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(FORM UPDATED: 08/11/2010)

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

### 2013-14

(session year)

### Assembly

(Assembly, Senate or Joint)

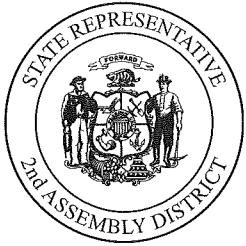
### Committee on...

### Government Operations and State Licensing (AC-GOSL) (Repealed 10-17-13)

## **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**

\* Contents organized for archiving by: Stefanie Rose (LRB) (December 2014)



# ANDRÉ JACQUE

STATE REPRESENTATIVE • 2<sup>nd</sup> ASSEMBLY DISTRICT

(608) 266-9870  
Fax: (608) 282-3602  
Toll-Free: (888) 534-0002  
Rep.Jacque@legis.wi.gov

P.O. Box 8952  
Madison, WI 53708-8952

TO: Members of the Assembly Committee on Government Operations and State Licensing

FROM: Representative André Jacque

DATE: Thursday October 3, 2013

RE: Assembly Bill 297

Chairman August and Colleagues:

Thank you Mr. Chairman and committee members for hearing this bill.

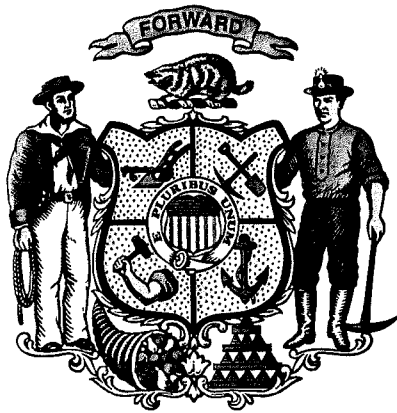
I appreciate the opportunity to testify before you today on behalf of the Mishicot School District and appreciate the effort made by the authors on the substitute amendment put forward.

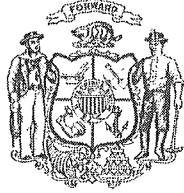
Assembly Substitute Amendment 1 establishes a more reasonable and predictable process for complaints not triggered by a single individual in a process with the deck stacked against a defending school district.

I would like to point out that there has been bi-partisan opposition to the initial legislation that was passed in 2009 including my predecessor, Democrat Representative Ted Zigmunt who also voted against it.

The school district, town, and village of Mishicot were named in honor of Chief Abraham Mishicot of the Potawatomi tribe. Chief Mishicot was a close friend of the founder of the village, Daniel Smith. The Mishicot School District and surrounding community take great care to honor their history in a very respectful way and there is an annual bus trip of Mishicot residents to Hannahville, Michigan. The school district has received a letter of support for their use of the school mascot and logo from the tribal council of the Hannahville Potawatomi chaired by the great-grandson of Chief Abraham Mishicot.

This is common sense legislation which I am proud to support on behalf of my district. Thank you again for your time and for your consideration of Assembly Bill 297.





# Mary Lazich

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Wisconsin State Senator  
Senate District 28

Assembly Committee on Committee on  
Government Operations and State Licensing  
October 3, 2013  
Assembly Bill 297

Good afternoon committee members. Assembly Bill 297 (AB 297) seeks to improve the procedure for objecting to and ordering termination of the use of race-based mascots, nicknames, and logos. Current law allows a single individual to file a complaint that may trigger a hearing with an unrealistic burden on a school board to prove negative. AB 297 is a common sense approach to conflicts arising out of concern over the use of mascots, logos, and nicknames at our high schools by implementing several changes.

First, the bill requires signatures from citizens equal to 10 percent of the school districts' membership before a hearing may be held. Ten percent is not an unreasonably high threshold and maintains a healthy balance between popular sentiment and protecting concerns about the use of mascots, nicknames, and logos.

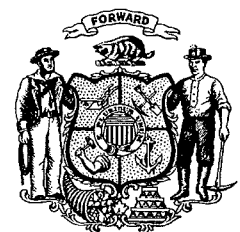
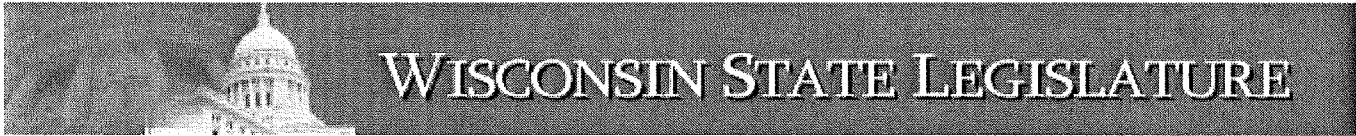
Second, the bill restores due process to the complaint process by requiring the complainant to bear the burden of proving the offensive nature of the mascot, nickname, or logo. This reverses the current, fundamentally unfair practice of requiring the school to prove something does not exist. The burden of proof should be on the complainant.

