians, the Lac Courte Oreilles Band of Lake Superior Chippewa Indians, the Lac du Flambeau Band of Lake Superior Chippewa, the Red Cliff Band of Lake Superior Chippewa, the Sokaogon (Mole Lake) Chippewa Tribe, the St. Croix Chippewa Tribe, the Forest County Potawatomi Community, the Oneida Tribe of Indians, the Stockbridge-Munsee Indians of Wisconsin, the Ho Chunk Nation, the Menominee Tribe of Wisconsin, the National Congress of American Indians, and the National Indian Education Association.

Mary Bell, President
Dan Burkhalter, Executive Director



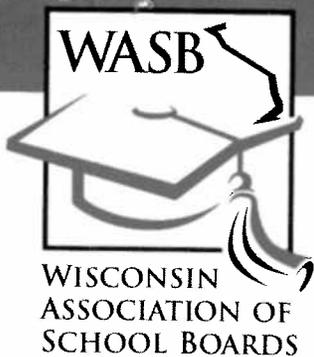
As a result, WEAC supports Assembly Bill 35 allowing school district residents to object to their school board's use of a race-based name, nickname, logo or mascot by appealing to the state superintendent of public instruction. WEAC believes that the hearing process described in the bill and the state superintendent's ability to levy a financial penalty is fair and reasonable.

For all of these reasons, WEAC urges you to support Assembly Bill 35.

If you have any questions, contact Deb Sybell, WEAC Legislative Program Coordinator, at (608) 298-2327.







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JOHN H. ASHLEY, EXECUTIVE DIRECTOR

TO: Members, Assembly Committee on Education
FROM: Dan Rossmiller, WASB Director of Government Relations
DATE: March 17, 2009
RE: 2009 Assembly Bill 35, relating to the use of race-based names, nicknames, logos, and mascots by school boards.

The Wisconsin Association of School Boards (WASB) opposes pupil discrimination. The WASB also supports efforts to resolve these issues locally.

The WASB has a number of concerns with Assembly Bill 35 as currently drafted. In particular, we are concerned that the procedures and presumptions outlined in the bill do not do enough to facilitate the type of discussion and conversation that is desirable and needed to resolve these disputes at the local level and to promote lasting learning on issues of discrimination. The WASB also has some recommendations for changes that could promote dialogue on this issue.

Wisconsin's current pupil non-discrimination law, found in section 118.13, Wis. Stats., prohibits discrimination against pupils on a number of grounds, including race and ancestry. Assembly Bill 35 creates a whole new section of the statutes that is essentially an exception to the pupil nondiscrimination statute.

Under the bill, any school district resident may object to a school board's use of an ethnic name, nickname, logo, or mascot by filing a complaint directly with the state superintendent of public instruction. There is no requirement that the complainant consult with or even contact the district before filing the complaint. This seems not to encourage dialogue or facilitate a process of constructive community engagement or education on these issues that might be helpful.

There is also no requirement that the complainant provide a copy of the complaint to the school board. The language of the bill seems to contemplate that a school district may be unaware that a complaint has been brought. It directs that the "state superintendent shall notify the school board of the receipt of the complaint and schedule a contested case hearing within 45 days after the complaint is filed."

- The WASB recommends that the bill should be amended to require, at a minimum, that a copy of the complaint be provided to the school district at the time the complaint is filed.

In addition to requiring that a copy of the complaint be shared with the district, the procedures outlined in the bill could be improved in other ways. The bill requires that a contested case hearing be held but is silent as to the location of that hearing.

- The WASB recommends that such hearings should be held in the district or at a convenient nearby location and not in a room in a state office building in Madison. Since a complainant is, by definition, a resident of the school district, this will be convenient for both the school district and the complainant.

The role given to the State Superintendent is limited under the bill to notifying the district, holding a contested case hearing and either issuing an order or dismissing the case.

