



# Jeff Mursau

STATE REPRESENTATIVE • 36<sup>TH</sup> ASSEMBLY DISTRICT

## REMARKS OF REPRESENTATIVE JEFF MURSAU, CHAIR, JOINT LEGISLATIVE COUNCIL SPECIAL COMMITTEE ON STATE-TRIBAL RELATIONS, TO THE ASSEMBLY COMMITTEE ON EDUCATION

October 26, 2023

Good morning, members of the Assembly Committee on Education. During this past interim session, I again served as the chairperson of the Special Committee on State-Tribal Relations. I am here today to present four bills from the committee's work for your consideration.

The committee is required to be created every biennium to study issues relating to American Indian tribes and to develop legislative proposals. Membership of the study committee consisted of two Senators, five Representatives, and 10 public members representing the interests of the state's tribes. The study committee met four times from August to December 2022.

The committee discussed numerous policy options spanning an array of substantive areas of law. In concluding its work, the committee recommended a number of bill drafts for introduction by the Joint Legislative Council, four of which are before this committee today.

**Assembly Bill 209** does the following three things:

- Requires that the state superintendent incorporate American Indian studies into the model academic standards.
- Requires that the Department of Public Instruction develop and provide informational materials related to a school board's legal obligation to provide instruction on American Indians.
- Modifies the American Indian studies requirement for teacher licensure.

**Assembly Bill 210** provides that school boards and charter schools may not prohibit a pupil with certain tribal affiliation from wearing traditional tribal regalia at a graduation ceremony or school-sponsored event.

**Assembly Bill 212** requires each school district to report the numbers, ages, and tribal affiliation of American Indian children attending the schools of the school district.

**Assembly Bill 214** provides an option for a tribe to decide whether each individual applicant for a lifetime license to teach the American Indian language associated with the tribe in an American Indian language program is qualified to receive the lifetime license.

The special committee recommended introduction of all four bills by unanimous votes.

I am happy to answer any questions. Steve McCarthy and Ben Kranner from Legislative Council are here with me today to help answer any questions. Thank you for considering these bills.



## MEMO

TO: Assembly Committee on Education

FROM: Chris Reader, Executive Vice President  
Quinton Klabon, IRG Senior Research Director

DATE: October 26, 2023

RE: AB 209, instructional standards for Indigenous American studies

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Representative Kitchens and Committee members, thank you for the opportunity to testify on Assembly Bill 209, part of a package on Indigenous American studies introduced on behalf of the Joint Legislative Council following last year's work of the Special Committee on State-Tribal Relations.

IRG Action is the advocacy and lobbying partner of the Institute for Reforming Government, a Delafield-based think tank that works to give all Wisconsinites an opportunity to prosper. When we say "all," we mean all. This year, we've begun extensive community engagement efforts to amplify voices from tribal nations across Wisconsin on the topic of education. We hope that we're one of many partners to stand up with new solutions so that we're not dealing with the same, old problems forever.

Today, we're testifying narrowly on the so-called American Indian studies requirement for teacher licensure. We're here to make 2 points. First, Wisconsin does a tragically awful job of providing education to Indigenous kids. The consequences of that should make every member of this committee sit up and do something about it. Second, if we want to ensure great outcomes for Indigenous children, we can do more than mandate contemporary Indigenous history. We can make sure that the people living that history are teaching in classrooms.

So, I spent 7 years working at Saint Marcus Lutheran School in Milwaukee, and I still mentor kids and alumni there from 7th grade to college graduation. Very few members of this Committee are Black, yet all of you know Saint Marcus' name. Why?



To begin, you were all made aware of an educational issue. Wisconsin, year after year, has the worst academic achievement for Black students in the country, according to NAEP. Milwaukee, for some time now, has the worst academic achievement for Black students among big districts in the country. On the 2023 Forward Exam, 11% of Black students were proficient in reading and 8% were in math. The median predominantly Black school scored even lower, with 6% and 4% proficiency in those schools. You also understand the consequences. Wisconsin imprisons Black men far more than any state in the country. I count 5.9% in prison as of 2021. Wisconsin has the second highest teenage pregnancy rate among Black women in the country at 4.3%. Our Black young men and women who are succeeding often move to Georgia or North Carolina as soon as they can because there's a thriving, Black middle class there. However, because you know those results and outcomes, you are trying to do something about it. You passed Right to Read. You're trying to generate more Black teachers. You spend tons on district schools. You empower choice schools, which make up 8 of the 10 highest-performing schools serving Black students. Because the public is informed, you care, and I have optimism that things will change.

