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Details:

(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

### 2009-10

(session year)

### Senate

(Assembly, Senate or Joint)

### Committee on ... Education (SC-Ed)

### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

## Senate

### Record of Committee Proceedings

#### Committee on Education

##### Senate Bill 25

Relating to: the use of race-based names, nicknames, logos, and mascots by school boards, requiring the exercise of rule-making authority, and providing a penalty.

By Senators Coggs, Hansen, Carpenter, Risser, Holperin and Taylor; cosponsored by Representatives Soletski, Pope-Roberts, Mursau, Young, Benedict, Berceau, Black, Colon, Cullen, Fields, Grigsby, Hilgenberg, Kessler, Molepske Jr., Mason, Milroy, Nelson, Parisi, Pasch, Pocan, Radcliffe, Schneider, Sherman, Sheridan, Shilling, Sinicki, Smith, Steinbrink, Turner, Van Akkeren and A. Williams.

February 03, 2009 Referred to Committee on Education.

January 13, 2010 **PUBLIC HEARING HELD**

Present: (7) Senators Lehman, Jauch, Erpenbach, Hansen, Olsen, Grothman and Hopper.

Absent: (0) None.

##### Appearances For

- Spencer Coggs, Milwaukee — Sen., 6th Senate District
- Jim Soletski, Green Bay — Rep., 88th Assembly District
- J. P. Leary, Madison — Department of Public Instruction
- Barbara Munson, Mosinee — Wisconsin Indian Education Association Task

##### Force

- Rachel Byington, Madison — Wisconsin Indian Education Association
- Jeff Ryan, Prescott
- Brenna Ryan, Prescott
- Madeline Smith, Prescott
- Jackie Cutler, Prescott
- Zachary Lewis, Prescott
- Melinda Mutschler, Prescott
- Zach Simones, Prescott
- Brandon Stevens, Oneida — Oneida Tribe of Wisconsin
- Z. Lucas Haukeness, Madison
- Angela Marchant, Madison — Groundwork- Madison
- Stacy Harbaugh, Madison — ACLU of Wisconsin
- Debra Santiago, Green Bay — UW Native American Students
- Rae Anne Funmaker, Oneida — UW Native American Students
- Luanne Funmaker, Oneida — UW Native Students
- Samantha Laveen, Plover — UW Native Nations
- Karen Ressel, Menomonie

- Jackie Tiller, Osseo
- Patricia Norby, Osseo
- Ryan Comfort, Madison
- Aaron Bird Bear, Madison — UW Madison
- Betty Wolcott, Osseo — Sister
- Clif Morton, New London — Wisconsin State Human Relations Association
- Farina King, Madison
- Christine Munson, Stevens Point — Wisconsin Indian Education Association  
Indian Mascot Taskforce
- Brett Munson, Menasha
- Harvey Gunderson, Osseo
- Carol Gunderson, Osseo — RAINAL
- Michelle Greendeer, 54615
- Marin Denning, Milwaukee
- Brian King, Madison

Appearances Against

- Bruce Braidigan, West Bend — Kewaskum School District
- Cindy Drehmel, Franklin
- Irv Haugen, Kewaskum
- Heather McElhatton, West Bend
- Bryan Naumann, West Bend

Appearances for Information Only

- None.

Registrations For

- Michael Walsh, Madison — WEAC
- Jennifer Kammerud, Madison — Department of Public Instruction
- Shannon Chapman, Keshena — Menominee Indian Tribe
- Jeff Mursau, Crivitz — Rep., 36th Assembly District
- Tim Fish, Madison
- Robert Munson, Mosinee — WIEA
- Judy Miner, Madison
- Dan Sachs, New London
- Anne Gretz, Manitowoc — UWGB Center for First Nations Studies
- Richard Teller, Osseo
- Lou Williams, Jr., Green Bay

Registrations Against

- Kayla Bradham, Milwaukee
- Tanya Muccido, Ripon
- Joe Mucciolo, Ripon
- Pam Courtney, Milwaukee
- James Courtney, Milwaukee
- Daniel Courtney, Milwaukee

- Dottie Feder, Brookfield — Eagle Forum of Wisconsin
- Mary Ann Hanson, Brookfield
- Joan Tatarsky, Milwaukee — Eagle Forum of Wisconsin
- S. Kent Steffke, Milwaukee — Eagle Forum of Wisconsin
- Luonne Dumak, New Berlin
- Alanna Soderna, West Allis
- Ginny Maziarka, West Bend — Eagle Forum of Wisconsin
- Linda Laugen, Kewaskum

Registrations for Information Only

- Marian Tenpas, Oostburg

April 7, 2010

**EXECUTIVE SESSION HELD**

Present: (7) Senators Lehman, Jauch, Erpenbach, Hansen, Olsen, Grothman and Hopper.

Absent: (0) None.

Moved by Senator Olsen, seconded by Senator Hopper that **Senate Substitute Amendment 2** be recommended for adoption.

Ayes: (2) Senators Olsen and Grothman.

Noes: (5) Senators Lehman, Jauch, Erpenbach, Hansen and Hopper.

ADOPTION OF SENATE SUBSTITUTE AMENDMENT 2 NOT RECOMMENDED, Ayes 2, Noes 5

Moved by Senator Jauch, seconded by Senator Erpenbach that **Senate Substitute Amendment LRB-s0376** be recommended for introduction and adoption.

Ayes: (5) Senators Lehman, Jauch, Erpenbach, Hansen and Grothman.

Noes: (2) Senators Olsen and Hopper.

INTRODUCTION AND ADOPTION OF SENATE SUBSTITUTE AMENDMENT LRB-S0376 RECOMMENDED, Ayes 5, Noes 2

Moved by Senator Jauch, seconded by Senator Hansen that **Senate Bill 25** be recommended for passage as amended.

Ayes: (4) Senators Lehman, Jauch, Erpenbach and Hansen.

Noes: (3) Senators Olsen, Grothman and Hopper.

PASSAGE AS AMENDED RECOMMENDED, Ayes 4, Noes 3

Sara Dauscher  
Committee Clerk

January 12, 2010

Dear Senate Education Committee Members and Concerned Citizens,

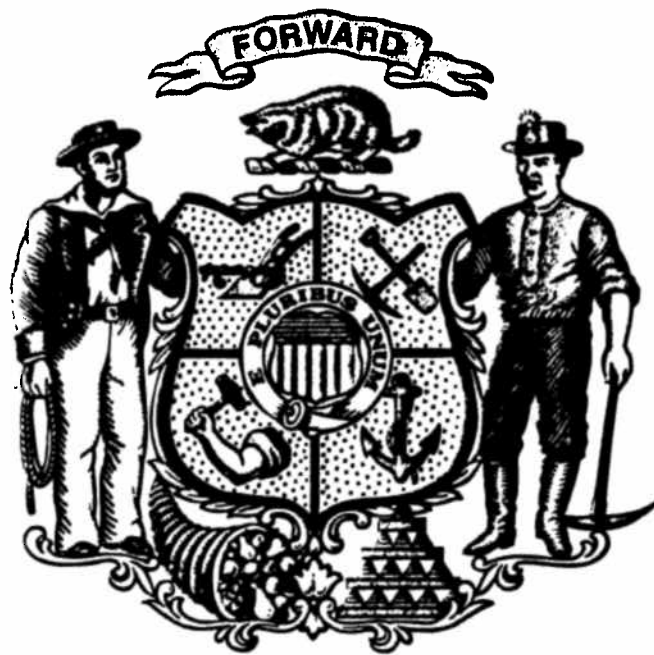
My name is Irv Haugen; I am a resident of the school district of Kewaskum. I am here to express my concerns in regards to SB-25. I have two sons who are alumni of Kewaskum high school and two daughters who are currently attending Kewaskum high school. My daughter Gabriela came home from middle school one day and mentioned that there was talk of changing our school mascot to a name other than Indians. She said she would be honored if they would change it to her name. Our town Kewaskum is named after an Indian Chief. We have many streets with Indian names. These names have been in place for many years. These names are a part of our community heritage. I think that by keeping and preserving these Indian names it heightens the awareness of our Indian heritage.