- The WASB also recommends that the committee consider amending the bill to allow or authorize the State Superintendent or his or her designee to play a mediator role either prior to or during such hearings, should there be perceived to be a likelihood that such mediation might help to resolve the dispute. These hearings are likely to be widely attended and widely watched and would provide an opportunity for both dialogue and education. Compromise, where possible, should be encouraged.

Assembly Bill 35 will make it difficult, if not nearly impossible, for a school district to defend the use of a race-based name, nickname, logo or mascot, because nearly every legal presumption is weighted against the district. For example, the bill implies, but does not state, that a race-based logo or mascot is presumed to be *per se* discriminatory. The burden of proof is automatically shifted to the district.

Under AB 35, the school board has the burden of proving by clear and convincing evidence that the use of the ethnic name, nickname, logo, or mascot does not promote discrimination, pupil harassment, or stereotyping. Thus, the district must meet the highest standard of evidence used in civil cases.

The clear and convincing level of proof means the trier of fact (which under the bill, as currently drafted, would be the state superintendent) must be persuaded by the evidence that it is highly probable that the district's claim (or defense) that the use of the name, nickname, logo or mascot does not cause discrimination, pupil harassment or stereotyping is true.

Although it is not as high as the "beyond a reasonable doubt" standard used in criminal cases, the "clear and convincing evidence" standard is certainly a heavier burden than the "preponderance of the evidence" standard used in most civil cases.

Assembly Bill 35 also requires the district to "prove a negative." In other words, the district must prove that something *does not* occur or some bad consequence *does not* ensue as a result of the use of the name, nickname, logo or mascot. This is much more difficult to prove than that something *does* occur as a result of the district's action, policy or practice.

If AB 35 becomes law, questions may arise about the impact of past discussions or resolutions of these issues. For example, it is our understanding that, in some cases, tribal members have given their approval to the use of a name or an "Indian-motif" logo. If a complaint is filed in a district where this has occurred, is this past approval to be given any weight? Must the State Superintendent undo an agreement or understanding that the community worked long and hard to iron out?

The WASB believes that dialogue and education is helpful in resolving these issues locally.

- The WASB recommends that committee members consider including provisions in AB 35 that would assist districts to disseminate educational materials highlighting the negative consequences of the use of stereotypical Native American images.

While the bill provides for a forfeiture penalty, it is not clear when the forfeiture is triggered. Is it 12 months after the issuance of an order by the State Superintendent in all cases, or is this 12-month period stayed if the district appeals to circuit court?

- The WASB recommends provisions that trigger a possible forfeiture should be clarified.

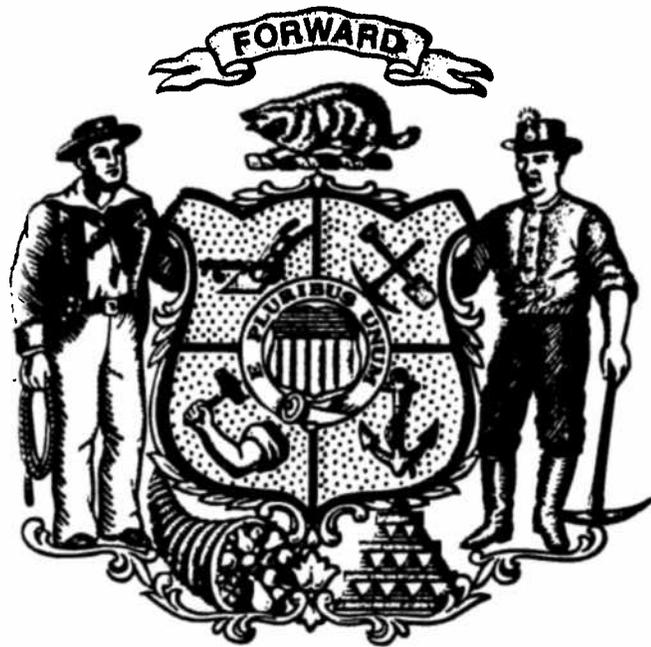
Finally, while AB 35 provides for penalties, it does not provide for any assistance to districts if they are ordered to terminate the use of their existing name, nickname, logo or mascot. The fiscal estimate to the bill recognizes that such orders could impose a number of costs upon districts. It states:

"If required to terminate the use of the race-based name, nickname, logo or mascot, costs to a school district would be related to the replacement of existing supplies, team uniforms and associated inventory that currently bear the name, nickname, logo or mascot, and would vary from district to district."

