



State of Wisconsin
2021 - 2022 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO SENATE BILL 409**

February 22, 2022 – Offered by Representatives L. MYERS, STUBBS, BALDEH, DRAKE, HAYWOOD, MOORE OMOKUNDE, ANDERSON, BILLINGS, BROSTOFF, CONLEY, CONSIDINE, EMERSON, GOYKE, HONG, B. MEYERS, NEUBAUER, S. RODRIGUEZ, SHANKLAND, SHELTON, SINICKI, SNODGRASS, SPREITZER, SUBECK, VINING and VRUWINK.

1 **AN ACT to renumber and amend** 118.19 (8); and **to create** 115.28 (55r), 118.165
2 (3), 118.19 (8) (b), 118.40 (2r) (d) 3., 118.40 (2x) (d) 3. and 121.02 (1) (L) 4m. of
3 the statutes; **relating to:** required instruction in African American history in
4 the elementary and high school grades and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the state superintendent of public instruction, in collaboration with certain organizations specified in the bill, to develop a model curriculum for all grades, from kindergarten to 12, on African American history that does all of the following:

1. Includes developmentally appropriate instruction in the history of African Americans in the United States in general, and in this state in particular, and incorporates that history into the broader context of national and state history.
2. Includes instruction in the experiences of African Americans in, and the contributions of African Americans to, the origins and development of the United States and this state.
3. Includes instruction in the anthropological migration of people into this state.
4. Includes tools to help pupils analyze history as a means to understand current events and envision a positive multicultural society.

5. Specifies the essential knowledge and associated performance standards regarding African American history that are incorporated into the social studies curriculum in each grade.

The bill also requires the state superintendent to incorporate African American history instruction that is consistent with the model curriculum into the model academic standards for social studies. Public schools, independent charter schools, and private schools must include in their social studies curriculum for every grade, from kindergarten to 12, instruction in African American history that is consistent with the model curriculum. Under the bill, DPI must employ three education consultants to assist schools with updating curriculum and providing African American history instruction.

Finally, under the bill, the state superintendent may not grant a teaching license unless the applicant has received instruction in African American history that is consistent with the model curriculum.

The bill also provides additional funding for the University of Wisconsin System under its general program operations appropriation and for special education aid for school districts, independent charter schools, cooperative educational service agencies, and county children with disabilities education boards for purposes of maintaining compliance with maintenance of effort requirements of the federal Consolidated Appropriations Act and the federal American Rescue Plan Act.

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

1 **SECTION 1.** 115.28 (55r) of the statutes is created to read:

2 115.28 (**55r**) AFRICAN AMERICAN HISTORY; MODEL STANDARDS; CURRICULUM. (a)

3 Develop a model curriculum for grades kindergarten to 12 on African American
4 history that does all of the following:

5 1. Includes developmentally appropriate instruction in the history of African
6 Americans in the United States in general, and in this state in particular, and
7 incorporates that history into the broader context of national and state history.

8 2. Includes instruction in the experiences of African Americans in, and the
9 contributions of African Americans to, the origins and development of the United
10 States and this state.

1 3. Includes instruction in the anthropological migration of people into this
2 state.

3 4. Includes tools to help pupils analyze history as a means to understand
4 current events and envision a positive multicultural society.

5 5. Specifies the essential knowledge and associated performance standards
6 regarding African American history that are incorporated into the social studies
7 curriculum in each grade.

8 (b) Incorporate African American history instruction that is consistent with the
9 curriculum developed under par. (a) into the model academic standards for social
10 studies.

11 (c) Employ 3 full-time education consultants to assist school boards, operators
12 of charter schools established under s. 118.40 (2r) and (2x), and governing bodies of
13 private schools with updating curriculum and providing African American history
14 instruction.

15 **SECTION 2.** 118.165 (3) of the statutes is created to read:

16 118.165 (3) The governing body of a private school shall ensure that the private
17 school, as part of the private school's curriculum, includes the instruction in African
18 American history required under s. 121.02 (1) (L) 4m.