Here are some reasons why I am opposed to SB-25:

- On the surface SB-25 has good intentions to reduce racism and discrimination but the reality may be far different. Efforts may be better spent on education programs.
- This bill puts the burden of judgment in the hands of the DPI. Our court system has trained and experienced people in place to settle cases involving racism and/or discrimination.
- This bill singles out public schools while private schools that may receive public tax dollars would be exempt from this bill.
- This bill does not address the costs associated with the changing of a school mascot. Our high school principal has estimated that the cost to our school district would be about \$200,000.00. This would increase taxes to property owners. The most serious impact would be felt by those who are struggling financially already.

I would like to thank everyone in attendance for listening to my views on SB-25. I respectfully ask the committee members here today to cast a no vote for SB-25.

Irv Haugen  
Kewaskum WI  
Ph. (262)208-0425



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**Carbon Free-Nuclear Free Campaign:** DIANE FARSETTA

**UW-Interns:** SARAH QUINN, EMILY NELSON, and MICHAELA MACHICOTE



January 13, 2010

WI Senate Education Committee  
Senator John Lehman, chair  
Rm 310 S, State Capitol  
Madison, WI 53707

Greetings to Senator John Lehman and others on the WI  
Senate Education Committee,

On the occasion of the Public Hearing on Senate Bill 25,  
the Wisconsin Network for Peace and Justice (WNPJ)  
writes this letter in support of **Senate Bill 25: Race-Based  
Mascot and Logo Bill.**

WNPJ is a collaboration of 164 member groups and  
hundreds of individuals across our region, committed to  
working toward a sustainable world, free from violence and  
injustice. Throughout our 20-year history, WNPJ has been  
committed to working on conflict resolution wherever we  
see a need, listening to the voices from all in our  
communities, in order to bring down barriers that could  
divide us.

We have been following the path of this issue of race-based  
mascots and logos used by our high school sports teams,  
and our WNPJ Board has reached unanimous consensus  
that we are in support this bill which provides a means of  
resolving discrimination complaints through a form of  
mediation provided by the Department of Public  
Instruction.



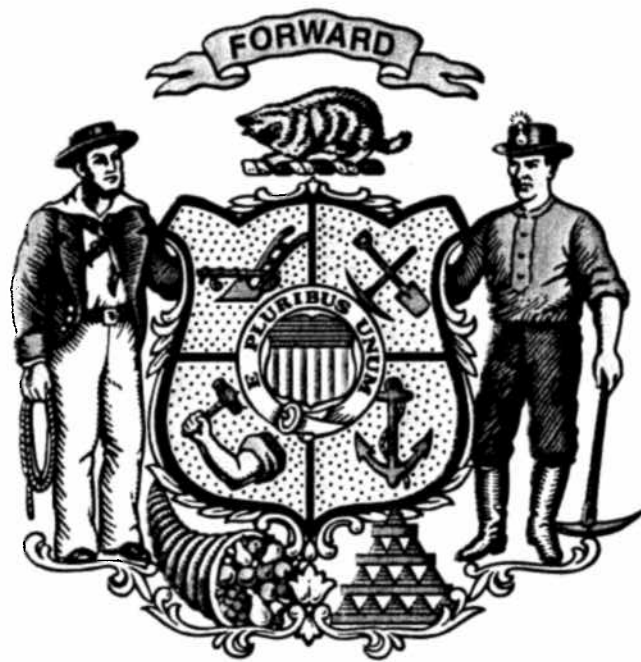
We agree that the direct appeal to the DPI - and its 45-day time limit - is a good process to lessen pressure on complainants and diminish divisiveness in the communities in which they reside. We understand that the bill will not automatically mandate change to any district's team name or mascot. A community with native and non-native people who are satisfied with their logo, mascot, or team name would not generate any complaints, and would be outside the scope of this legislation.

Thank you for your consideration of this Bill, and we are looking forward to its passage.

In peace, with justice,

Judy Miner, Executive Director  
Steve Burns, Program Director

*Judy Miner*  
*Steve Burns*



Hearing on SB25  
January 13, 2010

Betty Wolcott, OSF  
N47475 Woodland Lane  
Osseo, WI 54758-6602  
(715) 597-2711

My name is Betty Wolcott. I am a Sister of St. Francis of Assisi. I live and work on a land preserve near Osseo. My congregation's Motherhouse is in St. Francis, Wisconsin.

Thank you for this opportunity to speak in support of this important legislation to eliminate discriminatory race-based nicknames. It is out of my Catholic faith that I feel impelled to testify. Catholic faith and tradition is rooted in the Scriptures where we are called to love our neighbor as we love ourselves and to be good news as Jesus was for the poor, the captives and the oppressed. Over the years Church officials sought answers as to how Catholic faith might apply to what was happening in society. Catholic Social Teaching was promulgated in the form of pastoral statements addressing labor and working conditions, poverty and economic injustice, racism, violence, war, peace, human rights and so on. The very latest is the January 1, 2010 statement of Pope Benedict the XVI on peace and the protection of creation.

The first principle of Catholic Social Teaching focuses on the dignity of the human person. Discrimination and disrespect toward another person or people as exemplified in a race-based nickname violates this principle. In situations such as in the Osseo-Fairchild School District the dignity of the Indian people and the dignity of the students are undermined. Indian people and culture are dishonored. Students are forced to be in a school district with a race-based nickname that is offensive to many. Teachers and parents who disagree with the School Board's decision to keep the Chieftain logo also suffer.

Catholic Social Teaching affirms that in addition to having dignity, a person is social by nature and that they need the support of their families, communities, state and nation to realize and maintain their dignity. For that to happen a set of spiritual, material and temporal conditions must be present in society. Rights and responsibilities and the common good must be preserved. The state is to maintain the public order so that society can pursue the common good. Many groups on more local levels assist the state in doing this and whatever can be settled at the local level, should be. But in situations where an issue cannot be resolved at the local level the state must step in. Such is the state's role in this legislation. These components that I mentioned so briefly are essential to Catholic Social Teaching. Catholics are urged to exercise good and active citizenship that includes responding to acts of discrimination, particularly where young people are concerned as they become tomorrow's leaders.

While we Catholics have done many good things to address societal and world problems and stood with many poor and oppressed peoples, we have also failed on many occasions. That is why in 1992-- observed as the 500<sup>th</sup> anniversary of Columbus'

arrival in the Americas—the National Conference of Catholic Bishops issued a statement on Native Americans. In that statement titled **A time for Remembering, Reconciling, and Recommitting Ourselves as a People**, they stated: "As Church, we often have been unconscious and insensitive to the mistreatment of our Native American brothers and sisters and have at times reflected the racism of the dominant culture of which we have been a part." They also included a statement from Pope John Paul II, in which he wrote: "I encourage you as native people to preserve and keep alive your cultures, your languages, the values and customs which have served you well in the past and which provide a solid foundation for the future... I ... urge the local churches to be truly 'catholic' in their outreach to native peoples and to show respect and honor for their culture and all their worthy traditions... There are real injustices to be addressed and biased attitudes to be challenged."

