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# MARY FELZKOWSKI

STATE SENATOR • 12<sup>TH</sup> SENATE DISTRICT

## **Testimony for SB 85, 86, 87, 88, and 89**

Senator Mary Felzkowski

Committee on Government Operations, Labor and Economic Development

March 12, 2025

Good morning, Chairman Feyen and Committee Members,

Thank you for the opportunity to testify on Senate Bills 85, 86, 87, 88, and 89. This past summer and fall I served as the vice-chair of the Special Committee on State-Tribal Relations, during which time I had the pleasure of working with tribal members and legislators from throughout our great State. The outcome of this committee are these five commonsense bills that are before you today.

**Senate Bill 85** provides that a school board or charter school cannot prohibit a pupil with tribal affiliation from wearing traditional tribal regalia at a graduation ceremony or school-sponsored event. It was requested by tribal members to ensure all tribal-affiliated students are able to wear tribal regalia at graduation ceremonies. Last session, in the Assembly the bill passed unanimously out of committee and the entire body on a voice vote, but did not receive a hearing in the Senate. This interim, the tribal committee members reemphasized that the ability to wear regalia at graduation ceremonies was an ongoing problem for their members, so the committee again recommended the bill for introduction.

**Senate Bill 86** adds tribal governments and their employees to the list of persons who are authorized to copy a certified copy of a vital record (such as a birth certificate) for administrative use by the authorized entity. Currently, the list of entities that are authorized to make these copies include financial institutions, state agencies, county departments, and their employees. Making an unauthorized copy is a Class I felony, punishable by a fine up to \$10,000, prison for up to three and a half years, or both. Last session, in the Assembly the bill passed unanimously out of committee and the entire body on a voice vote, and in the Senate passed out of committee but no further action was taken. Tribal members reiterated that their government employees need to retain copies of vital records to establish and verify membership, so the committee recommended the bill for introduction again.

**Senate Bill 87** provides an option for a tribal government to determine whether a person licensed to teach an American Indian language is qualified to receive a lifetime teaching license. Currently, when an individual applies for a Tier II (three-year provisional) license to teach an American Indian Language in an American Indian Language Program, the applicant must be certified as competent in the given language by the applicable tribal council, tribal language division, or local American Indian parent advisory committee. There is no additional certification of competence requirement for applicants of a Tier III lifetime license to teach an American Indian Language in an American Indian Language Program.

The bill allows tribal governments to opt in to review applicants for Tier III lifetime licenses for an American Indian language associated with that tribe or band. Once opted in, DPI would notify the tribe or band whenever an applicant applies for a Tier III license in a language associated with the tribal government. The tribal government would then determine and notify DPI whether the applicant is highly skilled and endorse the applicant receiving a Tier III lifetime license, or whether the applicant is not highly skilled and should instead

retain a Tier II license. This additional certification does not change any of the other requirements already necessary to obtain a Tier III license.

Last session, in the Assembly this bill passed unanimously out of committee and the entire body on a voice vote, but did not receive a hearing in the Senate. This interim, committee members asked the bill to be reintroduced again this session.

**Senate Bill 88** allows any tribal school teacher to serve on the Professional Standards Council for Teachers. Under current law, one of the members of the Professional Standards Council for Teachers, which advises the State Superintendent, must be a licensed teacher employed at a tribal school and recommended by a federally recognized American Indian tribe or band in this state with a tribal school. Under the bill, this member would not need to be licensed by DPI, but would still need to be a teacher employed at a tribal school. DPI requested this change as the position has been vacant for some time, due to the fact that teachers at tribal schools do not need a DPI license. This is the first session this bill has been considered by the Committee on State-Tribal Relations.

**Senate Bill 89** requires that school districts include in their annual report to DPI the numbers, ages, and tribal affiliation of American Indian children attending the school district beginning in the 2026-2027 school year. Currently, school districts are required to report various information annually to DPI, including demographic information about its pupils. Also, DPI must make an annual assessment of the needs and evaluation of resources for the American Indian Language and Culture Education Program. DPI has requested school district report information relating to the numbers, ages, and tribal affiliation of American Indian children attending the school district, but currently such reporting is only voluntary, so not all school districts report this information. This bill makes that reporting required. Last session, the bill was voted out of committee but was not voted on by the entire Assembly, and did not receive a hearing in the Senate.