19 **SECTION 3.** 118.19 (8) of the statutes is renumbered 118.19 (8) (intro.) and
20 amended to read:

21 118.19 (8) (intro.) The state superintendent may not grant to any person a
22 license to teach unless the person has received instruction in the study of minority
23 group relations, including instruction in all of the following:

24 (a) The history, culture, and tribal sovereignty of the federally recognized
25 American Indian tribes and bands located in this state.

1 **SECTION 4.** 118.19 (8) (b) of the statutes is created to read:

2 118.19 **(8)** (b) The history of African American people consistent with the model
3 curriculum developed under s. 115.28 (55r) (a).

4 **SECTION 5.** 118.40 (2r) (d) 3. of the statutes is created to read:

5 118.40 **(2r)** (d) 3. Ensure that each charter school established under this
6 subsection includes in its curriculum the instruction in African American history
7 required under s. 121.02 (1) (L) 4m.

8 **SECTION 6.** 118.40 (2x) (d) 3. of the statutes is created to read:

9 118.40 **(2x)** (d) 3. Ensure that each charter school established under this
10 subsection includes in its curriculum the instruction in African American history
11 required under s. 121.02 (1) (L) 4m.

12 **SECTION 7.** 121.02 (1) (L) 4m. of the statutes is created to read:

13 121.02 **(1)** (L) 4m. As part of the social studies curriculum, include instruction
14 in African American history that is consistent with the model curriculum developed
15 under s. 115.28 (55r) (a) in each elementary and high school grade.

16 **SECTION 8. Nonstatutory provisions.**

17 (1) DEVELOPMENT OF MODEL CURRICULUM. In developing the model curriculum
18 required under s. 115.28 (55r) (a), the state superintendent of public instruction shall
19 collaborate with all of the following:

20 (a) The African-American/Jewish Friendship Group, Inc.

21 (b) Wisconsin Black Historical Society and Museum, Inc.

22 (c) America's Black Holocaust Museum.

23 (d) The University of Wisconsin System.

24 **SECTION 9. Fiscal changes.**

1 (1) EDUCATION CONSULTANT POSITIONS. In the schedule under s. 20.005 (3) for the
2 appropriation to the department of public instruction under s. 20.255 (1) (a), the
3 dollar amount for fiscal year 2021-22 is increased by \$384,900 to increase the
4 authorized FTE positions for the department by 3.0 GPR positions for the education
5 consultants required under s. 115.28 (55r) (c). In the schedule under s. 20.005 (3) for
6 the appropriation to the department of public instruction under s. 20.255 (1) (a), the
7 dollar amount for fiscal year 2022-23 is increased by \$384,900 to provide funding for
8 the positions authorized under this subsection.

9 (2) SPECIAL EDUCATION AID. In the schedule under s. 20.005 (3) for the
10 appropriation to the department of public instruction under s. 20.255 (2) (b), the
11 dollar amount for fiscal year 2022-23 is increased by \$245,000 to increase funding
12 for aids for special education under s. 115.88.

13 (3) UW SYSTEM; GENERAL PROGRAM OPERATIONS. In the schedule under s. 20.005
14 (3) for the appropriation to the Board of Regents of the University of Wisconsin
15 System under s. 20.285 (1) (a), the dollar amount for fiscal year 2022-23 is increased
16 by \$60,000 for the purpose for which the appropriation is made.

17 **SECTION 10. Initial applicability.**

18 (1) CURRICULUM REQUIREMENTS. The treatment of ss. 118.165 (3), 118.40 (2r) (d)
19 3. and (2x) (d) 3., and 121.02 (1) (L) 4m. first applies to curriculum for the school year
20 that begins after the effective date of this subsection.

21 **SECTION 11. Effective dates.** This act takes effect on the day after publication,
22 except as follows:

23 (1) LICENSURE REQUIREMENTS. The renumbering and amendment of s. 118.19 (8)
24 and the creation of s. 118.19 (8) (b) take effect on July 1, 2023.

25 (END)