And that is certainly true for today. There is much to be done. I owe much to Native American people particularly from their relationship toward all of creation. In the 80's I was so struck by Chief Seattle's message I produced a 144-slide presentation with his words. It is still being used and is presently out in Colorado on one of our missions. During the '80's our congregational Office of Justice and Peace also worked with a Lutheran Church group in eradicating Indian nicknames. It took a while to get Marquette University to change, but isn't Golden Eagles a great name! I have much more to learn and am grateful for how my conscience has been fine-tuned by those in Osseo who have so bravely and persistently stood up in defense of the dignity and rights of Native American people and at the same time for the dignity and rights of many students, faculty and parents who disagree with a race-based nickname.

In closing I want to say how concerned I am about our young people in a learning situation where an Indian nickname is displayed. I know when I walk in and see that logo displayed in the High School I am taken aback and feel a certain heaviness. I can't believe this depiction that represents so much resentment and strife has been enshrined in halls of learning where we ought to be educating to respect differences of race, color, creed, and culture. It's the same when I see Chieftains in the newspaper or see a youngster with a Chieftain shirt. I am sure they don't know what this means, but they ought to be learning.

Please vote in favor of this legislation. It is a good solution to an issue that clouds our future. Wisconsin could bring sunshine all around if it adopts AB35/SB25. Thank you.

Betty Wolcott, OSF  
N47475 Woodland Lane  
Osseo, WI 54758-6602  
(715) 597-2711



**Senate Education Committee Public Hearing on SB-25**

**January 13, 2010**

**Testimony of: Brett Munson – Menasha, WI**

**715-571-2521**

**brett.munson@gmail.com**

Hello everyone. I'm proud of the Education committee's holding this hearing, very proud of Senator Coggs, and all who've worked on SB-25, and I'm glad everyone here came.

I grew up with the race based team name, mascot, and logo issue. My town and school peers were proud of their teams, called "The Indians." So it seems ironic that after I announced I was part Indian, my 5 year old life changed for the worse. I caught a lot of bullying by groups of peers because I was Indian. All through public school, I kept my head down, avoided most relationships, stayed away from dances, proms, sports events, and pep rallies, and found sad and dangerous ways to self-medicate my depression. I was scared of my peers because I had been beaten, held down, kicked, and so on, while being called a dirty stupid Indian, so many times growing up. While my concept of self and ideas about what I might become were developing, I learned that being an Indian really blew, and I avoided learning about that part of my family history. European kids had fun identifying with the school's "Indian" icons, but I identified being a real Indian with being an isolated scapegoat. In my 20's when people asked my ethnicity, I'd say it was mixed European, and didn't know why I got so tan.

I'm visiting my past because it relates to SB-25. If there was a process where I thought my situation could have been discussed safely, that would have done lots for me – even if the result wasn't in my favor, I would have been able to stand up for part of myself, that instead I tried to turn away from for years. I just learned to survive, do my time, and barely got through public school. My sister was braver than I. When she got to high school she spoke out and tried to change things. A play has been performed professionally around the country, inspired by her, and I'm very proud of her. Yet, our hometown still has it's public school Indians.

I felt trapped and hopeless when I was growing up, and it wasn't fair, and it ate a big chunk of my 20's and 30's to get beyond. I understand why drug and alcohol abuse is so much higher for Indians, and I understand why suicide is the leading cause of death for Indian men in my age range. If I could, I'd flip some magic switch and make racial team names, logos, and mascots change – but maybe that would be unfair and imposing. SB-25 strikes a balance for the future. It gives individuals a safe way to bring up problems that have driven many from their communities heretofore, and it protects the rights of school boards and communities to defend their positions.

I believe the purple and white "war paint," fake tomahawks, mascot signs, "Indian" cheers, and the like made me even more of a joke to my classmates, than my being the only slightly ethnic kid in school would have otherwise – but now, if there are schools with Indian nicknames and such where no harm is being done to children as a result, then there is nothing about this bill that mandates change. This bill doesn't take so "extreme" a position I do. It just provides a process for people who feel harmed to have their case heard in a safe way. If parents feel harm is being done to their kids, why not let them plead their case in a neutral environment? If no harm is being done, then everyone will walk away with more understanding, and what's to fear in that? If it is demonstrated that harm is being done, then why not de-institutionalization it? - No reasonable adult wants children harmed in our public schools.

## Arguments against SB-25:

Local Control – Local control is great and appropriate in many governing choices, but not when it involves civil rights. Too many people have had death threats after calling for change to race based team names, mascots, and logos in their towns. Too many people have had to move. Too many people have lost their jobs, after having their arguments heard before local school boards. Moving the venue to the state level would spare communities much time, cost, and contentious division. If we waited for local control for civil rights issues, it's possible that women and minorities still would not have voting rights in some parts of our country, and people could not marry between races in some areas. This is not an issue where local control is appropriate, and taking it to the state level would actually spare communities internal grief.

Cost – Overall this sort of progressive legislation will attract educated and affluent people to our state, and make the environment better for forward looking businesses and employers. The fines would not kick in unless:

1. Someone complains, which would not happen if no one feels a district's team names, logos, and mascots are harmful.
2. The State Superintendent finds in favor of the complainant, which would not be automatic. The district and people opposed to change would have a forum to make their case.
3. A full year would pass before fines could kick in, and I'm sure there would be consideration if a district was doing its best, but couldn't complete all changes. I think it's good the potential for fines are there, to enforce change if needed, but I don't think they would ever really come to be levied.

Mascots, Logos, or Team Nicknames honor Indians, and do no harm – If so, then no one would complain, and no change would have to be considered. This bill would have no effect at all in any districts where this is the case – and if someone complained in such a district, the State Superintendent would be compelled not to find in their favor.

Are Place Names next? - No one involved in drafting this bill wants to change town and geographic names based on Indians or other races. Sometimes people opposed to this legislation wonder if towns with Indian names would be targeted for change if this bill passes. If people wanted that, they would have tried to pass legislation about it by now. No one wants to change names like Wisconsin or Mosinee, and if they did, this bill has nothing to do with that anyway.

Thank you all,

Brett Munson





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# WISCONSIN EDUCATION ASSOCIATION COUNCIL

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Affiliated with the National Education Association

*Great Schools  
benefit  
Everyone!*

To: Members of the Senate Committee on Education  
From: Wisconsin Education Association Council  
Date: January 13, 2010  
Re: Support for Senate Bill 25

The Wisconsin Education Association Council (WEAC) supports Senate Bill 25.

As you are aware, Wisconsin school districts using American Indian names, nicknames, logos, or mascots draw considerable criticism. It raises the objections of American Indian tribes, groups, and citizens in our state to being reduced to caricatures. WEAC opposes the use of American Indian mascots, nicknames and logos by Wisconsin school districts and supports accurate teaching and curricular materials relating to American Indian issues, past and present. WEAC's official position, revised by our Representative Assembly in 2004 to include a statement putting WEAC in opposition to Indian mascots, is as follows:

### **Resolution B-16 American Indian Education**

The WEAC encourages curriculum and teaching programs that foster respect for Wisconsin American Indian culture, history, treaty rights and sovereignty.

The Council recognizes that the use of American Indian mascots, nicknames, logos and symbols within our public schools is offensive, and has a detrimental effect on the educational achievement of American Indian students.

