



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0025/1
FFK:amn&wlj

2021 BILL

1 **AN ACT** *to amend* 118.19 (18) (bg) 1.; and *to create* 118.19 (18) (bp) of the
2 statutes; **relating to:** a lifetime license that authorizes an individual to teach
3 an American Indian language in an American Indian language program and
4 modifying rules promulgated by the Department of Public Instruction.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

For further information see the state 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:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on State-Tribal Relations.

Under current law, an individual who holds any provisional teaching license is eligible for a lifetime license upon successfully completing six semesters of teaching experience. This bill provides an option for a federally recognized American Indian tribe or band to decide whether each applicant for a lifetime license to teach the American Indian language associated with the tribe or band in an American Indian language program is qualified to receive the lifetime license. To exercise this option, an American Indian tribe or band must notify the Department of Public Instruction in writing. If an

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American Indian tribe or band exercises this option, DPI may not issue a lifetime license to teach the associated American Indian language to an individual unless the American Indian tribe or band approves the individual's application.

Under the bill, if an American Indian tribe or band opts to review individual applicant's for a lifetime license, the tribal government must determine whether an applicant is highly skilled in the applicable American Indian language. If the tribal government determines the applicant is highly skilled, the American Indian tribe or band approves the application and DPI may issue a lifetime license to the applicant. If the tribal government determines the applicant is not highly skilled in the applicable American Indian language, the American Indian tribe or band may deny the application and instead require that the applicant be recertified as competent in the language as a condition of DPI renewing the individual's provisional license. Additionally, the tribal government determines the term of the applicant's renewed provisional license. Under the bill and current law, there is no limit on the number of times that a provisional teaching license may be renewed.

SECTION 1. 118.19 (18) (bg) 1. of the statutes is amended to read:

118.19 (18) (bg) 1. The Except as provided in par. (bp), the department may issue a lifetime license under this subdivision to an individual who obtained a provisional license under par. (a) or (bc) if the individual has successfully completed 6 semesters of teaching, administrating, or pupil services experience, as defined by the department by rule.

SECTION 2. 118.19 (18) (bp) of the statutes is created to read:

118.19 (18) (bp) Beginning on the effective date of this paragraph [LRB inserts date], the department may not issue to an individual a lifetime license that authorizes the individual to teach an American Indian language in an American Indian language program if the federally recognized American Indian tribe or band in this state that is associated with the American Indian language submits to the department written notice that states that the tribe or band wishes to evaluate each individual who applies for a lifetime license to teach the American Indian language in an American Indian language program. If a federally recognized American Indian tribe or band in this state submits a written notice to the department under this paragraph, the department may issue a lifetime license to the individual to teach an American Indian language in an American Indian language program only if the tribe

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1 or band notifies the department that it has determined that the individual is
2 qualified for a lifetime license to teach the American Indian language in an American
3 Indian language program.

4 **SECTION 3.** PI 34.055 (3) of the administrative code is created to read:

5 PI 34.055 (3) LIFETIME LICENSE; OPTIONAL APPROVAL PROCESS. (a) If a tribal
6 government associated with a language under sub. (1) submits a notice to the
7 department under s. 118.19 (18) (bp), Stats., the department shall notify the tribal
8 government whenever an individual applies for a lifetime license in the language
9 under sub. (1) that is associated with the tribal government. The department shall
10 provide the associated tribal government a copy of the individual's application.

11 (b) If a tribal government receives notice under par. (a), the tribal government
12 shall review the individual's application, determine whether the individual is highly
13 skilled in the American Indian language, and do one of the following:

14 1. If the associated tribal government determines that the individual is highly
15 skilled in the American Indian language, approve the individual's application for a
16 lifetime license.

17 2. If the associated tribal government determines that the individual is not
18 highly skilled in the American Indian language, deny the lifetime license application
19 and require the individual to be recertified as competent in the American Indian
20 language as a condition of renewing the individual's provisional license in that
21 American Indian language. If recertification is required under this subdivision,
22 notwithstanding s. PI 34.040 (3), the tribal government shall determine the term of
23 the individual's renewed provisional license, except that the term may not exceed 5
24 years.

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1 (c) If a tribal government requires recertification under par. (b) 2., the tribal
2 government shall determine which of the entities under sub. (2) (cm) 1. to 3. may do
3 the recertification.

4 (END)