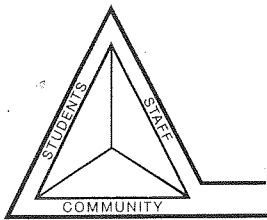
Third, the bill requires the complaint be heard by the Division of Hearings and Appeals rather than the Department of Public Instruction. The Division of Hearings and Appeals routinely conducts hearings about administrative law issues. They are far more qualified to make findings of fact and determinations of law.

Fourth, the bill allows mascots, nicknames, and logos related to American Indians approved by a federally recognized tribe with ties to Wisconsin are exempt from challenges. The purpose of these complaints and hearings is to remove offensive mascots, nicknames, and logos from public schools.

I ask the committee to approve AB 297. Thank you for your attention to this bill.







BUILDING BETTER  
SCHOOLS TOGETHER

## MUKWONAGO AREA SCHOOL DISTRICT

385 COUNTY ROAD NN E • MUKWONAGO, WISCONSIN 53149

(262) 363-6300  
FAX (262) 363-6272  
www.masd.k12.wi.us

**SHAWN M. McNULTY**  
*Superintendent of Schools*

**DARREN P. CLARK**  
*Director of Business Services*

**MAXINE TOWLE, Ph.D.**  
*Director of Pupil Services*

**MARY KOSKI, Ed.D.**  
*Director of Student Learning*

October 3, 2013

Representative Tyler August,  
Chairman  
Committee on Govt. Operations  
and State Licensing  
WI State Assembly

Dear Committee Members,

My name is Shawn McNulty. I am the superintendent of the Mukwonago Area School District. This is my twenty-first year in our district and I have worked as a social studies teacher, coach, associate principal, and principal at Mukwonago High School. My family lives in Mukwonago and our children attend Mukwonago public schools.

On behalf of the School Board, I want to thank you for your support of Assembly Bill 297. I want to assure you that the School Board of the Mukwonago Area School District fully endorses the passage of this bill.

Mukwonago High School is an outstanding school. Recent DPI report cards place the school in the top 10% of the state. We have a positive school climate bolstered by a wonderful PBIS (Positive Behavior and Intervention Supports) program called the **Mukwonago Way** which stresses to our students the importance of respect, responsibility, being on time, and safety. We have a strong SAVE (Students Against Violence Everywhere) group and thriving Best Buddies program which promotes friendship and activities with our students in regular and special education.

Our school also takes a tremendous amount of pride in our Indian nickname and logo. The Indian nickname has been a piece of our school's history for over 85 years. We have worked hard to educate our students on the significance of Native American history and culture in the Mukwonago area and have strived to demonstrate respect toward nickname and logo. When complaints have been brought to our attention, we have addressed them in good faith. In fact, the DPI ruled in 1995 that the MHS logo was not discriminatory and didn't violate the provisions of Wis. Stats. § 118.13.

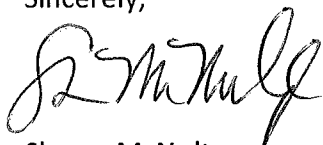
With this in mind, I hope you can understand the frustration that our community has experienced with Act 250. Despite our good intentions and efforts, we were not treated fairly due to the process established by this poorly written legislation. As the principal of Mukwonago High School at the time of the August, 2010 DPI hearing, I was extremely disappointed with the following:

1. **One student** accused us of discrimination due to the nickname and logo. Contrary to the entire American legal system, Act 250 established a process where schools are **presumed to be guilty and must go to Madison to demonstrate that they are innocent**. Yet when we attempted to introduce evidence to prove our innocence at the hearing, we were not allowed to do so by the DPI official, Paul Sherman. What happened to innocent until proven guilty? We were never even allowed to ask our accuser any questions.
2. Despite establishing a hearing procedure that we assumed to be fair, Paul Sherman later admitted in a deposition that there was nothing that Mukwonago High School could have done in August of 2010 to demonstrate our innocence. We had spent countless hours and over \$20,000 on legal costs to find out later that we never had a chance.
3. Finally, we have a hard time explaining to our students and residents the fairness of a law that eliminates our use of the Indian nickname and logo but other high schools in our own county and throughout the state are allowed to continue their use.

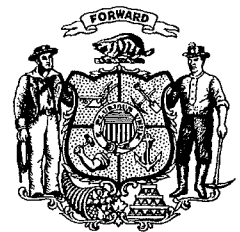
Despite our frustrations, I want to make it clear that we respect Rain Koepke's and other's opinions regarding the Indian logo and nickname. Our MHS students are familiar with Voltaire and his famous statement, "I do not agree with what you have to say, but I'll defend to the death your right to say it." We want a school environment that welcomes a variety of viewpoints and fosters discussion on issues. We certainly don't condone racial hostility and take discrimination complaints seriously. Although we may disagree with Rain's complaint, our concern and frustration is with the legislation.

