# 2019 DRAFTING REQUEST

Bill

For:

Legislative Council -study cmmte

Drafter:

fknepp

By:

Rachel Snyder

Secondary Drafters:

Date:

10/16/2018

May Contact:

Same as LRB:

Submit via email:

YES

Requester's email:

Rachel.Snyder@legis.wisconsin.gov

Carbon copy (CC) to:

fern.knepp@legis.wisconsin.gov

krista.pleviak@legis.wisconsin.gov

#### Pre Topic:

No specific pre topic given

#### Topic:

School board obligations to provide instruction in the history, culture, and tribal sovereignty of tribes; materials.

#### **Instructions:**

That the Department of Public Instruction (DPI) develop materials designed to inform school board members, school administrators, and principals of their obligations to provide an understanding of human relations, including with regard to American Indians, in all grade levels under s. 118.01 (2) (c) 8., Stats., and to provide instruction in the history, culture, and tribal sovereignty of the tribes at least twice in elementary school and once in high school under s. 121.02 (1) (L) 4., Stats. DPI must provide this information to school boards and must make the information available on its website. School boards must provide the information to newly elected board members, to school administrators, and to school principals.

Vers.	<u>Drafted</u>	Reviewed	Submitted	<u>Jacketed</u>	Required
/?	fknepp 10/22/2018				
/P1	fknepp	anienaja	dwalker		State

Vers.	<u>Drafted</u> 11/7/2018	Reviewed 10/23/2018	Submitted 10/23/2018	<u>Jacketed</u>	Required S&L
/P2	fknepp 11/30/2018	anienaja 11/8/2018	mbarman 11/8/2018		State S&L
/P3	fknepp 12/5/2018	anienaja 12/4/2018	lparisi 12/4/2018		State S&L
/1	fknepp 12/18/2018	anienaja 12/5/2018	mbarman 12/5/2018		State S&L
/2	fknepp 12/19/2018	anienaja 12/20/2018	lparisi 12/19/2018		State S&L
/3			dwalker 12/20/2018	mbarman 3/6/2019	State S&L

FE Sent For:

<**END>** 

At Intro



State of Misconsin 2019 - 2020 LEGISLATURE

IN 0-22 23

LRB-0470£)/PI FFK:... R MR

# PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



Gen.

1 AN ACT ...; relating to: materials related to a school board's obligations to provide

2 instruction on American Indians.

## Analysis by the Legislative Reference Bureau

This bill requires the Department of Public Instruction to develop materials that inform school board members, school district administrators, and school principals of the school board's obligations to provide certain instruction related to American Indians. Under the bill, DPI must provide these materials to school boards and publish the materials on DPI's website. Finally, under the bill, school boards must provide these material to school board member within 30 days of taking office, school district administrators, and school principals.

Under current law, a school board must provide pupils the following:

1. An instruction program designed to give pupils an understanding of human relations, particularly with regard to American Indians, Black Americans, and Hispanics.

2. Instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state at least twice in grades kindergarten to 8 and at least once in grades 9 to 12.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 Section 1	. 115.28 (17n	n) of the statutes is created to read	d:
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- 2 ×115.28 (17m) AMERICAN INDIAN INSTRUCTION; INFORMATIONAL MATERIALS. (a)
  3 Develop materials to inform school board members, school district administrators,
  4 and principals of the school board's obligation to provide all of the following:
  - 1. An instructional program designed to give pupils an understanding of human relations, particularly with regard to American Indians, as required under s. 118.01 (2) (c) 8.
  - 2. At least twice in the elementary grades and at least once in the high school grades, instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state, as required under s. 121.02 (1) (L) 4.
  - (b) Provide the materials developed under par. (a) to school boards and publish the materials developed under par. (a) on the department's Internet site.

#### **Section 2.** 119.04 (1) of the statutes is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.363, 115.364, 115.365 (3), 115.367, 115.38 (2), 115.415, 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), and (29), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board but not, unless explicitly provided in this

- 1 chapter or in the terms of a contract, to the commissioner or to any school transferred
- to an opportunity schools and partnership program.

NOTE: Sub. (1) is shown as affected by 2017 Wis. Acts 143 and 364 and as merged by the legislative reference bureau under s. 13.92 (2) (i).

