



Jeff Mursau

STATE REPRESENTATIVE • 36TH ASSEMBLY DISTRICT

ASSEMBLY COMMITTEE ON STATE AFFAIRS Assembly Bill 98 and 99

March 5, 2025

Good morning, members of the Assembly Committee on State Affairs. During this past interim, I again served as the chairperson of the Special Committee on State-Tribal Relations.

The State-Tribal Relations committee is a permanent committee created to study issues relating to American Indian tribes and to develop legislative proposals. Membership of the study committee consisted of two Senators, four Representatives, and 11 public members representing the interests of the state's tribes. The study committee met four times from August to December 2024.

The committee discussed numerous topics of importance to the state's tribes. In concluding its work, the committee recommended a number of bill drafts for introduction by the Joint Legislative Council, two of which are before this committee today.

Assembly Bill 98 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 99 simply adds tribal governments and their employees to the list of persons who are authorized to copy a certified copy of a vital record for administrative use by the authorized entity.

Both of these bills passed the Assembly last session on voice votes, and the State-Tribal Relations committee recommended introduction of both bills by a unanimous vote again this session.

Steve McCarthy and Abby Gorzlaneyk from Legislative Council are here with me today to help answer any questions. Thank you for considering these bills.



Oneida Nation
Oneida Business Committee
PO Box 365 • Oneida, WI 54155-0365
oneida-nsn.gov



To: Representative Swearingen, Chair
Members of the Assembly Committee on State Affairs

From: Lisa Liggins, Oneida Nation Tribal Secretary

Date: March 5, 2025

Re: Support for Tribal Regalia Bill Recommended by the Special Committee
on State-Tribal Relations

Good morning, Chairman Swearingen, and members of the Assembly Committee on State Affairs.

My name is Lisa Liggins, and I serve as the Oneida Business Tribal Secretary. Previously, I was a member of the Oneida Nation School Board, and I now act as the liaison to the School Board while also serving on the Oneida Youth Leadership Institute Board. Additionally, I am a member of the State of Wisconsin Joint Legislative Council's Special Committee on State-Tribal Relations.

The Oneida Nation has over 17,000 tribal citizens worldwide, with more than 1,400 students attending public schools in Wisconsin. Like many Tribal Nations in the state, our Nation's jurisdiction overlaps with multiple governmental entities, including two counties, five cities and villages, and six school districts.

I would like to begin by expressing my appreciation to Chairman Swearingen for scheduling a public hearing on this bill. I also want to thank Representative Jeff Mursau for chairing the Special Committee, along with the legislators who served on it: Senators Felzkowski and Smith and Representatives Conley, Edming, and Rozar.

Wisconsin law provides critical protections for students based on their religious beliefs, ancestry, creed, race, and national origin. Schools are required to reasonably accommodate students' religious beliefs and ensure that no student is denied participation or benefits in curricular and extracurricular activities due to these protected characteristics. However, current law does not explicitly affirm the right of American Indian students to wear traditional tribal regalia at significant events such as graduation ceremonies.

For Native American students, graduation is not just an academic milestone—it is a moment of deep cultural, spiritual, and personal significance. Many Native students and their families honor this achievement by wearing traditional tribal regalia, which carries profound historical and sacred meaning. They are not mere accessories but are expressions of cultural identity and accomplishment.

A good mind. A good heart. A strong fire.

One of the most sacred elements of our regalia is the eagle feather, which represents the purity and innocence of the mind, body, and spirit. It is often worn as a mark of identity and great achievement. The eagle, as the leader of all birds, has been a powerful messenger since the beginning of time, flying closest to the Creator and carrying our words and thoughts on its wings. During the formation of the Great Law, the governing law of the Lotinuhsyuni, the Iroquois Confederacy, the Creator placed an eagle at the top of the Tree of Peace, tasking it with the responsibility to watch over and protect our peace.

We deeply value the eagle's presence and its feathers. In our traditions, men wear immature eagle feathers in their kastowe (Oneida headdress), while women wear the plumes. These feathers are gifted in recognition of success and serve as a reminder to uphold the purity and innocence of the mind, body, and spirit—to maintain a peaceful mind as the Creator intended. The eagle is one of nature's helpers, guiding us to keep a good mindset and live in harmony. Eagle feathers are integral to our ceremonies, our headdresses, and our symbols of great accomplishment.