We understand that this issue has become a political challenge for both parties. We are hoping that Assembly Bill 291 will lay the groundwork to start discussions between our school district and the Native American tribes in Wisconsin. We would be extremely interested in meeting with the Potawatomi to discuss ways to improve the education of our students regarding the history, culture, and sovereignty of the Native Americans in Wisconsin and the United States. We strongly encourage you to pass Assembly Bill 297. Thank you.

Sincerely,



Shawn McNulty  
Superintendent







## *What kind of state will you make?*

10/3/13

Dear Committee on Government Operations and State Licensing:

You had a hearing on AB 297 today. Your committee felt the need to rush into this issue when you were just assigned the bill last week. Did you take time to look at the empirical research conducted on this issue? Did you examine even a portion of the hours of hearings that were conducted by the DPI to see if they were fair? Did you really listen to representatives of all 11 Wisconsin tribes who UNANIMOUSLY passed resolutions in 1999, 2006, and 2012 that asked Wisconsin schools to eliminate "Indian" nicknames, mascots and logos? You know the truthful answers to these questions and yet the majority party will press forward with what will be an unprecedented mistake in Wisconsin civil rights history.

The majority party wants to think that Sam Hall and Mukwonago residents he represented have a due process argument, but a quick vote will miss the fact that neither he nor the people he represented in the lawsuit they brought forth even attended the DPI hearing involving Mukwonago. Those who rush to vote for the bill will also miss that the Mukwonago School District had poor case strategy as they tried to attack the Native student that brought forth the complaint rather than look at the empirical evidence. They will miss the fact that the 4 Mukwonago school officials that testified at the hearing admitted they never bothered to read the empirical research they had been sent since 2005. Rushing to vote will miss the fact that key evidence submitted by Mukwonago, a six minute video "honoring" the Potawatomi, used not one single American Indian consultant and had so many historical and cultural errors that the complainant's side used it as their first piece of evidence!

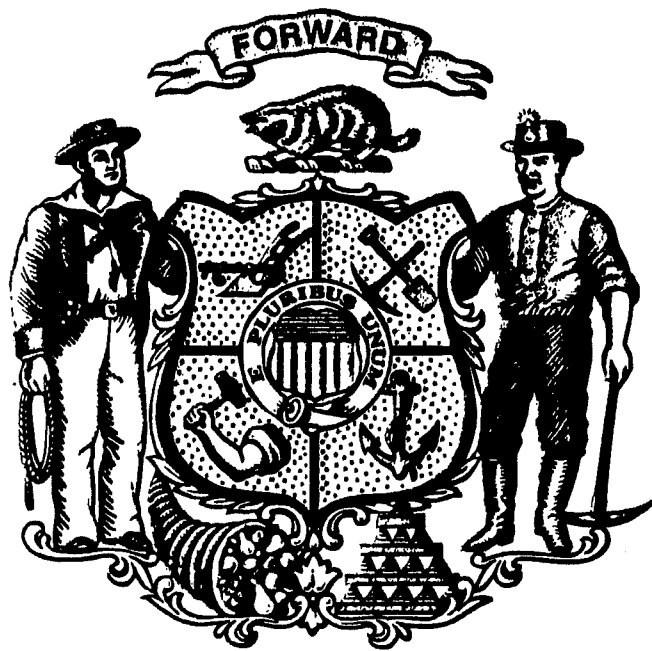
The majority party also wants to think that Berlin was slighted, yet where is the evidence of that? The Berlin District introduced 42 pages of evidence in support of their keeping their "Indian" identity at their hearing. Every page of that evidence was turned against them at their hearing! Their school officials also admitted they never even read the research that had been given to them. Those rushing this vote will also miss that the Berlin complainant, Tom Sobieski, tried to avoid filing the complaint and made many efforts to get the school to discuss the issue, but was turned down every time. And what was said at your hearing by the Berlin resident claiming "Indian" ancestry also won't be challenged in the haste. He said he was Penobscot and part of the Iroquois (no, the Penobscot are not Iroquois). In fact, if he at all cared about the Penobscot he would know that they have taken strong actions in Maine to get rid of "Indian" mascots.

And what about Rep. Jacque testifying about Mishicot getting a permission letter from a Potawatomi family in the UP claiming a relation to "Chief Mishicot?" Where are the questions the Wisconsin Potawatomi might want to ask about the relationship between Daniel Smith, the town founder, and the claimed "Chief Mishicot?" A 12-year-old chief? Really? And neither could speak each other's language. Really? And local Native people were fans of Smith who ... operated two sawmills to saw down the forests, their source of food. Really?

So my question is, what is the rush? Isn't the truth worth slowing down for? I can back up everything said in this letter. What will you be able to back up your vote with?