The Council supports and recommends the elimination of American Indian mascots, nicknames, logos, fight songs, insignias, antics and team descriptors by all Wisconsin schools. 04 (B-16)

We believe that a school's use of an American Indian name, nickname, logo, or mascot stands in the way of Wisconsin citizens gaining a deeper understanding of important American Indian issues. Promoting cultural and racial sensitivity and respect is an important issue for public schools and the use of these objectionable images harms not only the many American Indian people who are offended, but all citizens of our state.

The following groups all oppose the use of Indian names, nicknames, logos, and/or mascots, and WEAC stands with them:

The Wisconsin Indian Education Association, the Youth Indian Mascot and Logo Task Force, the Great Lakes Inter-Tribal Council, the Bad River Band of Lake Superior Chippewa Indians, the Lac Courte Oreilles Band of Lake Superior Chippewa Indians, the Lac du Flambeau Band of Lake Superior Chippewa, the Red Cliff Band of Lake Superior Chippewa, the Sokaogon (Mole Lake) Chippewa Tribe, the St. Croix Chippewa Tribe, the Forest County Potawatomi Community, the Oneida Tribe of Indians, the Stockbridge-Munsee Indians of Wisconsin, the Ho Chunk Nation, the Menominee Tribe of Wisconsin, the National Congress of American Indians, and the National Indian Education Association.

Mary Bell, President  
Dan Burkhalter, Executive Director



As a result, WEAC supports Senate Bill 25 allowing school district residents to object to their school board's use of a race-based name, nickname, logo or mascot by appealing to the state superintendent of public instruction. WEAC believes that the hearing process described in the bill and the state superintendent's ability to levy a financial penalty is fair and reasonable.

For all of these reasons, WEAC urges you to support Senate Bill 25.

*If you have any questions, contact Deb Sybell, WEAC Legislative Program Coordinator, at (608) 298-2327.*



**January 13, 2010**  
**Senate Committee on Education**

**Department of Public Instruction**  
**Testimony on Senate Bill 25**

Thank you to Chairperson Lehman and members of the Senate Education Committee for the opportunity to testify before you today on Senate Bill 25. My name is J P Leary, and I am the American Indian Studies Program Consultant. With me today is Paul Sherman, Consultant for the Pupil Nondiscrimination Program. We are here on behalf of State Superintendent Tony Evers to testify in support of SB 25.

The Department of Public Instruction has supported legislation to address this issue in the past as we do today. Senate Bill 25 would amend the existing pupil nondiscrimination statute to allow those objecting to a school district's use of an ethnic name, nickname, logo, or mascot to file a discrimination complaint directly with the state superintendent. At the ensuing hearing, the school district must prove by clear and convincing evidence that its use of the ethnic name, nickname, logo, or mascot does not promote discrimination, harassment, or stereotyping. The bill recognizes the authority and expertise of professional educators and locally elected school boards regarding local curriculum and calls upon them to ensure that the entirety of the educational program sponsored by the school, academics, extra-curricular activities, and athletics, is educationally sound and free of discrimination in intent and impact.

A growing body of research highlights the negative educational outcomes associated with the use of American Indian nicknames, mascots, and logos regardless of intent. To highlight these findings, the previous state superintendent sent a memo to all school districts informing them of a resolution that the American Psychological Association (APA) adopted in 2005 calling upon schools to end the use of American Indian mascots, symbols, images, and personalities for their athletic teams. The resolution was based on research showing a clear link between the use of American Indian mascots, logos, and nicknames and psychological harm. The resolution cites, among other concerns, the potential negative impact of the use of such mascots, symbols, images, and personalities have on the mental health of all students, particularly American Indian students. The resolution states "The continued use of American Indian mascots, symbols, images, and personalities establishes an unwelcome and often times hostile learning environment that affirms negative images and stereotypes that are promoted in mainstream society."

Based on our review of the research literature and our experience in addressing the core issue, the department has concluded that stereotypical American Indian logos interfere with a school's efforts to provide accurate, authentic instruction on the history, culture, and tribal sovereignty of American Indian nations. The ongoing use of these stereotypical messages occurring throughout a student's K-12 education is an impediment to effective classroom instruction about American Indians, because, however authentic and well designed those lessons may be, they occur only at specific points in a student's educational career. Students are best

served by an educational program that is accurate, authentic, and consistent in its messages.

Educators are responsible for ensuring that schools provide an educational environment that is conducive to learning such that all of our children feel welcome in our schools. Safe and respectful schools are the heart of Every Child a Graduate, and Superintendent Evers seeks to ensure a quality education for every child through attention to and respect for diversity, including differences in race and culture. Stereotypical logos run counter to that promise and can hurt our children, however unintentional that harm may be.

We must ensure that the educational programs supported through our tax dollars reflect our professional responsibilities, are educationally sound, and do not discriminate against, nor foster a hostile environment for, any group of people. The use of American Indians as mascots, logos, and nicknames by our educational institutions does not meet these standards.

For all these reasons, the state superintendent has consistently called for the elimination of these mascots, logos, and nicknames from our schools. In doing so, we stand with the eleven federally recognized tribal governments in Wisconsin, the Great Lakes Inter-Tribal Council, the Wisconsin Indian Education Association, the Wisconsin Education Association Council, other Indian nations and organizations across the country, various national nonprofit and faith-based organizations, the United States Commission on Civil Rights and the National Collegiate Athletic Association, all of whom have called for the elimination of these logos, mascots, and nicknames.

The department has seen some positive changes in Wisconsin's schools with regard to the discontinuation of American Indian logos. Over the past 18 years, several districts have replaced their race-based logos. The state superintendent continues to encourage those districts who continue to use American Indian logos and/or mascots to engage their communities in finding positive alternatives.

Thank you for the opportunity to testify before you today. At this time we would be happy to answer any questions you may have.



# **Oneida Tribe of Indians of Wisconsin**

Post Office Box 365

Oneida, Wi 54155

Phone: (920) 869-2214



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

UGWA DEMOLUM YATEHE  
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

**TESTIMONY PROVIDED  
ON BEHALF OF  
ONEIDA TRIBE OF INDIANS OF WISCONSIN  
Senate Education Committee  
RE: Support for SB-25  
Tuesday, January 13, 2010**

Members of the Committee:

The Oneida Nation of Wisconsin strongly objects to the use of derogatory and inflammatory mascots. Resolutions have been passed by all Indian nations in Wisconsin, the Great Lakes Intertribal Council as a body, the National Congress of American Indians and numerous others expressing their opposition to the use of Native American images and names for sports teams. These actions have occurred over decades with a modicum of impact.

The impartiality of opposition to this practice still exists, and Oneida continues to support a ban on race-based names, nicknames, logos or mascots of schools. The bill before the Committee provides that a school district resident may object to a school board's use of a race-based name, nickname, logo or mascot by filing a complaint with the State Superintendent of Public Instruction. This bill also requires that a hearing must be held on the complaint. It is up to the school board to provide clear and convincing evidence that the use of the race-based nickname, logo or mascot does not promote discrimination, pupil harassment or stereotyping. The bill further allows the Superintendent to prohibit the use of the logo or nickname.

This procedure does provide for local input as to whether the practice of race-based names, nicknames, logos or mascots is indeed harmful. It would allow for a forum for all parties to discuss the issue and our hope would be that it leads to a greater understanding between Native Americans and non-natives.