Honest question, though: could anyone tell me the statistics for Indigenous kids? If you pulled someone off of the street, they could tell you that Wisconsin is segregated between White and Black, but could they name cities where lots of Indigenous people live like Bayfield, Bowler, or Black River Falls? Do they even know the nations' names?

The facts will shock you. The lowest-scoring school district in Wisconsin is not Milwaukee at 16% reading proficiency, not Beloit at 14%, but Menominee at 4%. About half of Indigenous kids read or do math below grade level. On NAEP, Wisconsin's Indigenous students score close to our Black students and lower than the Black students in 44 other states. The result is 20% of Indigenous kids not graduating high school on time, 55% of Indigenous young men and women in the UW System dropping out, and the 5th highest incarceration rate in America at 4.0% of Indigenous men. Wisconsin's mismanagement has led to similarly or equally atrocious outcomes for our First Nations as for Black students, but they get scant attention.

So, the intent of the teacher education portion of this bill is terrific. Rather than understanding First Nations as some kind of historical artifact, teachers in Wisconsin will learn about contemporary contributions and crises in Indigenous people today.

However, do we really expect someone from Neenah to take a 3-credit diversity class and bring Indigenous history to life in Wisconsin classrooms? This is true: the class that checks this bill's box at UW-Stevens Point, Pluralism for Educators, has its syllabus online. Its 15 weeks are



extensively mapped out. Students spend 2 whole weeks reading bestselling (White) author Robin DiAngelo, whose 15 minutes of fame began when everyone bought her book, *White Fragility*, in 2020 and ended when its sequel, *Nice Racism*, was panned in *The Guardian* as “condescending” and full of “deep internal contradiction.” Next week is the scheduled Native American unit. Do you know what the assignments are? “TBD.” TBD. It’s the week without a plan. I think that sums up how focused our state often is on the inclusion of Indigenous families in Wisconsin’s prosperity.

IRG Action is here because the Joint Legislative Council’s recommendations are important to consider for inclusion but need a lot more to move the needle on achievement. IRG Action is focused on teachers, specifically offering advice to legislators on a teacher apprenticeship bill that will help many more Indigenous men and women become educators by lowering expenses and focusing on classroom experience in their college program. This matters because just 0.3% of Wisconsin teachers are Indigenous. Of the 10 school districts in Wisconsin with the highest percentage of First Nations students, all over 20% of the student body, 4 have only 1 Indigenous teacher. 2 have 0. It’s terrific to have “contemporary and historical significant events” worked into teacher preparation programs. But big-picture policies like teacher apprenticeships get the people living those events into classrooms, where they can do far more good than a mandate.

When what you’re teaching is personal, the result for students is never TBD.



October 26, 2023

**Assembly Committee on Education**

**Department of Public Instruction Testimony  
2023 Assembly Bill 209**

I want to thank Chairman Kitchens and members of the committee for the opportunity to provide testimony on Assembly Bill 209 (AB 209). My name is Kevyn Radcliffe, Legislative Liaison for the Department of Public Instruction (DPI) and with me today is David O'Connor.

DPI provides this testimony on AB 209 for information only as this bill codifies practices that are already being performed by DPI.

AB 209 seeks to improve the implementation of [1989 Wisconsin Act 31](#), the historic legislation which requires all public school districts and pre-service education programs to provide instruction on the history, culture, and tribal sovereignty of Wisconsin's eleven federally recognized American Indian tribes and bands. The department is supportive of efforts to improve the implementation of Act 31 and believes it is critical for Wisconsin students to know contemporary and historical information related to tribal sovereignty, significant events, and the cultures of Wisconsin's tribal nations and communities.

DPI has a robust process for the development, regular review, and updating of Wisconsin's [Academic Standards](#). Through that process, DPI seeks to incorporate instruction on the history, culture, and tribal sovereignty of Wisconsin's American Indian tribes and bands into academic subjects wherever possible. Teaching about this history of our tribal partners is greater than a lesson in Social Studies. For example, we have also incorporated suggested learning targets into the Wisconsin Standards for Environmental Literacy and Sustainability. And we collaborated with tribal partners on the development of an American Indian Traditional Foods in USDA School Meals Program toolkit, one of the first of its kind in the nation. DPI also provides technical assistance to schools who wish to incorporate instruction on indigenous peoples into their literacy curriculum.