Sincerely,

Clif Morton --- [morton@hughes.net](mailto:morton@hughes.net) --- 920-982-6908 --- E8768 Cut Off Road, New London, WI 54961



**Assembly Committee on Government Operations and State Licensing  
Hearing of AB297**

**October 3, 2013**

**Entry to the Record on Behalf of Great Lakes Inter-Tribal Council  
by Barbara E. Munson (Oneida)**



## GREAT LAKES INTER-TRIBAL COUNCIL, INC.

P.O. Box 9, Lac du Flambeau, Wisconsin 54538

Phone: 715-588-3324 Fax: 715-588-7900

Email: [glitc@glitc.org](mailto:glitc@glitc.org)

### Officers

Gerald Danforth, *President*  
Robert Chicks, *Vice President*  
Louis Taylor, *Secretary/Treasurer*

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*Louis Taylor, Chair*

Lac du Flambeau Band of Lake  
Superior Chippewa Indians  
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St. Croix Band of Lake Superior  
Chippewa Indians  
*David Merrill, Chair*

Sokaogon Band of Lake Superior  
Chippewa Indians  
*Sandra Rachal, Chair*

Stockbridge-Munsee Band of  
Mohican Indians  
*Robert Chicks, President*

### Resolution 2006-01.03

#### Address to Public School Districts Regarding Indian Nicknames, Logos and Mascots

**Whereas**, the Great Lakes Inter-Tribal Council, Inc. is a consortium of eleven federally recognized Indian tribes located in Wisconsin and Michigan; and

**Whereas**, some Wisconsin public schools still have school nickname/logo policies based on race which target Native Americans; and

**Whereas**, the American Psychological Association has confirmed the growing body of knowledge indicating that these race-based school policies can harm all students, but particularly Native American students; and

**Whereas**, a diverse and growing body of professional opinion has shown that these policies reduce the self-esteem of Native American students and reduce the number of future roles Native American students visualize for themselves in society; and

**Whereas**, a diverse and growing body of professional opinion has shown that these policies constitute discrimination based on race because they raise the self-esteem of non-Native Americans while lowering the self-esteem of Native Americans; and

**Whereas**, the Wisconsin Superintendent of Public Instruction has recently re-affirmed support for the elimination of Native American nicknames, logos, and mascots in public schools, and has written to public school districts across the State of Wisconsin, encouraging them to consider alternatives to Native American imagery; and

**Whereas**, the “boost” in self-esteem experienced by non-Native Americans helps explain why some non-Native Americans support these race-based policies and have difficulty understanding why Native Americans could have a different view based on a different experience; and

**Whereas**, a diverse and growing body of professional opinion has shown that this harm occurs below the conscious level so that Native Americans are often not aware of the psychological impact; and

**Whereas**, these race-based policies also harm non-Native students by “teaching” them that it is “acceptable” to stereotype Native Americans; and


**Whereas**, the harm extends beyond the boundaries of the school district and similarly affects Native and non-Native athletes and fans in other school districts which compete against these schools; and

**Whereas**, members of Native American tribes are living in these school districts and are affected by these race-based 'Indian' nickname policies;

**Therefore, be it resolved** that the Great Lakes Inter-Tribal Council, Inc. respectfully asks that all school boards in school districts with these policies act quickly to find an alternative to using the Native American race for a school nickname, logo and/or mascot.

**Certification**

I, the undersigned Executive Director of the Great Lakes Inter-Tribal Council, Inc., do hereby certify that the foregoing resolution was adopted by the Board of Directors the 30th day of January, 2006.

  
\_\_\_\_\_  
Michael W. Allen, Sr., Executive Director

# **Great Lakes Inter-Tribal Council, Inc.**

## **Resolution No. 99-01.05**

**WHEREAS**, The Great Lakes Inter-Tribal Council, Inc., is a consortium of twelve federally recognized Indian tribes native to the region of the North American continent and the area around Lake Superior, and

**WHEREAS**, the strength of GLITC lies in the resolve of the tribes to be independent, yet to come together in a unified forum to address those issues which require intertribal unity and attention, and

**WHEREAS**, “Indian” mascots and logos are offensive, disrespectful, and demeaning; “Indian” logos mock Indian people, cultures, and traditions; “Indian” logos contribute to a societal environment that is racist, oppressive, and harmful to harmonious relationships between people; and

**WHEREAS**, all children in schools depicting “Indian” stereotypes are encouraged to tolerate, perpetuate, and maintain racist practices against a group of people, and

**WHEREAS**, children in Wisconsin schools have been exposed to this form of racial, ethnic discrimination since the early 1920’s, and continue to be exposed to such racism today, although other forms of stereotyping such as blackface minstrel shows have long since disappeared from the American landscape, and

**WHEREAS**, the presence of these symbols in state-supported schools, at the expense of Indian and non-Indian taxpaying constituents constitutes state-supported racism, and

**WHEREAS**, appropriate means of recognizing Native American people exist through teaching Native American history accurately, by treating Native American students with the same respect afforded other students, and by removing “Indian” mascots and logos, and

**WHEREAS**, Native American Indian Tribes and other organizations have voiced their condemnation of such images by adopting similar resolutions, providing education, and taking political action.