I want to thank Chair Mursau for his work on the Special Committee on State-Tribal Relations. Steve McCarthy and Abby Gorzlancyk from Legislative Council are here with me today to help answer any questions. Thank you for considering these bills.



# Jeff Mursau

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

## SENATE COMMITTEE ON GOVERNMENT OPERATIONS, LABOR AND ECONOMIC DEVELOPMENT Senate Bills 85, 86, 87, 88, 89

March 12, 2025

Good morning, members of the Senate Committee on Government Operations, Labor and Economic Development. 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 five bill drafts for introduction by the Joint Legislative Council, all of which are before this committee today.

**Senate Bill 85** 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.

**Senate Bill 86** 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.

**Senate Bill 87** provides an option for a tribe to determine whether a person licensed to teach an American Indian language is qualified to receive a lifetime teaching license.

**Senate Bill 88** allow any tribal school teacher to serve on the Professional Standards Council for Teachers.

**Senate Bill 89** requires that school districts include in their annual report to DPI the numbers, ages, and tribal affiliation of American Indian children attending the school district beginning in the 2026-2027 school year.

All of these bills were recommended for introduction by State-Tribal Relations committee and Joint Legislative Council by unanimous votes.

Steve McCarthy and Abby Gorzlancyk from Legislative Council are here with me today to help answer any questions. Thank you for considering this bill.



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



To: Senator Dan Feyen, Chair  
Members of the Senate Committee on Operations, Labor & Economic Development

From: Lisa Liggins, Oneida Nation Secretary

Date: Wednesday, March 12, 2025

Re: Support for SB-89: Reporting Information Related to American Indian Children  
recommended by the Special Committee on State-Tribal Relations

Shekoli Chairman Feyen and Members of the Senate Committee on Operations, Labor & Economic Development.

My name is Lisa Liggins, I serve as Tribal Secretary, an elected office of the Oneida Nation. I also served on the State of Wisconsin Joint Legislative Council Special Committee on State-Tribal Relations.

I would first like to thank the Committee Chair for scheduling a public hearing on this bill recommended by the Special Committee on State-Tribal Relations. I would also like to thank Representative Jeff Mursau, who chairs the Special Committee and the other legislators that served: Senators Felzkowski (Vice-Chair) and Smith and Representatives Conley, Edming, and Rozar.

Thank you for the opportunity to testify in support of SB 89 expanding the requirements for school district reporting to include data on the numbers, ages, and tribal affiliation of American Indian students. This bill is a necessary step toward ensuring that the Wisconsin Department of Public Instruction (DPI) can accurately assess and meet the educational needs of American Indian students across the state.

Under current law, the State Superintendent of Public Instruction is required to conduct a biennial assessment of the need for American Indian language and culture education programs. However, this assessment is limited by the fact that school districts are not explicitly required to collect and report tribal affiliation data to DPI. While some school districts have voluntarily participated in this effort since the 2021-2022 academic year, this practice is not uniform statewide, resulting in gaps in the data available to DPI and stakeholders.

By requiring school districts to report the numbers, ages, and tribal affiliation of American Indian students beginning in the 2026-2027 school year, this bill will:

1. Improve Data Accuracy and Equity: DPI staff have acknowledged that the current data collection process is insufficient, as existing forms do not provide a designated space for parents to specify tribal affiliation. Standardizing this data collection across all school

districts will allow for more accurate representation of American Indian students and their educational needs.

2. **Strengthen Compliance with Act 31:** The data collected will help DPI identify school districts with little to not reported tribal affiliation among students. This will allow DPI to better target its efforts to encourage and enforce compliance with Act 31, which requires public schools to teach about the history, culture, and sovereignty of Wisconsin's American Indian nations. Ensuring that all students, regardless of location, receive this education is essential to fostering cultural awareness and understanding.
3. **Support Federal Reporting and Program Development:** DPI has federal reporting obligations that require detailed data on American Indian students. By ensuring consistent and reliable data collection, this bill will help the department meet these obligations and improve access to programs and resources that support American Indian students.

It is important to note that approximately two-thirds of Wisconsin school districts already voluntarily collect tribal affiliation data. This legislation simply makes this practice uniform and ensures that all school districts contribute to a more comprehensive understanding of American Indian student populations in Wisconsin.

I strongly support this bill and urge its passage to enhance the educational opportunities for American Indian students across the state. It is with a good mind, a good heart, and strong fire I say yawako for your time and consideration. I am happy to answer any questions at this time.