While there have been favorable decisions by some school boards and a call for action by the State Superintendent of Public Instruction to cease using Native images in Wisconsin, there remain many who have not been responsive. Those who do not heed these calls offer a number of excuses for perpetuating the process such as:

"We are honoring them." When school districts honor other people, they do so most often by naming a school after an individual. Honoring is not achieved by

depicting a race of people in a stereotypical image. Honoring could occur through the curriculum where a true and honorable representation of Native individuals and their nations could be conveyed to the students. Honoring does not include war whoops, tomahawk chops, and other antics that are attendant to such mascots at sporting events.

“Professional teams employ proud mascots, why shouldn’t schools?”

The Washington Redskins have long been challenged by Indian nations to stop using their mascot. They are a corporation that makes millions on shirts, hats, jackets, mugs and numerous other products. This is merchandising. As long as they can exploit the image, they will likely continue to do so. This is unlike the responsibility of schools, however. Schools should be expected to be held to a higher standard. Their responsibilities include teaching citizenship and respect for humankind.

The saga of Native America is one which truly reflects the will of a nation to survive increasing change. Since the influence of European culture on Native American life, there exists a long arduous history of cultural conflict and change. There is no other ethnic group in the United States that has experienced the devitalizing challenges put before Native American nations over the past 500 years. We have met these challenges successfully through the strength and tenacity of many generations of a strong people who held on to their traditions, languages and cultural values.

The Oneida Nation has made a concerted effort to create a standard of living in our community which provides our people with a vision for the future and an appreciation for the rich, cultural history and traditions of the Iroquois people. This is reflected throughout the Oneida community through our buildings, community programs and signs within the reservation.

We encourage you to approve this legislation. To have these symbols and depictions of this cultural history used in inappropriate ways and without an understanding of the cultural significance and history behind them is a practice that must stop.





January 13, 2010

Dear Senate Education Committee Members:

I am here today in support of Senate Bill 25.

I am a member of the Osseo-Fairchild Community. I graduated from this school district, have had 4 children graduate from this school district and presently have daughters in the elementary and middle school. My family has witnessed and experienced the short and long term human damage that having this race based Logo/Mascot/Nickname has caused. Despite previous educational forums, and countless testimony explaining why we need to eliminate this Logo/Mascot/Nickname, there are those in my community who have not heard this information. The voices of our children and families that have expressed the hurt and harm that this has caused has fallen on deaf ears. These adults continue to project negative behaviors, that others have testified about here today. Is this the model we want for our children? I think not. As the Fryberg research shows, these race-based Logo/Mascot/Nicknames have harmful **affects on all children**. This harm, along with the information from the Fryberg research has not been enough to change this for my children and the children across my community. Mine is a family of color. My 2 youngest daughters joined my family through adoption. While they are not American Indian, they are bi-racial and have experienced bullying/harassment that I feel is encouraged due to the negative climate this issue has created in my community.

The continuing of this race-based Logo/Mascot/Nickname has created a hostile climate in my community. It is a climate where some adults have shown that as long as we keep our Logo/Mascot/Nickname, it's OK to discriminate against anyone that is different from them. Bullying/Harassment are serious issues in today's schools and communities. According to the 2009 Wisconsin YRBS, 23% of high school students reported being bullied to the point that they felt unsafe at school or it was hard to do their best at school. In that same survey, 36% of males and 47% of female high school students felt that harassment and bullying were problems at their school. Adults who support race-based Logo/Mascot/Nicknames are role modeling bullying behavior since they have the power to say that this doesn't hurt anyone (even though research and human testimony says differently).

Our children are watching, and in turn they learn that if a race-based Logo/Mascot/Nickname is OK, then it's also OK to bully/harass others who are of a different race/culture/religion...etc. This affects all children in all of our communities.

I've accompanied each of my daughters to this very capitol during their 4<sup>th</sup> grade field trips. When I told them why I was coming here today, they said to remember that Wisconsin's motto is "Forward". Please help move Wisconsin Forward and support this legislation for my children, for your children, for all the children of Wisconsin and our future.

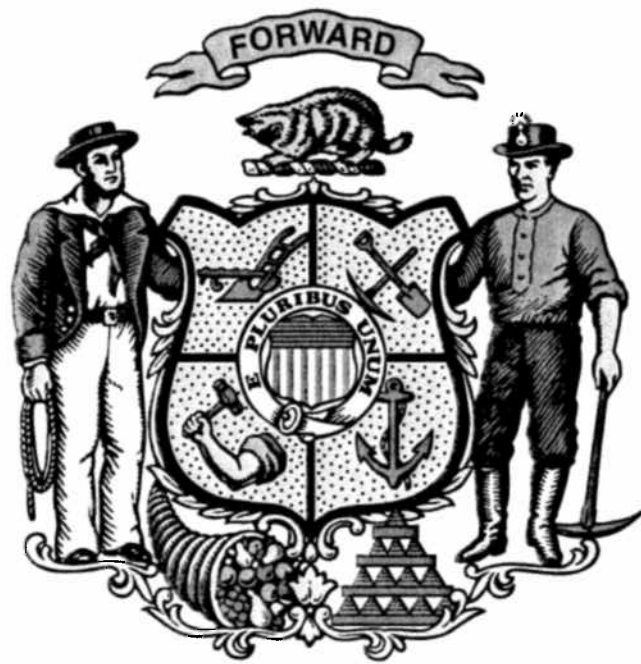
Our children are watching.... the best reason to do the right thing today..... is tomorrow.

Thank you for your time and attention.

Sincerely,



Jackie Tiller  
13612 14<sup>th</sup> Street  
Osseo, WI 54758





122 State St. #201  
Madison, WI 53703

*ACLU: Race-Based Mascots Are Governmentally Endorsed Stereotypes*

**January 13, 2010**

**CONTACT: Stacy Harbaugh, Community Advocate, (608) 852-5822,  
sharbaugh@aclu-wi.org**

Nearly forty public school districts across Wisconsin continue to use nicknames, mascots and logos for their sports teams that are based on race or ethnicity. Nicknames, like Chiefs or Chieftains, Indians, Red Raiders, Redman, and Warhawks, and school approved mascots and logos have been a common feature at sporting and pep events attended by generations of enthusiastic students.

All public schools in Wisconsin are required to provide all students with an adequate, nondiscriminatory education. When race-based nicknames, logos, and mascots promote harmful discrimination, stereotyping or harassment the schools have a problem.

Unfortunately, the controversy over race-based sports nicknames has been around for many years. The Wisconsin Indian Education Association's "Indian" Mascot and Logo Task Force and others, including the ACLU of Wisconsin, have been raising awareness and challenging mascots for decades.

Some districts have changed their nicknames, mascots or logos. Other districts have found one rationale or another to keep harming their students and the students of other schools in their athletic conferences. Let's be clear these rationales are bogus, no matter how much some district residents are attached emotionally to harmful nicknames.

By adhering to American values, such as fair play, respect for others, and good sportsmanship, it is possible to get beyond the emotion.

There are times when legislating a process to handle disputes can respect all viewpoints, while achieving results that are best for our students. Bills AB 35 and SB 25 would set up a process within the Department of Public Instruction in which school district residents could bring a complaint alleging discrimination and the school district could try to prove that their nickname, mascot or logo does not promote discrimination, pupil harassment or stereotyping. The DPI would be required to write rules, subject to legislative approval, that would administer and implement the complaint process.

There are two advantages to this proposal which deserve special attention.