In addition to uniform costs, some districts may have to modify their facilities to remove remnants of the prohibited name, nickname, logo or mascot.

- The WASB recommends that districts be granted some form of financial assistance to help them cover these costs.

Thank you for the opportunity to have input on this bill.



Assembly Education Hearing of AB35

March 17, 2009

Barbara E. Munson (Oneida)

Wisconsin Indian Education Association 'Indian' Mascot and Logo Taskforce

The Mascot and Logo issue is not about local control nor is it about "offense." It is an educational ethics issue and it is about harm to children. At stake is the pupil non-discrimination policy foundational to public education.

This legislation proposed by Senator Coggs and Representative Soletski provides a means of resolving discrimination complaints involving the use of race-based logos, mascots and names in Wisconsin schools. It is designed to protect both complainants and communities from a contentious, divisive and costly experience.

I have been actively involved in the resolution of this issue since 1991. During this time I have participated in many hearings, and deliberations, a formal complaint and years of appeals, the formation of the Indian Mascot and Logo Taskforce in 1997 and the development of its work on local, state and national levels. Aided the development of the Youth taskforce in 1998, participated in teaching advocacy skills to young people, spoken in classrooms and at school board meetings, been Keynote speaker, discussion leader or a panelist at several conferences in and out of state, worked to bring the message and the messengers to Wisconsin (First the play KICK, which has now been on tour in Wisconsin seven times, and then Dr. Stephanie Fryberg, author of the research you will hear about at today's hearing). I have provided consultation to complainants, advocates and school districts throughout the state, to advocates in other states who want to emulate the work of our taskforce and with a State Education Commission seeking change. Because colleges and universities train our nation's teachers I have done advocacy in Higher Education settings as well. I have seen a lot of the struggle around this issue up close and personal. I want to share about what has changed over these many years and about what remains the same.

What is relatively new in dealing with the issue is a growing research base specific to the impact of American Indian stereotypes. In 2003, research by Dr. Stephanie Fryberg gave impetus to the American Psychological Association to call for elimination of Indian logos, mascots and names. The Fryberg research shows that exposure to Indian stereotypes harms the self esteem of American Indian students; that attractive 'noble savage' characterizations cause as much harm as cartoon-like depictions; that American Indian students who approve the use of Indian logos, mascots and names experience more harm than do American Indian students who oppose the use of such imagery; and that European-American students exposed to Indian stereotypes experience an artificial boost to their self esteem. Additional research published in the journal of Basic and Applied Social Psychology in 2008 strengthens the case. Dr. Ezra Zeitler's dissertation, Geographies of Indigenous-based Team Name and Mascot Use in American Secondary Schools provides additional support for change coming from the field of Cultural and Historical Geography. Dr. Zeitler, now at UW- Eau Claire has already submitted written testimony to the committee.

Many of Fryberg's research results could have been anticipated from earlier research about the impact of race-based stereotypes on African-American populations. Archaic symbols have not become less archaic since 1991. Blackface Minstrel Shows and Sambo's restaurants are not making a comeback in 2009.

The issue will not go away. Indian educators created the taskforce prior to the establishment of the research base. Now that empirical evidence is added to the body of anecdotal and experiential evidence, and we know that these stereotypes are harmful we cannot and will not abandon our children.

Elizabeth Burmaster is the third State Superintendent to ask school districts to review their use of 'Indian' logos, mascots and names and the first to send her memo to all 426 school districts and to ask that districts find appropriate alternatives. She did so in part as a result of Fryberg's 2003 research.

