

**SUBCHAPTER IV
AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION
WISCONSIN STATE STATUTES**

115.71 Definitions. In this subchapter:

- (1) “Alternative school” means any nonsectarian private school or tribally operated school in this state which complies with the requirements of 42 USC 2000d and in which at least 75% of the pupils enrolled are American Indians.
- (2) “American Indian” means any person who is:
 - (a) A member of a tribe, band or other organized group of Indians, including those tribes, bands or groups terminated since 1940, or who is a descendant in the first or 2nd degree of any such member;
 - (b) Considered by the federal government, on May 22, 1980, to be an Indian for any purpose;
 - (c) An Eskimo, Aleut or other Alaska native; or
 - (d) Determined to be an Indian under rules promulgated by the state superintendent under s. 115.28 (17) (c).
- (4) “Home school coordinator” means a person employed by the school district to promote communication between the school and the American Indian community.
- (5) “Tribal education authority” means the educational authority of a tribe, band or other organized group of American Indians, which may be vested in a tribal department or division of education, a tribal school board, a tribal education committee or any similar body.

History: 1979 c. 346; 1981 c. 314 s. 146; 1995 a. 27 s. 9145 (1); 1997 a. 27.

115.72 Establishment of programs.

- (1) Any school district enrolling American Indian pupils, or alternative school, may establish, on a voluntary basis, an American Indian language and culture education program. The program shall be designed to:
 - (a) Make the school curriculum more relevant to the needs, interests and cultural heritage of American Indian pupils.
 - (b) Provide reinforcement of the positive self-image of American Indian pupils.
 - (c) Develop intercultural awareness among pupils, parents and staff.
- (2) The American Indian language and culture education program may include:
 - (a) Instruction in American Indian language, literature, history and culture.
 - (b) In-service training and technical assistance for staff in regard to methods of teaching American Indian pupils.
 - (c) Vocational education and counseling for American Indian pupils.
 - (d) Modification of curriculum, instructional methods and administrative procedures to meet the needs of American Indian pupils.
 - (e) Tests of the academic achievement of the American Indian pupils enrolled.
 - (f) Identification of the educational needs of the American Indian pupils enrolled.
 - (g) Classification of American Indian pupils enrolled by grade, level of education, age and achievement.
- (3) The school board of a district establishing an American Indian language and culture education program may designate the school or schools in which the program shall be offered. The parent or guardian of an American Indian pupil may transfer the pupil to the school in which the program is offered, if it is in the same district, in order for the pupil to participate in the program.

(4) American Indian language and culture education programs established under this subchapter shall be located in school facilities in which regular classes in a variety of subjects are offered on a daily basis.

History: 1979 c. 346.

115.73 Program requirements.

(1) Each school district and alternative school, before establishing a program under this subchapter, shall develop a plan which:

- (a) Identifies the activities, methods and programs to be used to meet the identified educational needs of the pupils to be enrolled in the program.
- (b) Describes how the program will be organized, staffed, coordinated and evaluated.
- (c) Estimates the costs of the program.

(2) Each school district and alternative school operating a program under this subchapter shall maintain records concerning the number of American Indian pupils enrolled in the program and of all sums expended in connection with the program. The school district or alternative school shall make affirmative efforts to encourage participation of American Indian pupils in the program by providing for meetings with parents and guardians of American Indian pupils to explain the nature of the program.

History: 1979 c. 346.

115.735 Parent advisory committee.

(1) Each school district and alternative school which establishes a program under this subchapter shall establish an American Indian parent advisory committee, appointed by the school board, to afford parents and educators of American Indian pupils the opportunity to advise the school board of their views and to ensure that a program is planned, operated and evaluated with their involvement and consultation. If there is a local tribal education authority, the school board shall appoint committee members from recommendations submitted by the authority.

(2) The committee shall be composed of parents or guardians of American Indian pupils enrolled in the program, teachers, aides and counselors involved in the program and representatives of local tribal education authorities, but a majority of the members of each committee shall be parents or guardians of American Indian pupils enrolled in the program.

(3) If an advisory committee exists which meets the requirements of sub. (2), it may serve as the parent advisory committee. If the school board consists solely of parents or guardians of American Indian pupils, it may serve as the parent advisory committee.

History: 1979 c. 346.

115.74 Assessment of needs and evaluation of resources.

(1) On or before July 1 in every even-numbered year, the state superintendent shall:

- (a) Conduct a statewide assessment of the need for American Indian language and culture education programs. The assessment shall include information on:
 1. Numbers, ages, location and tribal affiliation of American Indian pupils.

2. Concentration of American Indian pupils in attendance areas, as defined in s. 121.845 (1), within each school district by tribal affiliation.
 3. Rates of American Indian children receiving special education and related services under subch. V of ch. 115 in comparison with statewide and district wide rates.
 4. Advancement, achievement levels and dropout rates of American Indian pupils in comparison with average advancement and dropout rates.
 5. Participant response to the program.
- (b) Evaluate the American Indian language and culture education programs established under this subchapter. Alternative school programs shall be evaluated under this paragraph only with the permission of the school.
- (2)** Annually, on or before July 1, the state superintendent shall evaluate all available resources and programs which are or could be directed toward meeting the educational needs of American Indian pupils. The evaluation shall include information on:
- (a) Numbers, locations and qualifications of teachers, administrators, counselors and others from American Indian backgrounds who are interested in working in American Indian language and culture education programs.
 - (b) Programs in this state designed for the preparation of American Indian language and culture education teachers.
 - (c) The effectiveness of programs for American Indian pupils in this state other than programs established under this subchapter.
 - (d) The effectiveness of pre-service and in-service programs for staffs of American Indian language and culture education programs.
 - (e) The tests, criteria, procedures and methods used to identify, test, assess and classify American Indian pupils.
- (3)** The assessment of needs under sub. (1) (a) and the evaluation of resources under sub. (2) shall be performed on Indian reservations and in other Indian communities recognized by the federal government only in conjunction with, or with the permission of, the respective tribal governments.
- 4)** The state superintendent shall prepare a biennial report which shall be included as an addendum to the department's biennial report under s. 15.04 (1) (d). The report shall include the results of the most recent assessment of needs and evaluation of programs under sub. (1), the evaluation of resources under sub. (2) and recommendations for legislation in the area of American Indian language and culture education.
- History:** 1979 c. 346; 1983 a. 189 s. 329 (17m); 1983 a. 524; 1985 a. 29 s. 3202 (43); 1989 a. 56; 1997 a. 27, 164.