**History:** 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1973 c. 89 s. 20 (1); 1973 c. 90; 1973 c. 188 s. 6; 1973 c. 243, 254, 290, 307, 333; 1975 c. 39, 41, 95, 220, 379, 395, 422; 1977 c. 205; 1977 c. 205; 1987 c. 206; 284, 447; 1979 c. 20; 1979 c. 34 s. 2102 (43) (a); 1979 c. 221, 298, 331; 1979 c. 346 s. 15; 1979 c. 355; 1981 c. 59; 1981 c. 241 s. 4; 1983 a. 193; 1983 a. 374 s. 12; 1983 a. 412, 489, 538; 1985 a. 29 s. 3202 (43); 1985 a. 56 s. 43; 1985 a. 214 s. 4; 1985 a. 225, 332; 1987 a. 27, 187, 285, 386, 403; 1989 a. 31, 120, 121, 122, 201, 209, 359; 1991 a. 39, 42, 189, 269; 1993 a. 16, 334, 377, 491; 1995 a. 27, 225; 1997 a. 27, 77, 113, 240, 252, 335; 1999 a. 9, 32, 73; 1999 a. 150 ss. 631, 672; 1999 a. 186; 2005 a. 99, 290, 346; 2007 a. 20, 97, 220, 222; 2009 a. 28, 60, 96, 215, 273, 305, 309; 2011 a. 10, 32, 85, 157, 166, 172; 2013 a. 20, 336; 2015 a. 55, 92; 2017 a. 59, 143, 364, 366; s. 13.92 (2) (i).

- 3 **Section 3.** 120.12 (29) of the statutes is created to read:
- 4 120.12 (29) American Indian instruction; informational materials. Provide the materials developed under s. 115.28 (17m) to school board members, school district administrators and principals. The school board shall provide the materials to a school board member no later than 30 days after the school board member takes
  - \*\*\*\*Note: As drafted, this requirement is listed in the school board duties under s. 120.12. Please let me know if you would prefer that this provision be placed in s. 121.02 (1), "school district standards". Section 121.02 (3) provides a specific process, and potential remedy, that applies if the school board fails to comply with the requirements in s. 121.02 (1).
    - \*\*\*\*Note: Do you want to provide a deadline or a frequency for providing the materials to school district administrators and principals? The deadline for school board members is just a place holder. Please let me know what deadline you would like to include or if you would prefer no deadline.
    - \*\*\*\*Note: Would you like to provide deadlines for any of the requirements in this bill? In other words, is there a school year or date by which the bill should require that the materials are developed, published on the Internet, and/or provided to individuals under s. 120.12 (29)?

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office.

#### Knepp, Fern

From:

Snyder, Rachel

Sent:

Wednesday, November 07, 2018 2:54 PM

To:

Knepp, Fern

Cc: Subject: Moore, David; Lauer, Ethan LRB-0470/P1 draft notes

Hello, Fern.

As we discussed over the phone, please delete the first note in LRB-0470/P1 and replace the second and third notes with the following:

\*\*\*\* The bill draft currently requires that a school board provide the materials developed by the Department of Public Instruction to a school board member no later than 30 days after the school board member takes office. The bill draft does not currently provide a deadline or frequency for providing the same materials to school district administrators and principals. Does this deadline for material distribution to school board members satisfy the committee's intent? Would the committee like to provide a similar deadline or prescribe a frequency for the provision of such materials to school district administrators and principals?

\*\*\*\*The bill draft currently does not specify a date by which the Department of Public Instruction must develop or post the materials to its website, nor does it specify a school year by which school boards must begin providing the materials to board members, school district administrators, and principals. Would the committee like to require that the Department of Public Instruction develop and post the materials to its website by a particular date? Would the committee like to require that school boards begin distributing the materials by a particular date or beginning with a particular school year?

We will be coming back to you after the committee's November meeting to discuss inserting Leg Council prefatory notes in final versions of the drafts, in the place of the LRB analyses, but that's not something to worry about right now. We generally forgot about that aspect of study committee bills, for which I apologize because you've had to spend time working on those analyses.

Rachel E. Snyder
Staff Attorney
Wisconsin Legislative Council
(608) 504-5728



# State of Misconsin 2019 - 2020 LEGISLATURE

LRB-0470/P1)/PZ

In 11-1 hap 11-8 was

# PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

AN ACT to amend 119.04 (1); and to create 115.28 (17m) and 120.12 (29) of the statutes; relating to: materials related to a school board's obligations to provide instruction on American Indians.

# Analysis by the Legislative Reference Bureau

This bill requires the Department of Public Instruction to develop materials that inform school board members, school district administrators, and school principals of the school board's obligations to provide certain instruction related to American Indians. Under the bill, DPI must provide these materials to school boards and publish the materials on DPI's website. Finally, under the bill, school boards must provide these materials to school board members within 30 days of taking office, school district administrators, and school principals.

Under current law, a school board must provide pupils the following:

- 1. An instructional program designed to give pupils an understanding of human relations, particularly with regard to American Indians, Black Americans, and Hispanics.
- 2. Instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state at least twice in grades kindergarten to eight and at least once in grades 9 to 12.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1.	115.28	(17m) of the s	statutes is	created to read:

- 2 115.28 (17m) AMERICAN INDIAN INSTRUCTION; INFORMATIONAL MATERIALS. (a)
  3 Develop materials to inform school board members, school district administrators,
  4 and principals of the school board's obligation to provide all of the following:
  - 1. An instructional program designed to give pupils an understanding of human relations, particularly with regard to American Indians, as required under s. 118.01 (2) (c) 8.
  - 2. At least twice in the elementary grades and at least once in the high school grades, instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state, as required under s. 121.02 (1) (L) 4.
  - (b) Provide the materials developed under par. (a) to school boards and publish the materials developed under par. (a) on the department's Internet site.