I want to be clear: we do not believe the work to improve upon the implementation of Act 31 is completed. We feel there are several ways our schools and institutions of higher learning can grow and learn. The department is fortunate to have a dedicated position which works to advance efforts around Act 31. Today I'm joined by David O'Connor, who serves as DPI's American Indian Studies Consultant. He has been recognized for his work by the National Education Association Leo Reano Memorial Award and the National Indian Education Association Educator of the Year

Award, just to mention two of his numerous accolades. His duties, in part, include assisting schools in meeting their statutory obligations under Wisconsin Act 31 and developing resources for schools to use in delivering American Indian instruction. Those resources are published on our website on the [American Indian Studies Program \(AISP\)](#) page. The page exists primarily to assist school districts and teachers with the implementation of Act 31 curricular requirements in the areas of American Indian history, culture, and tribal sovereignty. The program is also responsible for [American Indian Language and Culture Education](#).

Regarding the instructional and licensure provisions of the bill, PI 34.022(3)(a) already requires preparation programs to include the history, culture, and tribal sovereignty of Wisconsin's American Indian tribes and bands as part of the requirement surrounding minority group relations in a preparation program's conceptual framework. To be approved by the department, a preparation program must report how they are addressing and demonstrating the acquisition of knowledge in this area.

Those seeking licenses through the out-of-state pathway receive a stipulation on their license and are unable to advance or renew their license unless they can demonstrate they have met the requirement in Wis. Stats. §118.19(8) and PI 34.022(3). Those seeking a license through reciprocity or American Board Certification for Teaching Excellence (ABCTE) are exempted from this requirement under statute.

DPI has a strong commitment to working with the tribal nations and communities of Wisconsin to implement the goals of Act 31. For example, DPI's recently released Civics Scope and Sequence contains instructional and resource materials across grade levels. We have established a Tribal Steering Committee in the Office of the State Superintendent to coordinate and facilitate initiatives across the department. DPI is working to improve ongoing communications with the tribal nations and communities through the DPI-Tribal Consultation scheduled for November. We look forward to continuing conversations with the tribal nations and communities so that we may better serve Indigenous students and promote greater understanding of contemporary and historical information related to tribal sovereignty, significant events, and the cultures of Wisconsin's tribal nations and communities.

If you have questions or would like additional information, please contact Kevyn Radcliffe, Legislative Liaison, at [kevyn.radcliffe@dpi.wi.gov](mailto:kevyn.radcliffe@dpi.wi.gov) or (608) 264-6716.



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**To:** Representative Joel Kitchens, Chair  
Members of the Assembly Committee on Education

**From:** Lisa Liggins

**Date:** Thursday, October 26, 2023

**Re: Support for Education Related Bills Recommended by the Special Committee on State-Tribal Relations: AB-209, AB-210, AB-212, and AB-214.**

Good morning, Chairman Kitchens and members of the Assembly Committee on Education.

My name is Lisa Liggins, I am serving my second term on the Oneida Business Committee as the Oneida Nation's Secretary. I am currently serving on the Oneida Nation School Board and Oneida Youth Leadership Institute Board. I also serve on the State of Wisconsin Joint Legislative Council's Special Committee on State-Tribal Relations.

The Oneida Nation has over 17,000 tribal citizens worldwide and approximately 1,450 students attending public school in the State of Wisconsin. We are a Nation, like most tribes located in the State of Wisconsin, who have several other governmental jurisdictions located within our boundaries. For us that includes two counties, 5 cities and villages, and 6 school districts.

I would first like to thank Chairman Kitchens for scheduling a public hearing on the education related bills recommended by the Special Committee on State-Tribal Relations. I would also like to thank Representative Jeff Mursau, who chaired the Special Committee and the other legislators that served: former Sen. Janet Bewley, former Rep. Bowen, Rep. Edming, Sen. Jacque, Rep. Rozar, Rep. Tittl and Rep. Vining. I would also like to thank the Department of Public Instruction (DPI) Superintendent Jill Underly and Legislative Liaison Kevyn Radcliffe for attending and working with the Special Committee to come to mutual agreement on all the bills being heard today.

Please understand, the legislative bills before us are priorities identified by the eleven federally-recognized Tribes located in Wisconsin and worked on via the State Legislature's Special Committee on State-Tribal Relations.

With recognition of the long agenda and respect of your time today, the following testimony on behalf of the Oneida Nation is in support of all four of the Special Committee bills.

- **Assembly Bill 209:** Model academic standards related to American Indian studies, informational materials related to a school board's obligation to provide instruction on American Indians, and the American Indian studies requirement for teacher licensure.
- **Assembly Bill 210:** Pupils wearing traditional tribal regalia at a graduation ceremony or school-sponsored event.



- **Assembly Bill 212:** Requiring school districts to report information related to American Indian children attending school in the school district.
- **Assembly Bill 214:** Lifetime license that authorizes an individual to teach an American Indian language in an American Indian language program and modifying rules promulgated by DPI.