**NOW THEREFORE BE IT RESOLVED**, the Great Lakes Inter-Tribal Council, Inc. condemns the use of “Indian” logos as offensive and will work alone and in concert with other organizations to eliminate the use of depictions of and cultural references to American Indians as mascots, logos, and team nicknames in Wisconsin public schools.

**BE IT FURTHER RESOLVED**, that this form of racism which damages Native American children and cultures be removed from Wisconsin Public Schools before the new millennium.

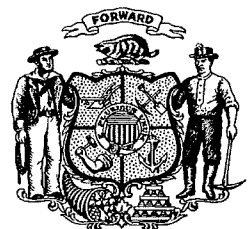
### **CERTIFICATION**

I, the undersigned, as Secretary/Treasurer of the Great Lakes Inter-Tribal Council, Inc. Board of Directors comprised of 11 members, of which 10, constituting a quorum, were present, do hereby certify the foregoing resolution was adopted at a meeting duly called, noticed, convened and held on the 21st day of January, 1999, by an affirmative vote of 10 member for, 0 members against, and 0 members abstaining.

Signed by Al Trepania, Secretary/Treasurer



# WISCONSIN STATE LEGISLATURE



# **Stephen L. Nass**

Wisconsin State Representative

*Testimony on 2013 Assembly Bill 297  
Indian Nicknames, Logos and Mascots  
October 3, 2013*

*Assembly Committee on Government Operations and State Licensing  
Presented by Mike Mikalsen, Office of Representative Steve Nass*

Chairman August and committee members, Representative Steve Nass regrets that he is unable to attend today's public hearing. He is currently in Germany, at his own expense, with a Walworth County delegation participating in a county government exchange program.

Rep. Nass has been involved in the Indian logo, mascot and nickname debate since his first term in January 1991. Despite serving through three reapportionments, he has been honored to represent several communities that have traditionally utilized Indian nicknames, mascots and logos.

From his very first public statement on this issue in the early 1990s, he has always believed this issue needs to be resolved at the community level and after thorough discussion involving all the interested parties. He supports the decisions of communities that opt to maintain their traditional logos, mascots and nicknames and those school districts with community support that decide to adopt a new tradition.

Since 1985, every student has been protected by the Wisconsin Pupil Non-Discrimination Law (ss. 118.13). This law combined with federal protections has provided a legal route for students and their families to address any denial of access to, benefit of, or discrimination in educational services provided by our schools. On a few occasions in the past, there were complaints raised regarding Indian logos, mascots and nicknames under the Wisconsin Pupil Non-Discrimination Law. In these instances, the Department of Public Instruction determined the mere existence of Indian related logos, mascots, and nicknames didn't violate state law.

For nearly two decades there had been sporadic attempts to change state law to achieve the goal of banning Indian logos, mascots and nicknames. All of those efforts failed until 2009. In 2009, Governor Doyle signed into law Act 250 creating the race-based nicknames, logos, mascots and team names statute (ss.118.134). This unfair law is nothing less than a creeping state ban on the use of certain logos, mascots and nicknames.

It's important to keep in mind that something thought to be offensive by an individual(s) isn't automatically discriminatory. These are two separate matters under the law and societal norms.

We are here today because of the principled stand taken by the citizens of the Mukwonago School District in battling the unfair implementation of current law and a biased decision reached by the Wisconsin Department of Public Instruction. There will be testimony from the Mukwonago participants in that case, so I will allow them to speak in greater detail on that matter.

*"In God We Trust"*



The original version of AB 297 proposes a complete repeal of the 2009 Act 250 provisions. After numerous discussions led by Speaker Robin Vos, Representative Dave Craig and Representative Nass, the committee now has before it Assembly Substitute Amendment 1.

**The substitute amendment does the following:**

-It maintains a complaint process under state law, but requires a complainant to obtain the signatures of school district residents equal to at least 10% of the number of students enrolled in that district. Those signatures must be obtained in the 120 days prior to the date of the complaint filing.

-A complaint forwarded to the state triggering a hearing would be administered by the Division of Hearings and Appeals within DOA, instead of the Department of Public Instruction. It's important to note that the Department of Public Instruction will still participate in the review of the complaint and be able to share their findings with the hearing officer.

-In the hearing process, the burden of proof will return to the individual making the complaint. The complainant will have to demonstrate how the use of a logo, mascot or nickname promotes pupil discrimination, harassment or stereotyping. This is the standard protocol in complaint procedures.