There are forces at work leading toward change, in addition to the State-Tribal Relations Committee Chairs who co-authored this bill, since 2004 Governor Jim Doyle's State-Tribal Consultation Initiative has been paving the way for improved partnerships between Tribal entities and the state. State agencies such as the Wisconsin Arts Board and the Wisconsin Tourism Board work toward building improved relationships as well. The Department of Public Instruction has been hard at work through the office of the American Indian Studies Coordinator. The State of the Tribes Address is in its fourth year. In 2005 at the first State of the Tribes address, then President of the Great Lakes Inter-Tribal Council, Ray DePerry asked the legislature to adopt legislation eliminating Indian mascots, logos and names from schools. "It is unfortunate that we must ask our state Legislature to enact legislation outlawing such practices in our public schools, but it is more unfortunate that local school boards and public school administrators allow such a practice to continue." DePerry said. "As tribal leaders, we are strong proponents for local control, but when local control becomes a device used by school boards to preserve discriminatory practices, then it's time for our state legislators to end such discrimination." We have had a few years to think about it. Perhaps now is the time to fulfill Mr. DePerry's vision of Indian and Non-Indian neighbors working together to solve our state's problems in a spirit of harmony.

Dialogue has changed. On one level many students have better understanding of the issue in terms of discrimination and as a social barrier. And it has remained the same – racial innuendo is strong in the newspaper blogs. In newspapers Indian advocates for change are told to get in their canoes and go home. One Wisconsin paper, the Wausau Daily Herald, created new policies regarding its opinion pages and how it reports high school sports activities as a result of the unseemly behavior of its readers. Even worse references appeared at a Wisconsin Homecoming "Spirit Wall" in October of 2008 where pow-wow was a pun for violence, and depictions of a burning tipi and an Indian person being kicked were on display to raise team spirit.

In communities throughout the state local American Indian history is distorted so that myths supporting a logo can be justified. Many people in Mosinee still think that Ka Be Nung We Wa is Chief Mosinee when the man lived in Cass Lake, Minnesota.

We continue to educate about the issue and we will do so until all Indian mascot and logo stereotypes are gone from our state's schools. Today we are educating through a legislative process, tomorrow we will educate in the opinion columns of newspapers and in letters written to legislators. Community education does not necessarily take place in the classroom.

The question before us is – How can we help this happen in the best possible way and in a reasonable time frame? It is not OK to continue to expose Wisconsin students to a form of race-based stereotyping. Each year we graduate a new class of students unprepared to participate well in an ever more diverse world community because they have learned to tolerate and maintain a form of race-based stereotyping of living people.

Community education is too slow and too damaging to relationships between people. Many people in Wisconsin have not knowingly met an Indian person. We are a minority population representing about 1% of the population in the state. We cannot do this alone. We need allies and advocates and supporters from the other 99% of the population to hear us and help us make our case in order for change to happen. So I am encouraged when I look around this room and I see who is here to help with this educational process.

Here are Youth taskforce members who have graduated from high school and college and are now grown into the teachers and lawyers and leaders they always were becoming. Now as adults they are taking the stand on behalf of the future faces that are coming. There are new students, Native and non-native, from high schools who are learning the skills of advocacy and participating in democratic processes. The University of Wisconsin Native Nations, a consortium of American Indian student groups is here transforming before our very eyes into the leaders of tomorrow and carrying on the cultural traditions that our ancestors used in taking stands on our behalf throughout the generations.

And there are the advocates who have been my companions from the start and some who have preceded me. Richie Plass, who was a high school mascot and has dedicated much of his life to eliminating stereotypes from educational environments, who now travels with his display "Bittersweet Winds" and continues the tough job of bringing education where it is most needed though not always most wanted. And there are the allies, Clif Morton from Wisconsin State Human Relations Association, Harvey Gunderson from Religious Americans Against Indian Nicknames and Logos.