Today, we are here to share the importance of recognizing our cultural heritage at graduation ceremonies; implementing contemporary and historic tribal sovereignty, culture and significant events regarding American Indians into the public school's curriculum; allowing tribes that choose to, to review and provide an endorsement for tier III Native American language applicants; and, ensuring information is reported related to American Indian children attending school in the school district.

We were the first people of this land and our contributions, both then and now, deserve to be known as part of the story that has gotten us all to the place we are today.

The Oneida Nation is proud of the progress we have made with local colleges and universities and some of the local school districts.

The Seymour School District sends some of their staff to the DPI American Indian Studies Institute each summer. Seymour offers Oneida Language as part of the high school curriculum. Wisconsin Indian Studies are taught as part of the curriculum at 4<sup>th</sup> grade. Oneida's Youth Education Services middle school staff have assisted in providing information about Oneida

History in some of the classrooms. The middle school has a display case of Indigenous cultural material as well as a "13 Moons" mural in the commons area/lunch room of the school.

The Green Bay School District has Indian education Act 31 student learning outcomes that are written into CEDs (content essential documents aka curriculum). Starting in Kindergarten evidence outcomes are written into each grade level's social studies documents. The resources that are available to teachers (in addition to the DPI websites that compile resources) is "First Nations in Wisconsin" by author Patty Loew. All teachers have a copy in grades K-5. All classrooms have at least 10 books placed in the classroom libraries that feature Native American main characters, are written by Native American authors, and are recommended texts from DPI, as well as First Nations websites. Some classrooms have maps purchased from GLIFWC showing the First Nations in Wisconsin. Each building has an updated Hands on History Bin. This bin, originally donated by Oneida Nation, was updated last year to include additional texts for teachers to check out and use with students. Included in the bin are some lessons that teachers can use, as well as a large Wisconsin map.

The West De Pere High School has a Native American History class. The 1/2 credit class fulfills one of the social studies requirements. Students are required to take 1 credit of US History, 1 credit of Global History, and can choose two 1/2 credit classes to fulfill the rest. The instructor for the Native American History class collaborated with Dr. Lisa Poupart and Danielle Karl Tubby to develop the curriculum. West De Pere has offered several professional development

opportunities to their social studies team(s). They utilize Dr. Poupart in their professional development sessions.

However, not all schools in the State have the same resources or adhere to the same standards as our local schools. Therefore, the Oneida Nation feels it is necessary for our schools in the State of Wisconsin to have minimum standards and the correct resources when teaching about the first people of this land.

We have shared our resources with all our surrounding school districts. We have shared our knowledge, given tours, and invited your children to our museum and our Corn Husking Bee. We shared who we are through song and dance. We have participated in professional development days, so our teachers will have a better understanding of our culture, traditions, and way of life.

The Oneida Nation is a Nation of strong families built on Tsiyukwaliho t<sup>^</sup> and a strong economy. We look forward to continuing to build partnerships with all the school districts, the Department of Public Instruction and the State Legislature with a good mind, a good heart and a strong fire.

#### **Bill Summaries with Comments:**

##### **Assembly Bill 209**

- *Model academic standards.*
  - The bill requires the state superintendent, in consultation with the Wisconsin Indian Education Association to incorporate American Indian studies into the model academic standards. These standards must address certain historical and contemporary information that pupils are expected to know. At a minimum, this information must include significant events, tribal sovereignty, and culture relating to the federally recognized tribes and bands located in Wisconsin.
  - **Oneida Nation Comment:** This provision is meant to focus what is already supposed to be occurring in Wisconsin schools. Further, while learning about the past is important – we also want to make sure students learn about our culture and how tribes exist and function today. This is important as eleven federally recognized tribal governments exist within the geographical borders of Wisconsin.
- *Informational materials related to a school board's obligation to provide instruction on American Indians.*
  - Current law already requires 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.
  - Current law also requires 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.
  - AB-209 among other things, requires that the Department of Public Instruction (DPI) develop informational materials related to the requirements described above for distribution to school boards annually.

- **Oneida Nation Comment:** Educating our youth is important, but oftentimes it is just as important to ensure that the governing bodies and administrators overseeing our children’s education are reminded of the materials our youth are learning. This legislation should be fairly easy for educational entities to meet – as the materials can be provided in a format of the local school district’s choosing.
- *The American Indian studies requirement for teacher licensure.*
  - Subject to several exceptions, current law generally prohibits the state superintendent of public instruction from issuing a teaching license to a person unless that person has received instruction in minority group relations, including instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in Wisconsin.
  - AB-209 modifies the instructional requirement, providing that a teacher license applicant must receive instruction in the culture, tribal sovereignty, and contemporary and historical significant events of the federally recognized American Indian tribes and bands located in Wisconsin.
  - **Oneida Nation Comment:** AB-209 replaces in this statutory section the word “history” and adds the language “Contemporary and historical significant events.” The point again, is that while learning about the past is important – Tribes want to make sure students learn about our culture and how tribes exist and function today.

