



UiT The Arctic University of Norway

Faculty of Social Sciences, Humanities and Education

Implementing Act 31 in Wisconsin

An Exploration of the History, the Act, and the Educators Who Make it Happen

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Abstract

Wisconsin Act 31, also known as Act 31, was signed into law in 1991 and requires Wisconsin schools to teach Indigenous studies in their classrooms. Act 31 was passed in response to a turbulent time in Northern Wisconsin when Ojibwe, who were exercising their treaty rights to spearfish, were confronted with white Wisconsinites, who protested against those rights. This time period was dubbed *The Treaty Wars* or *The Walleye Wars* (the protests were specifically against spear fishing a type of fish known as a walleye) and it was a dangerous time for Ojibwe in Northern Wisconsin. These protests often turned violent and required police and military presence to prevent serious harm to Ojibwe spear fishers. Wisconsin gained national attention for these protests because they showed a very ugly -- and very real -- side of the state. Something needed to be done, and it needed to be done quickly, thus Act 31 came into legislation.

When Indigenous Studies becomes a legal requirement in the curriculum, how do we ensure that it is properly implemented? This is the question that many educators who champion Act 31 -- Native and non-Native alike -- have asked themselves. This question is the motivation for writing this thesis, and no doubt, one that will continue to be asked after this thesis is completed. To add to the discussion on the implementation of Act 31, this thesis analyses new interviews with Wisconsin educators who are associated with the Act, then compares the interviews with an analysis of two surveys that were previously conducted on Act 31 in 2000 and 2014. But first, this thesis delves deeper into the history that led to Act 31, Wisconsin's education policy history, the passage of Act 31, and then onto a short analysis of the Act itself.

The conclusion of this thesis is that insufficient knowledge of the subject and lack of awareness of available resources and course materials by the teachers combined with school administrators' knowledge of what is required by Act 31 all contribute to low levels of implementation. In addition, strengthening the rhetoric of the act itself will help guide teachers and administrators to implement Act 31 more fully, which will benefit their students and the greater Wisconsin society.

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1 Behind the Thesis

1.1 Introduction to Implementing Act 31 in Wisconsin

Indigenous Studies in public school curricula is a growing field within Indigenous Studies as a whole. There are various motivations for including Indigenous Studies in school curricula and for the State of Wisconsin, these reasons are to prevent history from repeating itself. In the mid to late 1980s, northern Wisconsin experienced what is known today as the Treaty Wars and the Walleye Wars - a time of anger and violence as non-Native people took out their frustrations on the local Native Americans. These wars were provoked when the treaty rights of the Ojibwe people were reaffirmed, and they were able to once again legally exercise the rights they had originally retained in a treaty signed with the U.S. government. Despite these treaty rights, many non-Natives who lived in northern Wisconsin were angry and protested against these rights. The protests turned violent - racism and a lack of knowledge were essentially to blame (Lipsitz, 2008; Leary, 2017). This turbulent time ended up changing Wisconsin's educational requirements and thus Wisconsin Act 31, also known as Act 31, was created.

Act 31 is a series of four statutes that require American Indian studies to be included in the Wisconsin schools' curricula, the creation of new educational goals, licensure requirements for new teachers, and classroom material requirements. According to the Wisconsin Department of Education, Act 31 "refers to the requirement that all public school districts and pre-service education programs provide instruction on the history, culture, and tribal sovereignty of Wisconsin's eleven federally-recognized American Indian nations and tribal communities." Since the Act was passed in 1989, implementation has been a challenge. This thesis will explore implementation after the passing of Act 31.

While many schools struggle with incorporating these requirements into their curricula, there are a few teachers who are recognized for their work in implementing Act 31 in their classrooms and school districts. According to Wisconsin First Nations American Indian Studies for Wisconsin and Brian Jackson, President of the Wisconsin Indian Education

Association, Paul Rykken from Black River Falls High School and Jeff Ryan from Prescott High School are two such examples. Paul Rykken is well known for his work with the neighboring Ho-Chunk community and Jeff Ryan is best known for his four-day experiential field trip to the Lac du Flambeau Ojibwe reservation. I interviewed both educators to learn more about how they implement of Act 31 into their classes. In addition, I interviewed Jackson because the Wisconsin Indian Education Association acts as an advocate for all issues related to indigenous education and as President, he would be very invested and connected to Act 31. These interviews are written at length and in the fifth chapter are analyzed for similarities and differences. In addition, I have analyzed two previously published surveys that focused on teachers' and school administrators' thoughts on implementation on Act 31. I have compared the survey findings with each other and with my interview findings. The surveys were conducted by 2000 (David Berard and Brian Gauthier) and 2014 (Shelby Hadley and David Trechter). My goal was to identify any trends in the surveys and determine if they are in alignment with or are challenged by the information in the interviews.