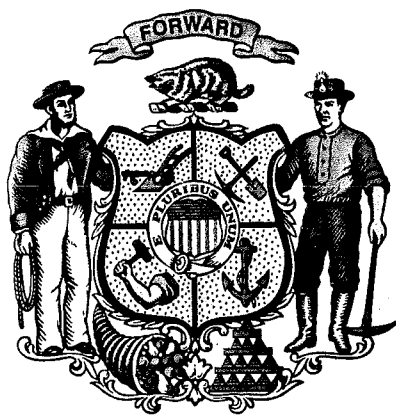
-Encourages school districts to reach an agreement with one of Wisconsin's federally recognized Indian Tribes enumerating the appropriate uses of a logo, mascot or nickname. If a district has reached such an agreement, the State Superintendent is allowed to forego a hearing on a complaint.

-The State Superintendent would be prohibited from promulgating an administrative rule that creates a presumption of what constitutes a race-based logo, mascot or nickname that promotes pupil discrimination, harassment or stereotyping.

-Prohibits the enforcement of a decision or an order issued under the provisions of 2009 Act 250 after the effective date of this substitute amendment.

-Prohibits a school district from being a member of the WIAA, if that athletic association bars a member school from using an Indian logo, mascot or team name, unless that member school has been ordered or blocked from such use by the state under this substitute amendment.

Representative Nass wants to stress that ASA 1 creates a fair and balanced process going forward that encourages this issue to be addressed at the community level through discussions with the tribes, but still provides a remedy procedure to address legitimate cases of pupil discrimination and harassment.





Gay Straight Alliance  
for Safe Schools  
122 E. Olin Avenue, #290  
Madison, WI 53713  
voice: 608-661-4141  
fax: 608-661-1360  
www.gsafewi.org

October 3, 2013

Dear Members of the Assembly,

My name is Kristen Petroschius and I am the Co-Director of Gay Straight Alliance for Safe Schools, or GSAFE. GSAFE is a statewide organization whose mission is to create schools in Wisconsin where all LGBTQ youth can thrive.

I am here today to oppose AB297 and ask that you oppose it with me. Our current Act 250 is an important part of making our public schools a safe space for all students and teaching all of our students that stereotypes are not acceptable.

In our specific work, we know all too well the effects of stereotypes on young people. Because of bias against LGBT youth in Wisconsin, lesbian, gay, and bisexual youth have higher rates of suicide, depression, substance abuse, school truancy, lower academic achievement and high school graduation rates than their peers. These disparities stem from stereotypes, bias, and discrimination.

We are opposed to AB297 because this legislation fails to address the harm that we know race-based mascots cause to all children. Research has clearly shown that exposure specifically to a Native American sports mascot increases the tendency of people to endorse stereotypes about a different group. The research has found that cognitively speaking, lumping a community of people into a box based on a stereotype causes our mind to further categorize people. The stereotyping that is promoted through the use of race-based mascots can actually teach people – children and adults – to further stereotype other groups, including LGBT people. These stereotypes hurt all of us.

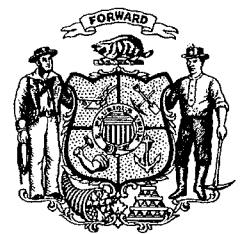
Another issue of critical importance to us in this issue is that of tribal sovereignty. The 11 federally recognized nations in Wisconsin have all resolved that the use of race-based mascots, logos, and nicknames by Wisconsin Public Schools needs to end immediately. In accordance with federal law, we also believe that the sovereignty of Wisconsin's First Nations needs to be respected and we urge the legislature to respect their sovereignty.

Lastly, I want to speak as a parent. I do not want my child to grow up in a school where he is taught to stereotype and discriminate against Native American people and others. It pains me to think that the legislature wants to force my child to learn stereotypes, bias, and racism. Civil rights issues should not be left to a vote of the population. If the majority of people in a school district vote that racism is ok, does that make it ok? No. As a legislature, you are tasked with acting in the best interests of all Wisconsinites. Please do not force my child to learn stereotypes, bias, and racism. The use of race-based mascots hurts my child and I am asking you to protect him.

Sincerely,

Kristen Petroschius, Co-Director  
(608) 661-4141  
Kristen@gsafewi.org





Mikalsen, Mike

AB 297

From: Kris Schoolcraft <kschoolcraft@badgercolor.com>  
Sent: Thursday, October 03, 2013 9:12 AM  
To: Mikalsen, Mike  
Subject: "Assembly Bill 297"

*Kris*

Kristine R. Schoolcraft  
Human Resources Manager  
Badger Color Concentrates, Inc. \* 1007 Fox Street (Hwy. E5) \* Mukwonago, WI 53149  
☎ (262) 363-5710 ☎ (262) 363-5764 ✉ kschoolcraft@badgercolor.com  
Company website: [www.badgercolor.com](http://www.badgercolor.com)



TO: Assembly Committee on Government Operations and State Licensing

Wisconsin Capitol  
Madison, WI 53703

Dear Committee Members,

I would like to respectfully submit our input with regard to the support of Assy. Bill 297.

My husband and I are not able to get off work today but would like our support known. My husband and I fully support all proposals covered under AB297.