Wisconsin Indian educators are trying to secure a better future for our children by championing the elimination of these stereotypes from school environments. We need to embrace this opportunity for change and encourage schools to choose new symbols and names that are both fun and that harm no living race of people. It is in keeping with best educational practice, but even more than that, it is the right thing to do.

Sharon Metz of Honor used to say one day our grandchildren are going to see pictures of us doing advocacy and they will say "You mean they used to have 'Indians' as logos and mascots in schools?" Wow! Grandma, how could that have been?" Now Sharon's grandchildren are teens and mine range from 22 months to age 15 so I guess we will have to stay around to tell our story to incredulous great grandchildren.

Can we stop this now, Wisconsin? Are we ready to come together and eliminate this barrier to the rich development of all our children today?

Oskⁿsu Peace to You

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I dedicate my testimony to the complainants I have known, whose dedication and tenacity I admire and whose stories are written in my heart from Viroqua, and Mukwanago, Medford, Menomonie in Dunn County, not to be confused with the Menomoniee Tribe of Indians of Wisconsin, Osseo-Fairchild and Mosinee.



Date?

Cynthia Morse

Legislature
AB 35

Thank you for listening to
opportunities to speak

all of this seems like the least likely
things that this legislature should
be concerned with - but if you
can get money off the school district
go for it.

Black
Rep
Davis

We ^{Miss Dells} are probably the only
school district closest to Madison
that still has the Indian as a
mascot ^{logo} my grandson & I
are proud of that. 6 generations
have been apart of this school
system my mother even taught
here. I've heard schools have
been sued about their name.

Ours is the Indian in
full Address - It shows we ^{have} ^{compromised}
respect of Indian. I'm sure ^{to}
my children & others show ^{to} ^{short}
respect for the Indian ~~that~~
~~we have~~! We ^{respect} ~~take~~ him - we
are honored to be The Indians,
We have a township called
DeKora in our District. Is
the Indian going to want to
change that Next! Tomahawk?
Winnipeg Wauwatsee arrowhead?

Shano

6 generations have went to school. My youngest works for Ho Chunk. My 3 oldest went to school with American Indians. It is time that respect goes Both ways.

Local Control 38 schools are alot of schools
Do the Legislature going to pay for logo that needs to be changed in floors & walls in our gyms. The stationary ~~the~~ & Anything else that needs change! (no, according to Keith Ripp ^{my Legis Rep}

Our birds & animals going to be the only thing we can be or Pirates (installs stealing) - Animal Rightest will be after ~~this~~ next!

Some areas are known for there Indian logo. You as a legislature need to heritage looking at funding not logo's!

Not a way of making money off the school for not changing a logo or Mascot! this is so disrespectful to me that you are not attending to the bussiness of the state - Each community can decide this ^{without} & you as legislatures having your say in this our School District

3. You tell us how much tax
and what our children have to
learn. Stay away from anything
else. Indian is my Heritage
and our history.

We are proud to be an
Foyette Indian May you not
pass this assembly Bill 35

Because we want to keep our
History or Heritage.



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AB 35
Date?

I live in Osseo-Fairchild where the race-based school nickname is 'Chieftains'. Four of seven School Board members were thrown off the School Board in a recall election in November 2002 after the Board voted to eliminate the 'Indian' head logo. The new School Board with four new members then reversed the vote and reinstated the racial logo in February 2003. Since then, the Osseo-Fairchild controversy has continued unabated. And the dispute and tension in the community and school board will continue until Osseo-Fairchild's race-based nickname and logo are finally eliminated.

The experience in Osseo-Fairchild and in other communities shows that conflict over these racial symbols can be extremely destructive to a community, creating divisions and hard feelings that will take decades to heal. People who've been friends for years suddenly stop talking to one another. Neighbors are no longer friends. Families are often split over the issue which makes family reunions very tense. But worst of all, American Indian families opposing the race-based policy are subjected to enormous pressure, stress and frustration. And for what? Because everyone is trying to convince their local school board to follow the policy they want regarding a race-based nickname and logo.