First, public school nicknames, mascots, and logos are government speech. The government must respect the free speech rights of Americans in their private capacities. The government, however, cannot escape the harmful consequences of its own speech by invoking the First Amendment. The burden of proof is therefore properly put on the government in this proposal.

Second, the DPI is the right forum to review these matters. If reviewing complaints against school districts is left up to the school districts, that is like asking a defendant to judge the charges made against them. While either side should be able to appeal from the DPI's finding to the circuit courts, this administrative procedure is likely to resolve most complaints without the time and expense associated with litigation.

For these reasons the ACLU of Wisconsin supports the rased-based nicknames, mascots and logos bill. State Representative Soletski and State Senate Coggs are to be commended for putting forward this fair and workable proposal. The bill won't end discrimination in our public schools, but it is an important step forward.

The ACLU of Wisconsin is a membership organization defending the civil liberties and rights of all Wisconsin residents. Visit [www.aclu-wi.org](http://www.aclu-wi.org) or [capcityliberty.blogspot.com](http://capcityliberty.blogspot.com).



**Representative Jim Soletski  
Testimony on Senate Bill 25  
Senate Committee on Education  
January 13, 2009**

2010?

Chairman Lehman, thank you for holding this hearing, today.

I am pleased to join Senator Coggs in support of this important legislation. Yet, I am disappointed that we even need to be here today to discuss this legislation. Showing respect for our fellow human beings should not require laws, only human decency. But, unfortunately, we know that laws are some times necessary, as "tradition" gets in the way of human decency.

We are here to address the discrimination and the marginalization of a portion of our population who have not always been able to find redress of such actions of the majority and in some cases a very vocal minority in their communities. Senate Bill 25 offers a stepped approach to handling complaints of racial stereotyping exhibited through the use of Native American mascots, logos and nicknames that are racially offensive.

Today, we will hear testimony from a wide range of people of different backgrounds: students, parents and grandparents, teachers, administrators, and other professionals. They will speak of their desire for change and why that change is important, particularly to our children.

We will also hear from opponents of this legislation that their Indian mascots and logos are honoring Native Americans; that their mascot is their tradition; that this issue should be one of local control; and, that change will place a financial burden on struggling school districts. Some opponents have called this legislation a politically correct attack by liberal legislators who are hell bent to impose state control on local issues. I would like to point out that some fifty years ago that similar arguments were used by those who opposed ending racial segregation. Had the issue been left to local control, and that tradition continued, would segregation have ended?

When conflict exists between two parties, we often use an outside arbitrator to resolve that conflict. This legislation provides a means for outside arbitration regarding an issue that sadly divides communities when efforts made to address it locally reach no consensus.

A few communities have claimed to have permission to use a logo or name. Yet, the eleven Native American nations in Wisconsin have called for the removal of these mascots and logos.

---over---

This legislation and editorials in support of it have resulted in numerous letters, emails and blogs. In reading many of the responses of those against this legislation, it is my opinion that few of the opponents of this legislation can claim to honor Native Americans and their culture when many of their comments in are so derogatory.

Having come of age in the 60's and 70's, I pause to wonder if we really learned anything at all from the civil rights movements of those years. Civil rights, and I emphasize "civil", do not have a limiting number as in, "It's only a couple of trouble makers." Just as I would not want to see a high school mascot named the Green Bay Honkies and Senator Coggs would not accept the Milwaukee Black Boys as a mascot or nickname, our Native American community sees no honor in the use of redmen, chiefs, chieftains, or Indians.

It is particularly important to realize that children are being harmed by these mascots, and not just the Native American children. When stereotypes are established in a child's mind, it makes it very difficult to learn the truth about and respect for other people.

Some object, saying "this is our tradition". Traditions that truly honor and are respectful are wonderful. But because we have done something for as long as we remember does not make it right. Change can successfully occur for the better. That is why we have presented this legislation to bring about this conflict resolution process. Senator Coggs and I are proud to assist in this effort and believe that our Native American constituents deserve the same respect as all other citizens of Wisconsin receive.

Thank you, Chairman Lehman and members of the committee.





**Harvey Gunderson, Ph.D.**  
**13118 12<sup>th</sup> Street, P.O. Box 667**  
**Osseo, WI 54758**  
**(715) 597-6668**  
**January 13, 2010**

SB 25?

Hello. My name is Harvey Gunderson from Osseo. I'm a co-founder with my wife Carol, who is Oneida, of "Religious Americans Against 'Indian' Nicknames & Logos", or RAAINL for short.

As we tried to figure out with how to best reach and educate the 99%-White residents of the Osseo-Fairchild School District, we decided to name our organization "Religious Americans Against 'Indian' Nicknames & Logos" with the hope that the name would stimulate people to think of this issue from the moral and ethical perspective, based on the moral and ethical precepts of whatever religion or spirituality a person may have. We are convinced that race-based public school nicknames violate every religious or spiritual belief system, because harming innocent children is wrong regardless of the religion or spiritual base, and using a race-based nickname in a public school does harm innocent children.

Because Osseo is a community where most people view themselves as "Christians" and claim to subscribe to the beliefs of Christianity, we thought this organization name could enable us to better appeal to the Christian residents of Osseo-Fairchild to eliminate the race-based nickname once they had looked at the issue from the basis of their Christian belief system. We thought that raising the religious issues related to the nickname may tweak their consciences as Christians and cause them to look at this issue from that Christian perspective.

There was a second reason that we chose this particular organization name, which was to facilitate making non-Native people more aware that there are dimensions of American Indian religions and spirituality that are inherently contained within the use of a school's race-based nickname and logo. With American Indians having gained the official right to practice traditional religions barely 30 years ago in 1978, it's not surprising that most non-Native people don't realize that there are many dimensions of American Indian religions and spirituality reflected in these school athletic policies.

Because most Christians don't understand the icons of other religions, some have tried to get Christians to understand how these athletic policies impact American Indians by reversing the situation and what an athletic policy might be like if the race-based nickname was related to Christianity. Some have drawn comparisons by asking how a Christian would feel if cheerleaders threw communion wafers up to fans in the bleachers, or sprinkled holy water on team members, or if fans used crucifixes to do a type of "crucifix chop" akin to the "tomahawk chop" to cheer on their team, or if the pep band played a rousing Gregorian chant for a musical cheer akin to stereotypical Indian war dance or tom-tom music. Some of these symbolic comparisons do get through to some people and help them to understand.

In an effort to educate or inform citizens of the Osseo-Fairchild community, we've placed educational advertisements in our local weekly newspaper. Many of these ads discuss the

religious dimensions of this issue, often quoting from various Christian denominations such as the United Methodist Church which called the use of these athletic nicknames “a blatant expression of racism”. We believe that this information has affected the thinking of some residents, and that many residents now oppose the nickname because they’ve thought about it from a Christian perspective. Because Jesus Christ put considerable attention on children, many Christians are affected when they learn that this race-based nickname and logo is psychologically harmful to innocent American Indian children.

Jesus Christ expressed particular concern for children, cautioning anyone who would put stumbling blocks in the path of children. But race-based school nicknames are an additional “stumbling block” placed in the educational path of American Indian students attending Wisconsin public schools, and no other students have a race-based obstacle placed in their paths. These race-based “stumbling blocks” are continued in place as government policy primarily by White school board members who “claim” to be Christians and “claim” they try to follow the teachings of Christ.

Many Christian denominations and organizations have passed resolutions opposing these nicknames and have been joined by Jewish and other religious groups.