As a Mukwonago resident for the past 35 years, and having raised our children in the Mukwonago district, I have very strong convictions and feelings with regard to this issue.

My husband James R. Schoolcraft graduated from Mukwonago H.S. in 1981, he is of Cherokee and Choctaw descent, and was one of the co-petitioners of the effort to declare Act 250 unconstitutional. We as a family have dedicated the last 3 years to this cause, to correct a law that not only enabled one person to bring down a 90 year tradition, but left an entire community no recourse but to accept the school district's financial burden to change a logo. Our goal has been to END THE BIAS that was proven of the DPI in hearing our Mukwonago case when Mukwonago was not able to defend itself properly, and it was proven by deposition of Paul Sherman that there was nothing Mukwonago could have said to change their minds. Leave it up to complainant to prove their case.

Assy. Bill 297 addresses all of these issues. Although many residents would push for repeal of ACT 250, I agree that going forward it is important to have a consistent and fair "complaint qualification" and resolution process. I genuinely feel that a complaint backed by only 10% district adult residents is weak, however, it is a "step in the right direction" which would be away from enabling 1 person to complain.

The Mukwonago district "has educated" its students especially those entering high school of the significance of Indian heritage, history and respect due to Native Americans and our logo. The district banned negative offensive actions or behavior towards Native Americans for years. Instead of hearing cases, and fining school districts, the DPI could do their job to grow those educational curriculums across the state to rid the state of any discrimination and stereotypes against Native Americans that may exist. It is sad these days when even adults stereotype the term Indians = Casinos. In Mukwonago, our families and residents have been proud to grow up in Mukwonago "place of the bear", and respect and honor the beloved Indian logo who in full headdress embodied qualities of bravery, strength, honor, and dignity. We have no casino here, nor do we have a reservation, but we have a loyalty and dedication to our villages heritage and high schools Indian logo. This is why we urge for this Bill 297 to pass.

Students, parents, and visitors to our high school have not seen costumes/headdresses, tomahawks and have not heard war chants, native drum beats, WHY? because those actions and behaviors were banned on Mukwonago property in due respect of this honorable heritage and our logo. Our Indian logo graces our schools welcome sign, letterhead, its legal documents, its diplomas, and is prevalent in the awards and trophy cabinets going back 90 years of school history. A "Fast M" is what represents Mukwonago on uniforms, and helmets in our athletic programs.

**To ban our beloved Mukwonago Indian logo for one complaint erases 90 years of pride.**

I speak for Mukwonago here. Approval of Assy. Bill 297 is what is right to bring fairness, consistency, stronger complaint qualification and fair complaint resolution to the State of Wisconsin.

Our opposition, Barb Munson states on 9/13/13 on Indianz.com : **Wisconsin Indian educators want school environments where all students can thrive, and we want accurate and authentic historical and contemporary information taught about all people. In school districts where the prevailing thought was that the issue was a power struggle about local control, people defending an "Indian" moniker often became more and more rigid in their defense and less able to frame the issue as an education policy issue involving harm to children.**

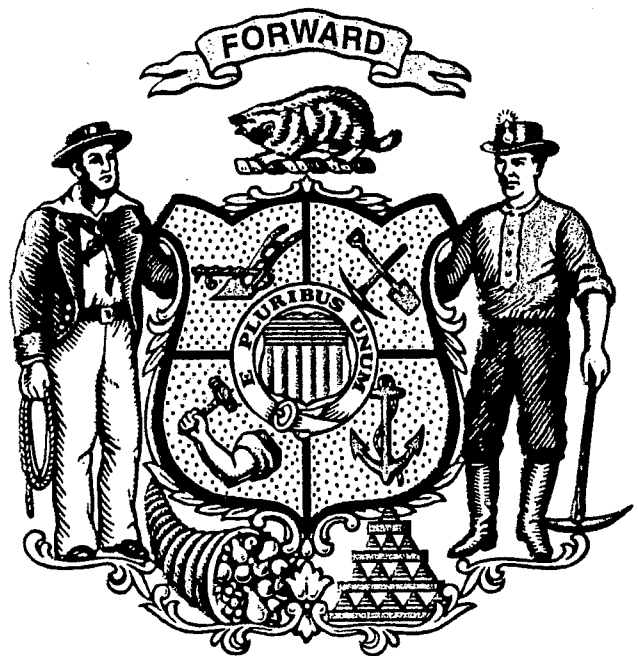
So, I say sign and pass Assy. Bill 297 and put the DPI to work growing our curriculums that are accurate, authentic historical and contemporary information about all people (including Native Americans), and that is one step closer to satisfying our opposition.

Thank you,

Kristine Schoolcraft

S78W31030 Sugden Road

Mukwonago, WI 53149



## Indian Testimonial

To whom it may concern:

The Berlin School System has proudly carried the nickname for a lot longer than I've been around and the students here have worn the "Indians" uniform with dignity and respect. I strongly disagree with the principle that if ONE person is offended, the entire population should be.