Denying Native students the right to wear their regalia and feathers at graduation or other school-sponsored events is not just a restriction on self-expression—it disregards our cultural and religious freedoms. While some Wisconsin school districts already allow tribal regalia, inconsistencies in policy have led to confusion, conflict, and, in some cases, the exclusion of Native students from fully participating in one of the most significant moments of their lives.

By explicitly protecting the right of American Indian students to wear traditional tribal regalia at graduation and other school-sponsored events, Wisconsin will join a growing number of states that recognize and respect this fundamental aspect of Native identity. Ensuring this protection in law would reinforce the state's commitment to inclusivity, equality, and respect for the sovereignty of Tribal Nations.

The Oneida Nation respectfully urges this committee and the Legislature to support clear protections that allow American Indian students to proudly wear their traditional regalia as a symbol of their achievements and cultural heritage. It is with a good mind, a good heart, and strong fire I say yawako for your time and consideration.



March 5, 2025

Assembly Committee on State Affairs

**Department of Public Instruction Testimony
2025 Assembly Bill 98**

We thank Chairperson Swearingen and members of the committee for the opportunity to provide written testimony in support of Assembly Bill 98 (AB 98). We also acknowledge and thank the 2024 Special Committee on State-Tribal Relations for their collaboration with DPI on the development of this bill.

Each year, around times of special significance such as graduation or when an American Indian student is being recognized or honored, Indigenous students across the state are too often prohibited from wearing items of religious and cultural significance, such as eagle feathers. For many Indigenous students and their families, wearing cultural and religious items honors their nation, community, and heritage.

DPI believes that current law provides protections for Indigenous students. However, that protection requires the interpretation of two statutes that, when taken together, articulate those protections. Wis. Stat. § 115.28 (31) requires rules to provide for the reasonable accommodation of a pupil's sincerely held religious beliefs regarding all examinations and other academic requirements. School boards are required to develop policies providing for such accommodations [Wis. Admin. Code § PI 41.04 (1)]. Further, Wis. Stat. § 118.13 provides that 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.

AB 98 will provide clarification and guidance to school districts as to their responsibility to provide a welcoming, safe, and engaging place for all students, families, communities, and Indigenous nations across Wisconsin.

Tribal regalia is defined as a tribe's traditional dress or recognized objects of religious or cultural significance. Tribal regalia also specifically includes tribal symbols, beads, and feathers. Similar statutes exist in the states of North Dakota and Arizona, both of which include eagle feathers and eagle plumes.

There are many symbols in Indigenous culture that have been part of major celebrations and milestones, historically. For example, eagle feathers are symbols in many Tribal Nations of the specific passage into adulthood. An American Indian student might be gifted an eagle feather at graduation that has been passed down for generations; to wear this eagle feather is an honor in the culture and heritage of many American Indian communities and nations.

In passing this AB 98, Wisconsin would join numerous states that have enacted laws that protect American Indian students' right to wear items of religious and cultural significance. For example, in the state of Utah, a state statute specifically provides that American Indian students may wear tribal regalia at a graduation ceremony.

The protection of wearing tribal regalia has been extended to all public events in the state of Montana. As written in their state statute, "To help further the state's recognition of the distinct and unique cultural heritage of the American Indians and the state's commitment to preserving the American Indians' cultural integrity... [a] state agency or local government may not prohibit an individual from wearing traditional tribal regalia or objects of cultural significance at a public event." Montana's statute specifically includes award and graduation ceremonies in the definition of a public event. [Mont. Code. Ann. § 2-1-(c)315].

Enacting AB 98 would statutorily ensure the reasonable accommodation of a pupil's sincerely held religious beliefs regarding the honor of wearing tribal regalia at a graduation ceremony or other school-sponsored event. Wisconsin would join several other states with laws already in place to protect American Indian students' right to wear items of religious and cultural significance.

Thank you for allowing DPI to share this testimony. Please direct any questions to Laura Adams, Policy Initiatives Advisor, at laura.adams@dpi.wi.gov.