#### **Section 2.** 119.04 (1) of the statutes is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.363, 115.364, 115.365 (3), 115.367, 115.38 (2), 115.415, 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.25, 118.25, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43,

1	118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15)
2	$to  (27), \\ \underline{and}  (29), 120.125, 120.13  (1), (2)  (b)  to  (g), (3), (14), (17)  to  (19), (26), (34), (35), \\ \underline{and}  (29), $
3	$(37),(37\mathrm{m}),\mathrm{and}(38),120.137,120.14,120.20,120.21(3),\mathrm{and}120.25\mathrm{are}\mathrm{applicable}$
4	to a 1st class city school district and board but not, unless explicitly provided in this
5	$chapter\ or\ in\ the\ terms\ of\ a\ contract,\ to\ the\ commissioner\ or\ to\ any\ school\ transferred$
6	to an opportunity schools and partnership program.

**Section 3.** 120.12 (29) of the statutes is created to read:

120.12 (29) American Indian instruction, informational materials. Provide the materials developed under s. 115.28 (17m) to school board members, school district administrators, and principals. The school board shall provide the materials to a school board member no later than 30 days after the school board member takes office.

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\*\*\*\*Note: As drafted, this requirement is listed in the school board duties under s. 120.12. Please let me know if you would prefer that this provision be placed in s. 121.02(1), "school district standards." Section 121.02 (3) provides a specific process, and potential remedy, that applies if the school board fails to comply with the requirements in s. 121.02(1).

\*\*\*\*Note: Do you want to provide a deadline or a frequency for providing the materials to school district administrators and principals? The deadline for school board members is just a placeholder. Please let me know what deadline you would like to include or if you would prefer no deadline.

\*\*\*\*Note: Would you like to provide deadlines for any of the requirements in this bill? In other words, is there a school year or date by which the bill should require that the materials are developed, published on the Internet, and/or provided to individuals under s. 120.12 (29)?

#### 2019-2020 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

#### INS

LEGISLATIVE COUNCIL NOTE: The bill draft currently requires that a school board provide the materials developed by the Department of Public Instruction to a school board member no later than 30 days after the school board member takes office. The bill draft does not currently provide a deadline or frequency for providing the same materials to school district administrators and principals. Does this deadline for material distribution to school board members satisfy the committee's intent? Would the committee like to provide a similar deadline or prescribe a frequency for the provision of such materials to school district administrators and principals?

LEGISLATIVE COUNCIL NOTE: The bill draft currently does not specify a date by which the Department of Public Instruction must develop or post the materials to its website, nor does it specify a school year by which school boards must begin providing the materials to board members, school district administrators, and principals. Would the committee like to require that the Department of Public Instruction develop and post the materials to its website by a particular date? Would the committee like to require that school boards begin distributing the materials by a particular date or beginning with a particular school year?

END INS

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#### Instructions from Rachel Snyder - 11/26/2018

#### A revised version of LRB-0470/P2 that does the following:

- a. Requires that a school board provide a school district administrator or principal with the required informational materials within 30 days of that individual beginning work in that position and again within 30 days of any DPI update to the materials based on a change vin the law regarding American Indian studies.
- b. Requires that a school board provide the information to board members as provided under the original version of the bill, but also to all board members within 30 days of any DPI update to the materials based on a change in the law regarding American Indian studies.
- c. Requires that DPI update the informational materials that it posts online to reflect any change in the law and requires that DPI notify school boards of any such change.
- d. Requires that DPI initially develop and post the materials on its website by September 1 of the school year following enactment of the bill.



#### State of Misconsin 2019 - 2020 LEGISLATURE

LRB-0470/P2/P3
FFK:amn

In 11-30

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION bear

An ACT to amend 119.04 (1); and to create 115.28 (17m) and 120.12 (29) of the statutes; relating to: materials related to a school board's obligations to provide instruction on American Indians.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Public Instruction to develop materials that inform school board members, school district administrators, and school principals of the school board's obligations to provide certain instruction related to American Indians. Under the bill, DPI must provide these materials to school boards and publish the materials on DPI's website. Finally, under the bill, school boards must provide these materials to school board members within 30 days of taking office, to school district administrators, and to school principals. Within 30 days of Under current law, a school board must provide to pupils the following:

1. An instructional program designed to give pupils an understanding of human relations, particularly with regard to American Indians, Black Americans, and Hispanics.

2. Instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state at least twice in grades kindergarten to eight and at least once in grades 9 to 12.

