



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0470/P2
FFK:amn

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to amend* 119.04 (1); and *to create* 115.28 (17m) and 120.12 (29) of the
2 statutes; **relating to:** materials related to a school board's obligations to
3 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.

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:

1 **SECTION 1.** 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 s. 121.02 (1) (L) 4.

12 (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,
20 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10),
21 118.245, 118.25, 118.255, 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), 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.

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

8 120.12 **(29)** AMERICAN INDIAN INSTRUCTION; INFORMATIONAL MATERIALS. Provide
9 the materials developed under s. 115.28 (17m) to school board members, school
10 district administrators, and principals. The school board shall provide the materials
11 to a school board member no later than 30 days after the school board member takes
12 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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(END)