Our community has been ripped apart over this, with friendships destroyed, family members avoiding people in their own family who are on the "other side". Businesses that are owned or managed by logo supporters aren't patronized by many who oppose institutional racism, and vice versa. In some cases, those dollars are spent instead at another local business but many dollars instead leave the community altogether and go to businesses in another town.

Business people who know the nickname should be changed from an educational standpoint are afraid to express their views for fear of business loss. Ministers and other religious leaders are afraid to take the moral and ethical position they know is right because of fear of loss of parishioners and revenues or even their jobs. Teachers who typically know that these race-based sports representations are educationally unsound are afraid to publicly express that view for fear of retaliation by school board members. School board members and other elected township or city officials are afraid their re-election may be jeopardized by their public opposition to the school nickname. Administrators are hesitant to do what they know is the right thing from an educational standpoint for fear of their job because of an angry public or school board.

Everyone loses in this situation. It isn't a win-win or even a win-lose proposition but a lose-lose where everyone gets hurt. The only way to remedy this is to remove school board members from the "hot seat" and avoids the politicization of education over race and a nickname and logo. The change on process under this bill is good because it enables a rational evaluation by DPI removed from the emotion and passion that surrounds a local school board decision.

Community members and school board members on both sides of this issue have expressed great frustration that the state government hasn't acted to remove this evaluation and decision from the local people so they can concentrate on dealing with other matters. There are 37 other school

districts in Wisconsin with 'Indian' nicknames and logos. Very likely, several of them will undergo the traumas of becoming another Osseo-Fairchild unless the legislature acts to change the process

Civil rights matters must not be decided by referendum or local control when almost all of the voters and school board members are white. If civil rights matters were decided by referendum or by "local control" of school boards, blacks would still be attending segregated schools in many school districts, just as American Indians must attend Wisconsin public schools where all-white local school boards create a race-based nickname policy targeting their race.

This race-based nickname issue involves athletic policies set by a government entity, a public school board. Any governmental entity such as a school board that establishes a policy based on race targeting a specific minority should guarantee that the race-based policy doesn't promote discrimination, harassment or stereotyping. That's what this bill does.

A half-century ago, it took federal intervention to force all-white school boards to end race-based school policies. Those boards claimed a "local control" right to use a race-based school policy because segregated schools targeting African-Americans were their community "tradition" and "heritage."

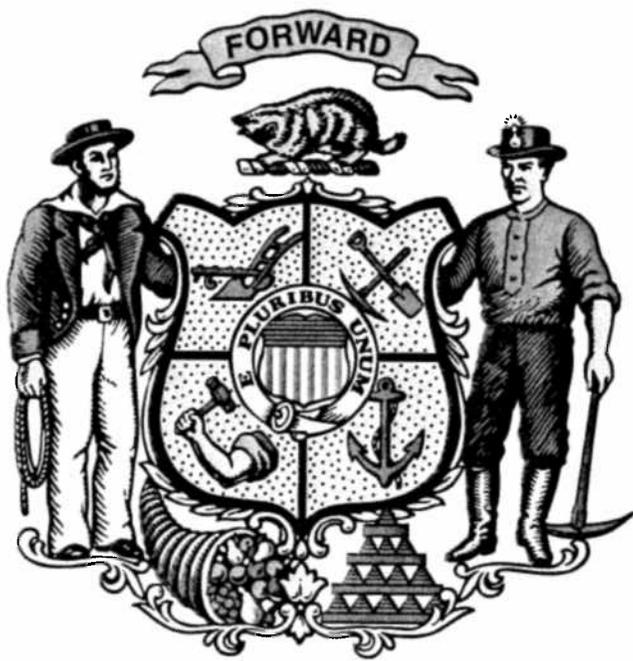
All-white school boards in Wisconsin now claim a "local control" right to use a race-based school policy because a sports nickname targeting American Indians is their community "tradition" and "heritage," claiming they'll change only when required by the state because it's too divisive to handle locally.