A school board also must provide updated materials to School board members, school district administrators, and principals within 30 days of receiving an update from OPI.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1	<b>SECTION 1.</b> 115.28 (17m) of the statutes is created to read:
2	115.28 (17m) American Indian instruction; informational materials. (a)
3	Develop materials to inform school board members, school district administrators,
4	and principals of the school board's obligation to provide all of the following:
5	1. An instructional program designed to give pupils an understanding of
6	human relations, particularly with regard to American Indians, as required under
7	s. 118.01 (2) (c) 8.
8	2. At least twice in the elementary grades and at least once in the high school
9	grades, instruction in the history, culture, and tribal sovereignty of the federally
10	recognized American Indian tribes and bands located in this state, as required under
11	(b) Provide the materials developed under par. (a) to school boards and publish
12	(c) (b) Provide the materials developed under par. (a) to school boards and publish
13	the materials developed under par. (a) on the department's Internet site.
14	SECTION 2. 119.04 (1) of the statutes is amended to read:
15	119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. $66.0235$ (3) (c),
16	66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
17	115.345,115.363,115.364,115.365(3),115.367,115.38(2),115.415,115.445,118.001
18	to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to
19	118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,

 $118.245,\ 118.25,\ 118.255,\ 118.258,\ 118.291,\ 118.292,\ 118.293,\ 118.30\ to\ 118.43,$ 

	118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15)
2	to (27), and (29), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35),
3	(37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable
4	to a 1st class city school district and board but not, unless explicitly provided in this
5	chapter or in the terms of a contract, to the commissioner or to any school transferred
6	to an opportunity schools and partnership program.

**Section 3.** 120.12 (29) of the statutes is created to read:

120.12 (29) AMERICAN INDIAN INSTRUCTION; INFORMATIONAL MATERIALS. Provide the materials developed under s. 115.28 (17m) to school board members, school district administrators, and principals. The school board shall provide the materials to a school board member no later than 30 days after the school board member takes office.

LEGISLATIVE COUNCIL NOTE: The bill draft currently requires that a school board provide the materials developed by the Department of Public Instruction to a school board member no later than 30 days after the school board member takes office. The bill draft does not currently provide a deadline or frequency for providing the same materials to school district administrators and principals. Does this deadline for material distribution to school board members satisfy the committee's intent? Would the committee like to provide a similar deadline or prescribe a frequency for the provision of such materials to school district administrators and principals?

LEGISLATIVE COUNCIL NOTE: The bill draft currently does not specify a date by which the Department of Public Instruction must develop or post the materials to its website, nor does it specify a school year by which school boards must begin providing the materials to board members, school district administrators, and principals. Would the committee like to require that the Department of Public Instruction develop and post the materials to its website by a particular date? Would the committee like to require that school boards begin distributing the materials by a particular date or beginning with a particular school year?

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#### 2019-2020 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

LRB -0470/P3 FFK:....

# Ins \

1	(b) Update the materials under par. (a) as necessary to accurately reflect a
2	school board's obligation to provide instruction related to American Indians.
3	(c) Within 30 days of developing materials under par. (a) and each time the
4	materials are updated under par. (b), do all of the following:
5	1. Provide the materials or updated materials to school boards.
6	2. Publish the materials or updated materials on the department's Internet
7	site.
	End Ins
	Ins $\delta$
8	(a) Provide the materials under s. 115.28 (17m) (a) to a school board member
9	by no later than 30 days after the school board member takes office and to a school
10	district administrator or principal by no later than 30 days after the individual
11	accepts the position as a school district administrator or principal.
12	(b) If the school board receives updated materials under s. $115.28(17\mathrm{m})$ (c) 1.,
13	provide the updated materials to school board members, school district
14	administrators, and principals by no later than 30 days after the school board
15	receives the updated materials.
	End Ins
	Ins 3
16	Section 1. Nonstatutory provisions.
17	(1) Initial materials; Deadline. The state superintendent of public instruction
18	shall develop the materials under s. 115.28 (17m) (a) and $\widehat{post}$ the materials on the
	\ \textstyle \textstyl

& Internet site

department of public instruction's website, as required under s. 115.28 (17m) (c) 2., by no later than September 1 of the school year beginning after the effective date of

3 this subsection.

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#### SECTION 2. Initial applicability.

(1) Materials to school board members, school administrators, and principals. The treatment of s. 120.12 (29) (a) first applies to school board members who take office on September 1 of the school year beginning after the effective date of this subsection and to individuals who accept a position as a school administrator or a principal on September 1 of the school year beginning after the effective date of this subsection.

#### Knepp, Fern

From:

Snyder, Rachel

Sent:

Tuesday, December 04, 2018 8:24 PM

To:

Knepp, Fern

Cc:

Lauer, Ethan; Moore, David

Subject:

State-Tribal Relations

**Attachments:** 

LRB-0470 Prefatory Note.docx

Good evening, Fern.

Thank you for the revisions to LRB-0470. Could you please insert the attached prefatory note into the bill draft and convert it to a /1 draft?

Thanks!

Rachel E. Snyder
Staff Attorney
Wisconsin Legislative Council
(608) 504-5728

# LRB-0470, relating to materials related to a school board's obligations to provide instruction on American Indian studies.

This bill was prepared for the Joint Legislative Council's Special Committee on State-Tribal Relations.