Putting on my educator’s hat for a moment, many nickname supporters like to question whether American Indians oppose these nicknames. They like to quote a Sports Illustrated article and an Annenberg study because they are the only two supporting documents they can find. These people are typically unaware that

- these two polls have been soundly discredited on methodological grounds by numerous experts.
- when the NCAA in 2002 surveyed over 500 American Indian tribes and councils, 99% of responding tribes asked the NCAA to ban the use of American Indian mascots in intercollegiate athletics.
- resolutions opposing these nicknames have been adopted by over 110 American Indian, education, psychological, professional, civil rights and religious organizations.
- that the greatest victims are those American Indians who are willing to say that they support the nicknames because they suffer a greater decrease in self esteem, greater than that incurred by American Indians who oppose the nicknames, as Dr. Fryberg’s research has determined.

It is alarming to hear people talk about “educable moments” arising from use of race-based nicknames as though that justifies their continuance. Just as it’s ludicrous to argue that bullying in the schools is good because it results in some “educable moments”, it’s ludicrous to argue that racial stereotyping in the schools is good because it results in some “educable moments”.

Putting on my business consulting hat for a moment, it does not help communities attract good employees or new businesses when so many potential residents or employers view these race-based nicknames as an archaic form of institutional racism. From an economic development standpoint and from the standpoint of educating a workforce ready for a multicultural world, our state needs to move beyond race-based nickname stereotypes.

Please pass this bill.



**Carol Gunderson, M.A. (Oneida)**  
**13118 12<sup>th</sup> Street, P.O. Box 667**  
**Osseo, WI 54758**  
**(715) 597-6668**  
**January 13, 2010**

SB 25?

Hello. My name is Carol Gunderson, and I'm an enrolled member of the Oneida Nation. I grew up on the Oneida reservation and attended Seymour High School which at that time used the nickname of "Indians". Even though White students claimed they were proud to be "Indians" and their cheer on game night was "We are the Indians, the mighty mighty Indians", many of these same White students didn't want to sit with us real American Indians on the bus or the lunchroom. Fortunately, Seymour subsequently eliminated its race-based nickname.

My husband, Dr. Harvey Gunderson, is non-native and grew up in the Osseo-Fairchild School District where the school nickname was, and sadly still is, the "chieftains".

Both of us are retired educators, with me having retired from the University of Wisconsin-Stout where I taught sociology including race and ethnicity courses and advised the American Indian student organization, and Harvey from the University of Wisconsin-Eau Claire where he taught management and served in the American Indian Studies Committee for over 15 years. Both of us have received numerous awards for our contributions to diversity education and the teaching and advising of students.

When we retired in 2000, we moved to Osseo, expecting to live out our lives in peace and tranquility. Instead, our lives became a living hell as we became the most hated people in our community because we asked the school board to stop using my race and culture for the frivolous fun-and-games of a good luck charm as an athletic nickname and logo. Four of seven School Board members were thrown off the School Board in a recall election in November 2002 after the Board voted to eliminate the 'Indian' head logo. The new School Board with four new members then reversed the vote and reinstated the racial logo in February 2003. Since then, the Osseo-Fairchild controversy has continued unabated.

We and two other American Indian families in Osseo-Fairchild who opposed the nickname received anonymous phone calls and letters, anonymous threats, a letter to the editor saying that Harvey and I should "pack up and get out of town", we had to get a temporary restraining order against a logo supporter who we heard as threatening us with physical violence, we were given the finger by a logo supporter at a school board meeting, we were swore at by the school board president, my freedom of speech rights to address the issue during public comment were violated, I've been called the S-word at a school board meeting, a Lakota resident who doesn't drink alcohol had stereotypical comments made about him at a school board meeting implying he was a drunken Indian, there've been incidents of vandalism, the police make extra passes by our house during times of high tension in the community because they know we're at risk, and so on.

So, that's Osseo-Fairchild. Osseo-Fairchild is not a nice community to live in if you're an American Indian who expresses opposition to the school's racial nickname policy. I and my family have had to endure this situation because our School Board has a nickname policy that

targets my race. American Indians living in Osseo-Fairchild or any of the other 35 Wisconsin communities with an 'Indian' nickname shouldn't have to put our families at risk of intimidation, physical threats and even violence in order to get our race removed from our public school's athletic policy.

No other race is used for race-based nicknames. Only American Indians are subjected to this situation. African American families don't need to put themselves and their children at risk over school nickname policies that target their race. So why should we? Asian Americans don't need to either. So why should we?

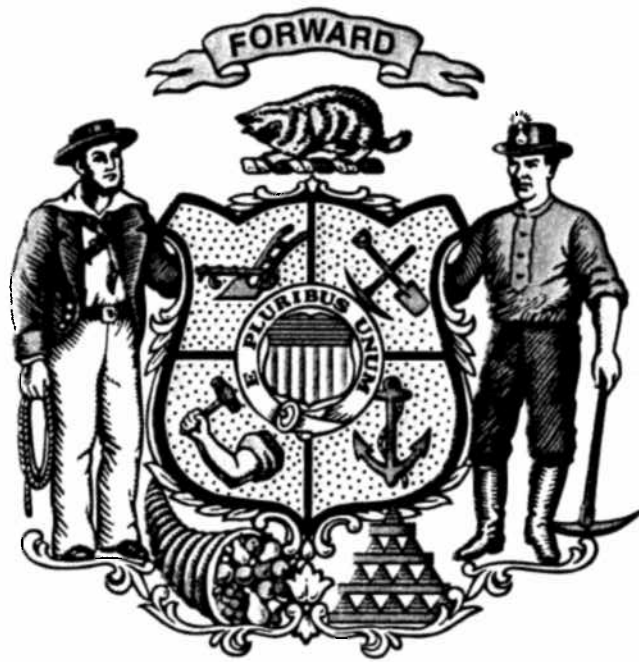
From our horrible experience, it's easy for us to understand why American Indian families in several other Wisconsin communities decided to leave their communities after they had raised the issue of the school district's race-based nickname. These local disputes create a hostile living environment for American Indians within the community and especially for American Indian families with children in the school because the race-based nickname creates a hostile learning environment within the school itself.

We've been going through this living hell in Osseo-Fairchild since 2002. Moreover, the Osseo-Fairchild School Board, school administrators and the community have also been going through a living hell. In fact, the impact on student performance is clearly evidenced by the fact that Osseo-Fairchild's average ACT score dropped by a full point from the five years preceding the conflict to the five years following the start of the dispute. This issue affects student performance.

Most of these incidents could have been avoided had the current bill been signed into law a decade ago. Because the current complaint process regarding race-based nicknames is a disaster for American Indian families, for School Board members, for school administrators, and for the community, passage of the bill this year is critical to prevent similar incidents from occurring in other Wisconsin communities. The current bill would install a different process that would take the emotion and conflict out of the community and allow for a rational unemotional evaluation by an independent third party based on what's best for students at the race-based nickname school and students at competing schools.

Each of the remaining 35 other race-based communities are "an Osseo-Fairchild-disaster-waiting-to-happen". Our concern is that someone will eventually be seriously injured or even killed if the current process remains in place. Unless the Wisconsin State Legislators adopts a new process that reduces tension at the local level, the threatened and/or real violence against property and people could become even more extreme.

Please pass this bill in order to change the process and reduce the potential for racial conflict in Osseo-Fairchild and the 35 other Wisconsin race-based nickname school districts.



Date?

