



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-0573/1
FFK:amn

2023 ASSEMBLY BILL 214

April 20, 2023 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Education.

AUTHORS SUBJECT TO CHANGE

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

Analysis by the Legislative Reference Bureau

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

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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

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

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writing. If an American Indian tribe or band exercises this option, DPI may not issue a lifetime license to teach the associated American Indian language to an individual unless the tribe or band notifies the department that it has determined that the individual is qualified for a lifetime license to teach the American Indian language in an American Indian language program.

Under this bill, if an American Indian tribe or band opts to review individual applicant's for a lifetime license, DPI must notify the tribal government whenever an individual applies for a tier III lifetime license in the language that is associated with the tribal government. Upon receiving the notice from DPI, the tribal government must determine whether the applicant is highly skilled in the language, and notify the department of one of the following:

1. If the associated tribal government determines that the individual is highly skilled in the language, that the tribal government endorses the individual for a tier III lifetime license in the language.

2. If the associated tribal government determines that the individual is not highly skilled in the language, that the tribal government does not endorse the individual for a tier III lifetime license in the language but does endorse the individual to renew a tier II license in the language.

The bill also provides that DPI may grant a tier III lifetime license in an American Indian language only if the applicant satisfies certain other requirements needed for a tier III lifetime license and is endorsed for the tier III lifetime license by the tribal government associated with that language.

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

2 118.19 (18) (bg) 1. The Except as provided in par. (bp), the department may
3 issue a lifetime license under this subdivision to an individual who obtained a
4 provisional license under par. (a) or (bc) if the individual has successfully completed
5 6 semesters of teaching, administrating, or pupil services experience, as defined by
6 the department by rule.

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

8 118.19 (18) (bp) Beginning on the effective date of this paragraph [LRB
9 inserts date], the department may not issue to an individual a lifetime license that
10 authorizes the individual to teach an American Indian language in an American
11 Indian language program if the federally recognized American Indian tribe or band
12 in this state that is associated with the American Indian language submits to the
13 department written notice that states that the tribe or band wishes to evaluate each
14 individual who applies for a lifetime license to teach the American Indian language

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1 in an American Indian language program. If a federally recognized American Indian
2 tribe or band in this state submits a written notice to the department under this
3 paragraph, the department may issue a lifetime license to the individual to teach an
4 American Indian language in an American Indian language program only if the tribe
5 or band notifies the department that it has determined that the individual is
6 qualified for a lifetime license to teach the American Indian language in an American
7 Indian language program.

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

9 PI 34.055 (3) LIFETIME LICENSE; OPTIONAL APPROVAL PROCESS. (a) If a tribal
10 government associated with a language under sub. (1) submits a notice to the
11 department under s. 118.19 (18) (bp), Stats., the department shall notify the tribal
12 government whenever an individual applies for a tier III lifetime license in the
13 language under sub. (1) that is associated with the tribal government.

14 (b) If a tribal government receives notice under par. (a), the tribal government
15 shall determine whether the applicant is highly skilled in the language under sub.
16 (1), and notify the department of one of the following:

17 1. If the associated tribal government determines that the individual is highly
18 skilled in the language under sub. (1), that the tribal government endorses the
19 individual for a tier III lifetime license in the language.

20 2. If the associated tribal government determines that the individual is not
21 highly skilled in the language under sub. (1), that the tribal government does not
22 endorse the individual for a tier III lifetime license in the language but does endorse
23 the individual to renew a tier II license in the language under s. PI 34.040.

24 (c) The department may grant a tier III lifetime license in a language under
25 sub. (1) only if the applicant satisfies the requirements under s. PI 34.041 (3) (a) to

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SECTION 3

1 (c) and is endorsed for the tier III lifetime license by the tribal government associated
2 with that language.

3 (END)