Current law requires that a school board provide pupils with the following:

- An instructional program that is designed to give pupils at all grade levels an understanding of human relations, particularly with regard to American Indians, Black Americans, and Hispanics.
- As part of the social studies curriculum, instruction in the history, culture, and tribal sovereignty
  of the federally recognized American Indian tribes and bands located in Wisconsin at least twice
  in the elementary grades and at least once in the high school grades.

The bill requires that the Department of Public Instruction (DPI) develop materials to inform school board members, school district administrators, and principals of the requirements described above. The materials must be developed, initially provided to school boards, and posted on DPI's website by September 1 of the school year beginning after the bill takes effect. DPI must update the materials in response to any changes to a school board's obligation to provide instruction related to American Indians and must inform school boards of any such updates.

The bill also requires that school boards provide the informational materials to school board members, school district administrators, and principals. School boards must provide the materials to school board members within 30 days after the school board member takes office; to a school district administrator or principal within 30 days after the person accepts that position; and to all school board members, school district administrators, and principals within 30 days after receiving updated materials from DPI.



# State of Misconsin 2019 - 2020 LEGISLATURE

LRB-0470/P3

In 12-5 HORAY

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

AN ACT to amend 119.04 (1); and to create 115.28 (17m) and 120.12 (29) of the statutes; relating to: materials related to a school board's obligations to provide instruction on American Indians.

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# Analysis by the Legislative Reference Bureau

This bill requires the Department of Public Instruction to develop, and keep up to date, materials that inform school board members, school district administrators, and school principals of the school board's obligations to provide instruction related to American Indians. Under the bill, DPI must provide these materials to school boards and publish the materials on DPI's website. Finally, under the bill, school boards must provide these materials to school board members within 30 days of taking office, and to school district administrators and school principals within 30 days of accepting such a provision. A school board also must provide updated materials to school board members, school district administrators, and principals within 30 days of receiving an update from DPI.

Under current law, a school board must provide to pupils the following:

1. An instructional program designed to give pupils an understanding of human relations, particularly with regard to American Indians, Black Americans, and Hispanics.

2. Instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state at least twice in grades kindergarten to eight and at least once in grades 9 to 12.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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**Section 1.** 115.28 (17m) of the statutes is created to read:

- 115.28 (17m) AMERICAN INDIAN INSTRUCTION; INFORMATIONAL MATERIALS. (a)

  Develop materials to inform school board members, school district administrators,

  and principals of the school board's obligation to provide instruction related to

  American Indians, including all of the following:
  - 1. An instructional program designed to give pupils an understanding of human relations, particularly with regard to American Indians, as required under s. 118.01 (2) (c) 8.
  - 2. At least twice in the elementary grades and at least once in the high school grades, instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state, as required under s. 121.02 (1) (L) 4.
  - (b) Update the materials under par. (a) as necessary to accurately reflect a school board's obligation to provide instruction related to American Indians.
  - (c) Within 30 days of developing materials under par. (a) and each time the materials are updated under par. (b), do all of the following:
    - 1. Provide the materials or updated materials to school boards.
- 2. Publish the materials or updated materials on the department's Internet site.
  - **Section 2.** 119.04 (1) of the statutes is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.363, 115.364, 115.365 (3), 115.367, 115.38 (2), 115.415, 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), and (29), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board but not, unless explicitly provided in this chapter or in the terms of a contract, to the commissioner or to any school transferred to an opportunity schools and partnership program.

**SECTION 3.** 120.12 (29) of the statutes is created to read:

120.12 (29) AMERICAN INDIAN INSTRUCTION; INFORMATIONAL MATERIALS. (a) Provide the materials under s. 115.28 (17m) (a) to a school board member by no later than 30 days after the school board member takes office and to a school district administrator or principal by no later than 30 days after the individual accepts the position as a school district administrator or principal.

(b) If the school board receives updated materials under s. 115.28 (17m) (c) 1., provide the updated materials to school board members, school district administrators, and principals by no later than 30 days after the school board receives the updated materials.

Section 4. Nonstatutory provisions.

(1) Initial materials; Deadline. The state superintendent of public instruction
shall develop the materials under s. $115.28\ (17m)\ (a)$ and publish the materials on
the department of public instruction's Internet site, as required under s. 115.28
(17m) (c) 2., by no later than September 1 of the school year beginning after the
effective date of this subsection.

#### SECTION 5. Initial applicability.

(1) Materials to school board members, school administrators, and Principals. The treatment of s. 120.12 (29) (a) first applies to school board members who take office on September 1 of the school year beginning after the effective date of this subsection and to individuals who accept a position as a school administrator or a principal on September 1 of the school year beginning after the effective date of this subsection.

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#### 2019-2020 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-0470/1ins FFK:... $\wedge$ 

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This bill is explained in the Notes provided by the Joint Legislative Council in the bill.

END INS

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JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on State-Tribal Relations.

Current law requires that a school board provide pupils with the following:

- 1. An instructional program that is designed to give pupils at all grade levels an understanding of human relations, particularly with regard to American Indians, Black Americans, and Hispanics.
- 2. As part of the social studies curriculum, instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in Wisconsin at least twice in the elementary grades and at least once in the high school grades.