However, besides the inappropriateness of arguing for local control over race-based nicknames because of it being a civil rights matter, there's another crucial reason why the local control rationale isn't inappropriate. Because race-based athletic nicknames are part of interscholastic athletics which involves competition between and among schools, the impact of athletic policies aren't confined only to students inside the one school district.

"Local control" can be an appropriate concept for matters that impact only one school district and have no harmful impact on other districts. However, the psychological harm and negative impact of racial stereotypes from race-based athletic references don't stop at the boundary of the school district. They invade every other school district where the team competes, in nonconference and conference as well as tournament competition up through state championships that are broadcast into every Wisconsin home.

Schools using race-based athletic references have 2.2 percent of the students enrolled in Wisconsin schools. "Local control" isn't an appropriate argument when the other 388 schools with 97.8 percent of Wisconsin students have no control over the fact that their students are being harmed by racial athletic policies adopted by only 38 school boards with 2.2 percent of Wisconsin's students.

In interscholastic matters, a referee in a game determines when a student is unfairly harmed by the opposing team. Schools don't have "local control" over that determination. Instead, an unbiased referee makes that determination because schools cannot objectively judge themselves in athletics. Assembly Bill 35 creates this referee by having the Department of Public Instruction objectively make the determination about a race-based nickname free from the bias and emotion surrounding this issue when handled locally.



Wisconsin State Human Relations Association
Testimony in Favor of AB35

Date?

Thank you for this opportunity to share some thoughts on Assembly Bill 35.

It would be great if this issue were so easy that it came down to a matter of the popularity of local control versus state control. To do that, however, we would have to ignore the very reason we have schools. To do that we would also have to ignore the need for schools to be grounded in scientifically based academic research. To do that we would need to ignore the moral obligation we have to act in the best interests of all of our students.

So why do we have schools? First and foremost schools must pass on the truths society needs to be able to get along and carry them from one generation to the next. What we in education have learned during the current generation is that the recognition of these truths has less to do with local traditions and desires and more to do with a more inclusive cultural sensitivity and a greater degree of cultural relevance in our educational system. Communities and states that do not adapt to this reality will be less economically competitive in the diverse global community that has emerged.

No one doubts the good intentions of the Wisconsin schools that have hung on to their American Indian nicknames and logos. They all say they want the best for Wisconsin students. This, however, is the first point at which we need to reject their arguments for local control because every one of the schools that claim to honor their local histories have distorted truths to fit cultural preconceptions of how that honor should be received. Towns like Mishicot, Osceola, Mosinee and Osseo-Fairchild lead the way in expressing how hard they have worked to honor local history but each has flawed presuppositions that have taken them closer to wishful thinking than accurate and authentic histories.

At the same time, these and the rest of Wisconsin's 'Indian' logo schools have rejected even taking a look at the scientifically based research on the issue. Over 500 pages of research from three different researchers have made a convincing body of evidence. The most important research was completed by Dr. Stephante Fryberg of the University of Arizona. She used five separate studies, complete with control groups and cross-verification of results, and showed clearly that the self-esteem and self-efficacy of American Indian students is lowered by use of 'Indian' nicknames and logos. At the same time, her research showed that non-Indian students experienced an artificial increase in their self-esteem and self-efficacy and it did not matter whether the names and images were perceived as honorable or not. The American Psychological Association and the American Sociological Association both examined her research and enthusiastically endorsed it with resolutions.

Next, even if you choose to ignore that the conditions proven in Dr. Fryberg's research meet the very definition of institutionalized racism, please consider that the results show measurable levels of harm to the potential of students. Anyone who says the issue is just about who is insulted and who is not, hasn't looked at the evidence and is not considering the mandate of schools to work at nurturing the full human potential of every student. Our schools have never just been about a majority of students. What has made Wisconsin's education system among the best in the nation has been the very idea that all students deserve to be able to develop to the fullest of their potentials. No 'Indian' logo school can accurately say they do that.