### Supporting information for SB-25

There is and has been for many decades a debate over the use of Native American mascots. Feelings range from outrage to indifference and everywhere in between. Dr. Cornel Pewewardy from the University of Kansas-Lawrence points out, "It has been well established by clinical psychologists that the effect on children of negative stereotypes and derogatory images is to engender and perpetuate undemocratic and unhealthy attitudes that will plague our society for years to come." Our education systems should be used to teach about diversity not learn acceptable forms of racism. Therefore with a responsibility to our society, it is our ethical duty and professional responsibility to eliminate racism in our education systems.

Educational equity is a broad term but most of us would agree that the following items would need to be included in definition to attain it:

- Every student must have an equal opportunity to achieve to her or his full potential.
- Every student must be prepared to competently participate in an increasingly multicultural society.
- Schools must be active participants in ending oppression of all types, first by ending oppression within their own walls, then by producing socially and critically active and aware students.
- Education must become more fully student-centered and inclusive of the voices and experiences of the students.

Now let's use a fictional but probably true scenario to see if the above can be true. Imagine a Native student who has to attend a school that "honors" the Native people who used to live on the land before they were forced out by white settlers who wanted the land for farming. The mascot wears colorful feathers, war paint, and regalia representing some tribe but probably not the one that it is supposedly honoring. The mascot dances, skips and jumps around whooping just like real Indians do (hand slapping mouth crying woo, woo, woo). The mascot goes around saying "how" and shakes the hands of the fans "Indian" style and then stands on the sidelines looking stoic. Can educational equity be met with this scenario?

- Every student must have an equal opportunity to achieve to her or his full potential. Can a student who constantly sees her or himself being stereotyped and their culture belittled meet their full potential? Or will they likely end up with low self-esteem feeling and acting like she or he is not as good as other people?

- Every student must be prepared to competently participate in an increasingly multicultural society.

Will it come as a surprise if the non-Native children programmed on these stereotypes at early ages grow into adults who may unwittingly or knowingly discriminate against Natives. After all, these children have been prevented from developing authentic, healthy attitudes about Natives.

- Schools must be active participants in ending oppression of all types, first by ending oppression within their own walls, then by producing socially and critically active and aware students.

Can this possibly happen when the mascot perpetuates negative imagery of Native peoples with the use of white-created "Indian" behaviors? Behaviors that mock tribal cultural practices and demean Native people, subhumans incapable of verbal communication. Will this manufactured image of something wild and inferior create a feeling of superiority of the white students? Can we really expect to eliminate oppression if we continue to allow it?



- Education must become more fully student-centered and inclusive of the voices and experiences of the students.

Will the Native student's voice be heard? Or will they be told that they are just being too sensitive or that he or she should actually feel honored or that they are just trying to be PC?

Now imagine this scenario. It is not my intention to offend anyone. What if the team were called the Honkies and the team mascot was represented by an overseer-the person who was put in charge of slaves of plantation owners. I mean many feared the overseer. They were known for how harsh they could be. Nothing portrays dominance more than someone who has the power to literally whip the skin off of your back. This mascot would portray the image of toughness. ...he could carry a whip and occasional pull out a noose. At half time there could even be a lynching to really get the fans revved up. This would certainly invoke a sense of fear to the opposing team. The honky's fans could yell out all sorts of appropriate obscenities as they saw fit. I would imagine most Caucasians would not want to be associated with this. Most would not feel honored. Yet you could argue that there would be some white people who would. They would go all out to show their team pride. Perhaps the KKK would be the teams biggest fans and even offer sponsorship. But we know this wouldn't happen-thankfully. It wouldn't be allowed. It would be far too offensive for not only white people but to many other races as well. It would be damaging. Therefore I humbly stand before you and ask for your support to Senate Bill 25. Yakoke.



## TESTIMONY IN FAVOR OF SB25

Clif Morton (clif@athenet.net), for the Wisconsin State Human Relations Association

Date?

I represent the Wisconsin State Human Relations Association. Since our organization began in 1980, we have always supported school policies and state legislation that place the highest priority on every student having the opportunity to develop his or her full human potential. We understand that if this goal stands at the center of our concerns for schools then all other worthwhile goals, including maximizing student achievement, have a better chance to succeed. This is the most fundamental reason to support SB 25.

There is a sad truth that accompanies today's discussion. All 36 of the schools still using race-based nicknames and logos violate this principle of maximizing student potential, not by intention, but in point of fact. The evidence is overwhelming. Social psychologist Dr. Stephanie Fryberg, of the University of Arizona, completed six scientific studies that detail the harms of race-based nicknames and logos. Each study validates the others and all have been examined carefully by two national associations, the American Psychological Association and the American Sociological Association. Both national associations not only subsequently endorsed the research, but also passed resolutions urging schools to eliminate race-based nicknames and logos. The harms are clear.

On the other side there is not one shred of scientific evidence that supports retaining American Indian nicknames and logos. What has been offered as evidence, even by some Wisconsin legislators, are two flawed opinion polls --- one by the Peter Harris Research Group for Sports Illustrated and one as part of the National Annenberg Election Survey of 2004. While the Fryberg research has stood up to the rigors of scientific investigation, both of these polls violated even the most fundamental principles for probability sampling. While those who conducted the polls have not been willing or able to defend their methodology or results, Dr. Fryberg has graciously come to Wisconsin twice in the past three years to discuss, first hand, her research. All Wisconsin schools that still have race-based nicknames and logos were invited free of charge to examine the research and question Dr. Fryberg personally. Only two schools sent one representative each the first time. Both left with recommendations for change. The second time Dr. Fryberg came only one school sent representatives. All these schools claim to base their educational policies on the best research available. So we must ask why it is that so many would ignore the best available research?

The answer to that has to do with one of the most critical considerations for you when it comes time to vote on SB25. It is the failure of local control on this issue.

We all want local control to work. It has proven to be one of the most enduring qualities of our democracy. If we leave decisions as close to the people as possible, we generally get good results. When it comes to moral decisions involving race, however, our track record is not so good. That is, indeed, the situation here. All districts retaining race-based nicknames and logos are trapped by their good intentions to honor local history and traditions. Many good hearts and minds in local districts have found ways to evade and avoid the objective evidence that shows the necessity for change and substituted illusions instead. A great example of this happened at the 2009 WIAA state football playoffs.

Four teams that use race-based nicknames and logos qualified for the finals. Each was informed of the Camp Randall rules that ban gestures, cheers, fan apparel and any other practices involving stereotypical representations of a racial group. Each also had the WIAA sportsmanship guidelines that discourage communication to opponents that is ethnic, racial or sexual in nature, recognizing it as a form of taunting. As each of the three games involving these four schools was played we observed violation after violation of these basic standards of respect. Each of these schools maintained they were honoring American Indians as they used the very same stereotypical images to represent their supposed unique local histories and their claimed identity as 'Indians,' 'warriors' and 'chiefs.' The tomahawk chops, the headbands and fake feathers, and even banners that read "WE RUN THIS TRIBE" and "TOO MANY CHIEFS AND NOT ENOUGH INDIANS," all speak loudly to us here today. Not only did local control fail, but also respect for the rules and guidelines at state competition was not modeled by those representing each of these communities.

Perhaps the loudest cry for change was shown by some of the adult fans from Kewaunee who wore stereotypical images of a Great Plains Indian chief on their jackets and sweatshirts, and then jokers' hats on their heads. That was not pride in a unique local history. It did not honor a single American Indian. It was a call for the Wisconsin legislature to act on a process that can lead to genuine respect and a mutual understanding of the importance of honoring the human dignity and potential of each and every student in Wisconsin.