The bill requires that the Department of Public Instruction (DPI) develop materials to inform school board members, school district administrators, and principals of the requirements described above. The materials must be developed, initially provided to school boards, and posted on DPI's website by September 1 of the school year beginning after the bill takes effect. DPI must update the materials in response to any changes to a school board's obligation to provide instruction related to American Indians and must inform school boards of any such updates.

The bill also requires that school boards provide the informational materials to school board members, school district administrators, and principals. School boards must provide the materials to school board members within 30 days after the school board member takes office; to a school district administrator or principal within 30 days after the person accepts that position; and to all school board members, school district administrators, and principals within 30 days after receiving updated materials from DPI.

END INS

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- 6470



Instructions for 182 E preside Stays the same confor now will be replated for a 13

De Make p.2 lines 9-12 broad enough to accommodate changes in -0935

(2) p. 2 lines 15-19 \* materials should be provided annually to school boards

p. 3 lines 16-24

materials provided annually to

-school district administrators

- solod board menter - social Studies teachers

description descriptions

- jobs similar to license conteging

P1 34-068



# State of Misconsin 2019 - 2020 LEGISLATURE

In 12-18 12-19,20

LRB-0470/1)/2\_FFK:amn

# **2019 BILL**



AN ACT to amend 119.04 (1); and to create 115.28 (17m) and 120.12 (29) of the statutes; relating to: materials related to a school board's obligations to provide instruction on American Indians.

## Analysis by the Legislative Reference Bureau

This bill is explained in the Notes provided by the Joint Legislative Council in the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on State-Tribal Relations.

Current law requires that a school board provide pupils with the following:

- 1. An instructional program that is designed to give pupils at all grade levels an understanding of human relations, particularly with regard to American Indians, Black Americans, and Hispanics.
- 2. As part of the social studies curriculum, instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in Wisconsin at least twice in the elementary grades and at least once in the high school grades.

The bill requires that the Department of Public Instruction (DPI) develop materials to inform school board members, school district administrators, and principals

of the requirements described above. The materials must be developed, initially provided to school boards, and posted on DPI's website by September 1 of the school year beginning after the bill takes effect. DPI must update the materials in response to any changes to a school board's obligation to provide instruction related to American Indians and must inform school boards of any such updates.

The bill also requires that school boards provide the informational materials to school board members, school district administrators, and principals. School boards must provide the materials to school board members within 30 days after the school board member takes office; to a school district administrator or principal within 30 days after the person accepts that position; and to all school board members, school district administrators, and principals within 30 days after receiving updated materials from DPI.

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DPI.

NOTE: The prefnote has not been updated to reflect

SECTION 1. 115.28 (17m) of the statutes is created to read:

115.28 (17m) American Indian instruction; informational materials. (a) Develop materials to inform school board members, school district administrators, and principals of the school board's obligation to provide instruction related to American Indians, including all of the following:

- 1. An instructional program designed to give pupils an understanding of human relations, particularly with regard to American Indians, as required under s. 118.01 (2) (c) 8.
- 2. At least twice in the elementary grades and at least once in the high school grades, instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state, as required under s. 121.02 (1) (L) 4.
- (b) Update the materials under par. (a) as necessary to accurately reflect a school board's obligation to provide instruction related to American Indians.
- (c) Within 30 days of developing materials under par. (a) and each time the materials are updated under par. (b), do all of the following: - under parila)
  - 1. Provide the materials or updated materials to school boards. (c) Annually,
- 2. Publish the materials or updated materials on the department's Internet site.

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<b>SECTION 2.</b> 119.04 (1) of the statutes is	s amended to r	:ead:
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119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.363, 115.364, 115.365 (3), 115.367, 115.38 (2), 115.415, 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), and (29), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board but not, unless explicitly provided in this chapter or in the terms of a contract, to the commissioner or to any school transferred to an opportunity schools and partnership program.

#### **Section 3.** 120.12 (29) of the statutes is created to read:

Provide the materials under s. 115.28 (17m) (a) to a school board member by no later than 30 days after the school board member takes office and to a school district administrator or principal by no later than 30 days after the individual accepts the position as a school district administrator or principal.

(b) If the school board receives updated materials under s. 115.28 (17m) (c) 1., provide the updated materials to school board members, school district administrators, and principals by no later than 30 days after the school board receives the updated materials.

SECTION 4. Nonstatutory provisions.

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(1) Initial materials; Deadline. The state superintendent of public instruction shall develop the materials under s. 115.28 (17m) (a) and publish the materials on the department of public instruction's Internet site, as required under s. 115.28 (17m) (c) 2, by no later than September 1 of the school year beginning after the effective date of this subsection.

## SECTION 5. Initial applicability.

(1) Materials to school board members, school administrators, and Principals. The treatment of s. 120.12 (29) (a) first applies to school board members who take office on September 1 of the school year beginning after the effective date of this subsection and to individuals who accept a position as a school administrator or a principal on September 1 of the school year beginning after the effective date of this subsection.