Finally, especially when any of these schools plead for local control, please look at the fact that they wouldn't even take a look at the research. Each of the last two years we have brought Dr. Fryberg to Wisconsin and invited all the 'Indian' logo schools to come, listen to the evidence and have the extraordinary opportunity to personally question Dr. Fryberg on her research. The first year we offered to have these schools come free of charge and even provided food, also without charge. Of the 40 schools at that time, two came. This past year we brought Dr. Fryberg to Wisconsin again. Only one of the schools came. How can arguments for local control have legitimacy when these schools won't even examine the type of scientifically based research that they all say they value? It is time to say, enough is enough. Enough distorted histories. Enough ignoring the research. Enough harm to our children. It is time for the legislature to act.

Respectfully submitted: Cliff Morton, Wisconsin State Human Relations Association Executive Board



Testimony for AB 35
Provided by Christine Munsen

Date?

1/2

My name is Christine Munsen. I am a citizen of the United States and of the Oneida Nation; I work, reside, and raise my family in Stevens Point, WI. I am testifying today in favor of AB 35 - and thank you for holding this hearing. My life encompasses many roles directly affected by 'Indian' mascots & logos. I am Oneida - married to Jon Greenleaf & Chunk. Indian mascots & logos reduce my deep, complex, evolving culture to stereotypes portrayed on letterhead and play-acted in the sports arena. I am a mother raising ~~two daughters~~ ^{children} in two worlds - helping my daughters navigate their way in, out, and through main stream society while living as being to Chunk/Oneida people. 'Indian' mascot logos put forth additional road blocks to my children developing a strong sense of self - a healthy self concept and deep identity of who they are. by stereotyping 'Indian' people. I am an educator. I have worked at the Fernside Alternative Center in the S.P. School District for 8 years. I worked at the College of Menominee Nation, ~~where~~ ^{where} ~~was~~ ^{was} Chief Examiner for Menominee County, and served on the ^{GED} board in Wisconsin Indian Education Association. As an educator I am sensitive and aware of the importance of creating a safe learning environment. 'Indian' mascots & logos stereotype living cultures - when in the public schools, they become part of the curriculum and teach our youth it is acceptable to stereotype 'Indian' people - ~~people working to maintain a living culture.~~

I am a past litigant in a discrimination suit based on my high school's use of an 'Indian' mascot/logo/nick name. I realize 'local control' runs deep in Wisconsin. ~~I lived~~ ~~seat~~ Local control has its place in governance, especially with economic development, efforts to ban smoking in public establishments, creating energy independent communities, even in cultures choosing their flavor of the day.

however, in some cases, it is irresponsible to rely on local control. I 'lived local control' through my experience in Mosinee. Local control failed - my experiences of racism and discrimination in the Mosinee School District did not meet the reasonable person standard. Mosinee did not, and has not to date, changed their Plains Indian logo & Indian nick name. This June will mark 12 graduating classes that have moved through the halls & classrooms & sporting venues of Mosinee High School - ^{since I got involved w/ this issue.} 12 graduating classes, ~~th~~ ^{of} over 1,000's ^{Mosinee} students have received as an education on ~~how to~~ stereotyping Indian people, with the 'Indian' mascot issue relying on local control places under pressure on school board members, and allows children to be harmed. ^{The students that are here} ^{The Wank Shuck Drum}

A lot of people don't think the mascot issue is a big deal - there are bigger, more important issues to talk. But the mascot issue ^{at its core} is about identity - whether it be that of an 'Indian' or non-Indian person. It is about how a ~~person~~ human being defines him or her self in the world - the very core of a person's sense of self.

It is my hope that you, the members of the Assembly Education Committee will continue the political momentum needed to carry this legislation to the next phase. Be the vehicles of change - the vehicles of sound educational policy - the vehicles of creating safe environments where all children can learn free of institutionalized racism - the vehicle