I find it ludicrous that when cities, towns, lakes, rivers, parks, public buildings and even our state carry Indian names, our athletic teams can't embrace it as well. The school's yearbook and our golf course carry Indian names and no one has ever been offended. In fact, we had a friendly Indian village on the shores of the Fox River just outside Berlin and that is a rich part of our history.

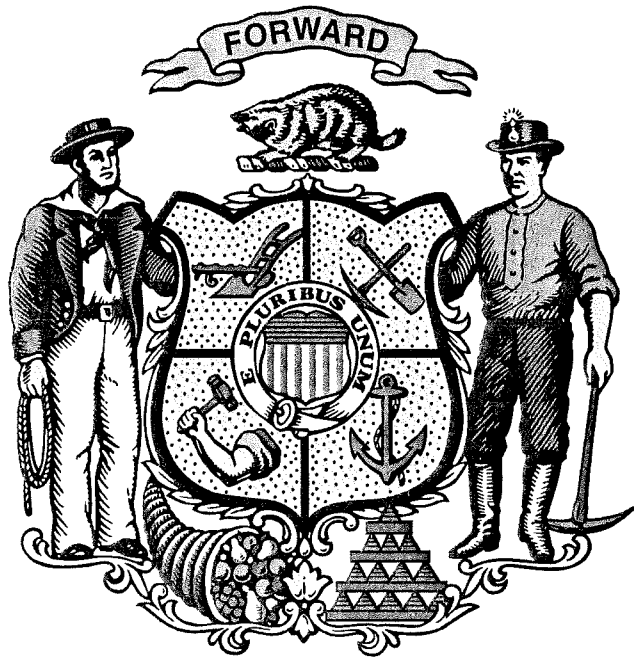
I heartily agree with the bill that has been brought forth and urge the legislators to adopt it as quickly as possible before school districts are ordered to carry out expensive and unnecessary changes in uniforms, score boards, signage and athletic facilities.

Thank you.

Sincerely,

James Wolff  
Editor Emeritus  
Berlin Journal Newspapers





**Stephen L. Nass**  
Wisconsin State Representative

**PRESS RELEASE**

FOR IMMEDIATE RELEASE  
FOR FURTHER INFORMATION CONTACT:  
Rep. Steve Nass (608) 266-5715

October 9, 2013

**Assembly Committee Acts to Save Mukwonago Indians**

**Nass: AB 297 reforms biased Doyle-Era Law on Indian logos, mascots and team names.**

State Representative Steve Nass (R-Whitewater) is pleased to announce the rapid movement of the amended version of AB 297 through the Assembly committee process. The Assembly Committee on Government Operations and State Licensing voted today to support the amended proposal and move the bill forward for an Assembly floor vote on October 15, 2013.

**“The end of this unfair Doyle-Era law on Indian logos, mascots, and team names was made possible by the principled stand of citizens in the Mukwonago School District. I am honored to represent Mukwonago and other communities with proud traditions incorporating Indian-related logos and team names,” Nass said.**

The amended version of AB 297 does the following:

-It maintains a complaint process under state law, but requires a complainant to obtain the signatures of school district residents equal to at least 10% of the number of students enrolled in that district. Those signatures must be obtained in the 120 days prior to the date of the complaint filing.

-A complaint forwarded to the state triggering a hearing would be administered by the Division of Hearings and Appeals within DOA, instead of the Department of Public Instruction. It's important to note that the Department of Public Instruction will still participate in the review of the complaint and be able to share their findings with the hearing officer.

-In the hearing process, the burden of proof will return to the individual making the complaint. The complainant will have to demonstrate how the use of a logo, mascot or nickname promotes pupil discrimination, harassment or stereotyping. This is the standard protocol in complaint procedures.

-Encourages school districts to reach an agreement with one of Wisconsin's federally recognized Indian Tribes enumerating the appropriate uses of a logo, mascot or nickname. If a district has reached such an agreement, the State Superintendent is allowed to forego a hearing on a complaint.

-Continued-

**“In God We Trust”**

-The State Superintendent would be prohibited from promulgating an administrative rule that creates a presumption of what constitutes a race-based logo, mascot or nickname that promotes pupil discrimination, harassment or stereotyping.

-Prohibits the enforcement of a decision or an order issued under the provisions of 2009 Act 250 after the effective date of this substitute amendment.

-Prohibits a school district from being a member of the WIAA, if that athletic association bars a member school from using an Indian logo, mascot or team name, unless that member school has been ordered or blocked from such use by the state under this substitute amendment.

Representative Nass stressed that AB 297, as amended, creates a fair and balanced process going forward that encourages this issue to be addressed at the community level through discussions with the tribes, but still provides a remedy procedure to address legitimate cases of pupil discrimination and harassment.

-End-