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(END)

#### 2019-2020 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-0470/2ins FFK:...

# Ins

1	(a) Each school board member.
2	(b) The school district administrator.
3	(c) Any individual employed by the school district to work as a supervisor,
4	coordinator, or director of curriculum, instruction, or staff development, or an
5	equivalent position.
6	(d) Each principal employed by the school district.
7	(e) Each teacher who teaches social studies in the school district.
	End Ins
	Ins V
8	Section 1. Initial applicability.
9	(1) DISTRIBUTION OF INITIAL MATERIALS. The treatment of ss. $115.28^{'}(17m)$ (c) and
10	120.12 (29) first apply to the school year beginning after the effective date of this
11	subsection.
	End Ins

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-0470/2dn FFK:amn

December 19, 2018

The prefatory note in the draft has not been updated to reflect the changes to the bill.

Fern Knepp Senior Legislative Attorney (608) 504–5810 fern.knepp@legis.wisconsin.gov JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on State-Tribal Relations.

Current law requires that a school board provide pupils with the following:

- 1. An instructional program that is designed to give pupils at all grade levels an understanding of human relations, particularly with regard to American Indians, Black Americans, and Hispanics.
- 2. As part of the social studies curriculum, instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in Wisconsin at least twice in the elementary grades and at least once in the high school grades.

The bill requires that the Department of Public Instruction (DPI) develop <u>informational</u> materials <u>regarding</u> to inform school board members, school district administrators, and principals of the requirements described above <u>for distribution to school boards annually</u>. The materials must be developed, <u>initially provided to school boards</u>, and posted on DPI's website by September 1 of the school year beginning after the bill takes effect. DPI must update the materials in response to any changes to a school board's obligation to provide instruction related to American Indians and must inform school boards of any such updates.

The bill also requires that school boards <u>annually</u> provide the informational materials to school board members, school district administrators, <u>certain individuals responsible for curriculum or staff development</u>, and principals, and social studies teachers. School boards must provide the materials to school board members within 30 days after the school board member takes office; to a school district administrator or principal within 30 days after the person accepts that position; and to all school board members, school district administrators, and principals within 30 days after receiving updated materials from DPI.



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# State of Misconsin 2019 - 2020 LEGISLATURE

LRB-0470/2 FFK:amn

**2019 BILL** 

Instructions forom Ethan Lauer. 2 Leg Coureil

AN ACT to amend 119.04 (1); and to create 115.28 (17m) and 120.12 (29) of the statutes; relating to: materials related to a school board's obligations to provide instruction on American Indians.

#### Analysis by the Legislative Reference Bureau

This bill is explained in the Notes provided by the Joint Legislative Council in the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on State-Tribal Relations.

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- 2. As part of the social studies curriculum, instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in Wisconsin at least twice in the elementary grades and at least once in the high school grades.

The bill requires that the Department of Public Instruction (DPI) develop materials to inform school board members, school district administrators, and principals

of the requirements described above. The materials must be developed, initially provided to school boards, and posted on DPI's website by September 1 of the school year beginning after the bill takes effect. DPI must update the materials in response to any changes to a school board's obligation to provide instruction related to American Indians and must inform school boards of any such updates.

The bill also requires that school boards provide the informational materials to school board members, school district administrators, and principals. School boards must provide the materials to school board members within 30 days after the school board member takes office; to a school district administrator or principal within 30 days after the person accepts that position; and to all school board members, school district administrators, and principals within 30 days after receiving updated materials from DPI.

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#### **Section 1.** 115.28 (17m) of the statutes is created to read:

115.28 (17m) AMERICAN INDIAN INSTRUCTION; INFORMATIONAL MATERIALS. (a)

Develop materials to inform school board members, school district administrators,
and principals of the school board's obligation to provide instruction related to

American Indians, including all of the following:

- 1. An instructional program designed to give pupils an understanding of human relations, particularly with regard to American Indians, as required under s. 118.01 (2) (c) 8.
- s. 118.01 (2) (c) 8.

  2. Instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state, as required under s. 121.02 (1) (L).
- (b) Update the materials under par. (a) as necessary to accurately reflect a school board's obligation to provide instruction related to American Indians.
  - (c) Annually, provide the materials under par. (a) to school boards.
- 15 (d) Publish the materials under par. (a) on the department's Internet site.
- **SECTION 2.** 119.04 (1) of the statutes is amended to read:
- 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
  18 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
  19 115.345, 115.363, 115.364, 115.365 (3), 115.367, 115.38 (2), 115.415, 115.445, 118.001