**Assembly Bill 210**

- *Pupils wearing traditional tribal regalia at graduation ceremony or a school-sponsored event.*
  - *As summarized by the Legislative Council summary of the bill,* Wisconsin law contains some general protections for a pupil's religious beliefs, ancestry, creed, race, and national origin. Specifically, schools must provide for the reasonable accommodation of a pupil's sincerely held religious beliefs with regard to all examinations and other academic requirements. Additionally, no student may be denied participation in, be denied the benefits of, or be discriminated against in any curricular, extracurricular, pupil services, recreational, or other program or activity because of race, religion, national origin, ancestry or creed.
  - However, current law does not explicitly address an American Indian student's right to wear traditional tribal regalia at a graduation ceremony or school-sponsored event.
  - **Oneida Nation Comment:** Many Native Americans celebrate major life accomplishments by wearing tribal regalia, which are considered sacred traditions, symbols of achievement and connection to the Tribal community. This is meant to ensure that the protections afforded under current law clearly provide for Tribal regalia.

**Assembly Bill 212**

- Requiring school districts to report information related to American Indian children attending school in the school district.
  - As summarized by the Legislative Council summary of the bill, under current law, the State Superintendent of Public Instruction must conduct a statewide, biennial assessment of the need for American Indian language and culture education programs. Various information must be included in this assessment, including information on the numbers, ages, location, and tribal affiliation of American Indian pupils. While certain school

districts began voluntarily reporting tribal affiliation data to the Department of Public Instruction (DPI) during the 2021-2022 academic school year, current law does not explicitly require school districts to collect this information and report it to DPI.

- Current law also requires each school district to submit an annual school district report to DPI. This report must include various information related to the school district, including the number of children taught in the schools of the school district, the number of hours of direct pupil instruction provided in each school of the school district, and the names of all teachers employed by the school district during the school year.
- AB-212 expands the requirements of this report, requiring each school district to report the numbers, ages, and tribal affiliation of American Indian children attending the schools of the school district.
- **Oneida Nation Comment:** The intent of AB-212 is to ensure the district and the state is obtaining the data needed for accurately assessing American Indian language and culture education programming needs.

Thank you for the opportunity to testify and I am available to answer any questions you may have. Yaw<sup>^</sup>ko



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Members of the Assembly Committee on Education

**From:** Melinda Danforth

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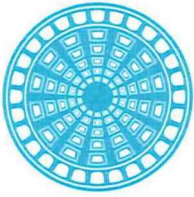
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- AB-212 expands the requirements of this report, requiring each school district to report the numbers, ages, and tribal affiliation of American Indian children attending the schools of the school district.
- **Oneida Nation Comment:** The intent of AB-212 is to ensure the district and the state is obtaining the data needed for accurately assessing American Indian language and culture education programing needs.

Thank you for the opportunity to testify and I am available to answer any questions you may have. Yaw^ko



October 26, 2023

## Support for State-Tribal Relations Bills (Assembly Bills 209, 210, 212, and 214)

Chairman Kitchens and members of the Assembly Committee on Education, I am State Representative Robyn Vining, and I represent the 14th Assembly District, which includes the people of Wauwatosa and West Allis. I am honored to submit testimony today in support of four bills that were the product of the bipartisan Special Committee on State-Tribal Relations.

I was proud to serve on the Special Committee on State-Tribal Relations last year, and was incredibly honored to be part of this important, bipartisan legislative process that collaborated with community members, experts, legislators, and members of our tribal nations to identify and address issues facing Wisconsin's tribal communities.

After conducting four hearings, including a hearing and tour of the Menominee Nation reservation, the committee unanimously approved seven bills, which were also unanimously approved by the Joint Legislative Council earlier this year. These bills allow students to wear traditional tribal regalia at graduation ceremonies and school-sponsored events, to incorporate American Indian studies into the model academic standards, to collect more data on American Indian children attending schools, and to give Wisconsin's federally recognized tribes input on issuing lifetime licenses to teach their language, among others.

The members of our tribal nations deserve to see these bipartisan bills move through the legislature and onto Governor Evers' desk to be signed into law, and I thank you for your part in that work. **This is how we move Wisconsin forward, together.**

Forward together,

Robyn Vining  
Wisconsin State Representative  
14th Assembly District