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1	to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to
2	118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18
3	118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10)
4	118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43
5	118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15)
6	to (27), and (29), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35)
7	(37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable
8	to a 1st class city school district and board but not, unless explicitly provided in this
9	chapter or in the terms of a contract, to the commissioner or to any school transferred
10	to an opportunity schools and partnership program.
11	<b>Section 3.</b> 120.12 (29) of the statutes is created to read:
12	120.12 (29) American Indian instruction; informational materials. Annually
13	provide the materials under s. 115.28 (17m) (a) to all of the following:
14	(a) Each school board member.
15	(b) The school district administrator.
16	(c) Any individual employed by the school district to work as a supervisor,
17	coordinator, or director of curriculum, instruction, or staff development, or an
18	equivalent position.
19	(d) Each principal employed by the school district.
20	(e) Each teacher who teaches social studies in the school district.
21	Section 4. Nonstatutory provisions.
22	(1) Initial materials; deadline. The state superintendent of public instruction
23	shall develop the materials under s. 115.28 (17m) (a) and publish the materials on
24	the department of public instruction's Internet site, as required under s. 115.28

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(17m) (d), by	y no later	than S	September	1 of the	school	year	beginning	after	the
effective date	e of this su	bsectio	n.						

#### SECTION 5. Initial applicability.

(1) DISTRIBUTION OF INITIAL MATERIALS. The treatment of ss. 115.28 (17m) (c) and 120.12 (29) first applies to the school year beginning after the effective date of this subsection.

(END)



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# State of Misconsin 2019 - 2020 LEGISLATURE

In 12 19 000 1220

LRB-0470/2/3 FFK:amn

# 2019 BILL

AN ACT to amend 119.04 (1); and to create 115.28 (17m) and 120.12 (29) of the statutes; relating to: materials related to a school board's obligations to provide instruction on American Indians.

# Analysis by the Legislative Reference Bureau

This bill is explained in the Notes provided by the Joint Legislative Council in the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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Current law requires that a school board provide pupils with the following:

- 1. An instructional program that is designed to give pupils at all grade levels an understanding of human relations, particularly with regard to American Indians, Black Americans, and Hispanics.
- 2. As part of the social studies curriculum, instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in Wisconsin at least twice in the elementary grades and at least once in the high school grades.

The bill requires that the Department of Public Instruction (DPI) develop materials to inform school board members, school district administrators, and principals

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, for distribution to school boards annually - related to of the requirements described above. The materials must be developed initially provided to school boards, and posted on DPI's website by September 1 of the school year beginning after the bill takes effect. DPI must update the materials in response to any changes to a school board's obligation to provide instruction related to American Indians and must inform school boards of any such updates. espensible for annually - Certaintadividae The bill also requires that school boards provide the informational materials to school board members, school district administrators, and principals. School boards must provide the materials to school board members within 30 days after the school board member takes office; to a school district administrator or principal within 30 days after the person accepts that position; and to all school board members, school district administrators, and principals within 30 days after receiving updated materials from DPI. **Section 1.** 115.28 (17m) of the statutes is created to read: 115.28 (17m) American Indian instruction; informational materials. (a) informational 3 Develop materials to inform school board members, school district administrators, and principals of the school board's obligation to provide instruction related to American Indians, including all of the following: 1. An instructional program designed to give pupils an understanding of human relations, particularly with regard to American Indians, as required under s. 118.01 (2) (c) 8. 2. Instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state, as required under s. 121.02 (1) (L). (b) Update the materials under par. (a) as necessary to accurately reflect a school board's obligation to provide instruction related to American Indians. (c) Annually, provide the materials under par. (a) to school boards. (d) Publish the materials under par. (a) on the department's Internet site. **Section 2.** 119.04 (1) of the statutes is amended to read: 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  $115.345, 115.363, 115.364, 115.365 \, (3), 115.367, 115.38 \, (2), 115.415, 115.445, 118.001 \, (2), 115.367, 115.367, 115.387, 11$ 

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1	to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to
2	118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
3	118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10),
4	118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43,
5	118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15)
6	to (27), and (29), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35),
7	(37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable
8	to a 1st class city school district and board but not, unless explicitly provided in this
9	chapter or in the terms of a contract, to the commissioner or to any school transferred
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13	provide the materials under s. 115.28 (17m) (a) to all of the following:
14	(a) Each school board member.
15	(b) The school district administrator.
16	(c) Any individual employed by the school district to work as a supervisor,
17	coordinator, or director of curriculum, instruction, or staff development, or an
18	equivalent position.
19	(d) Each principal employed by the school district.
20	(e) Each teacher who teaches social studies in the school district.
21	Section 4. Nonstatutory provisions.
22	(1) Initial materials, deadline. The state superintendent of public instruction

shall develop the materials under s.  $115.28\ (17m)$  (a) and publish the materials on

the department of public instruction's Internet site, as required under s. 115.28

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(17m) (d),	by no	later	than	September	1	of the	school	year	beginning	after	the
effective d	ate of t	this su	bsecti	ion.							

## SECTION 5. Initial applicability.

(1) DISTRIBUTION OF INITIAL MATERIALS. The treatment of ss. 115.28(17m) (c) and 120.12 (29) first applies to the school year beginning after the effective date of this subsection.

(END)