Through document and interview analysis, this thesis aims to examine how Native studies can be better implemented in Wisconsin public schools as according to Act 31. This thesis does so by looking into the potential barriers of implementing Act 31 while simultaneously finding out what educators have done to successfully implement the act. While this thesis is set in Wisconsin, the general takeaways can be applied to many indigenous groups and these same struggles are visible elsewhere in the world. Because of this, this thesis is set in the realm of indigenous education and adds to the national and global discussion on how to help schools incorporate Indigenous studies into the curriculum. As we become a more globalized world, there is an obvious trend in certain issues with Indigenous studies being one of them. This thesis adds to the discourse on the importance of not only ensuring that students are taught about indigenous peoples through the enacting of laws, but that school systems and teachers do their best to provide students with the most accurate education. This thesis fits in with what scholars in other parts of the country and world are doing, such as other states in the U.S. (Nado Aveling, 2012; Nadean Meyer, 2011; Julie Kaomea, 2005; Shear et al., 2015; Journell, 2009) and in countries such as Australia (Nado Aveling, 2012; Kaye Price, 2015;

Baynes, 2015), Canada (Godlewska et al., 2017), and Brazil (Guimarães, 2015) to name a few examples.

1.2 Terminology

There are many terms used to refer to Native peoples in the United States. These include “Indian/s”, “Native American/s”, “Native/s”, and “American Indian/s” (Leary, 2018). These terms can all be controversial in the sense they tend to overlook both the cultural and linguistic diversity among indigenous peoples in North America. Some of these terms have colonial origins with “Indian” and “Indians” being examples. “Indian” originates from the description used by one explorer when he first saw the indigenous inhabitants. He thought he had reached India, but, in fact, he had reached the Caribbean islands. It is my understanding that there are no set “correct” terms, and that it is best to use the individual band’s names whenever possible, so I intend to do that. While I try to use these broader terms interchangeably (so as not to give any word more power than the others) it is important to note that I tend to gravitate towards “American Indians” and “Natives” as terms because my educational background includes professors and teachers who tend to use those terms the most. I also use the terms “non-Natives,” “non-Indians,” and “whites/white people” interchangeably as well. Another important note is that oftentimes the terms used in political documents differ from what tribal members call themselves. For example, the name “Chippewa” is often used as a legal term referring to Ojibwe people, while “Indian/s” tends to be the term used when referring to multiple Native groups (Leary, 2018). As a final note, “teacher/s” will be the default terms but in general, it is likely that these will refer to high school social studies and history teachers.

Lac du Flambeau and Waswagoning both refer to the same place in Wisconsin. Lac du Flambeau, or in English, Lake of the Torches, “was given to the Band by the French traders and trappers who visited the area” (“About Us”) and saw Ojibwe harvesting fish at night using torches. For local Ojibwe, the area was (and is) called “Wa-Swa-Goning, “the place where they spear fish by torchlight” (“Lac du Flambeau Band of Lake Superior Chippewa”). These names could be used interchangeably but the town is recognized by the state of Wisconsin as Lac du Flambeau. For this thesis, I generally use Lac du Flambeau to refer to

the town outside of the location of Ryan's field trip and Waswagoning when referring to the field trip. This is because the field trip is often referred to as the Waswagoning trip and this has transferred to my writing.

1.3 The Position of the Researcher

I am the descendant of primarily Norwegian, German, and English immigrants who settled in the United States as early as the beginning of the 1600s and as late as the end of the 1800s. This means that I am not indigenous myself and I will discuss the implications of that next. Prescott is my hometown where I have lived for most of my life. It is the town where my father was born and raised, and where my paternal grandparents graduated from high school.

Doing research related to my own community of Prescott, along with Lac du Flambeau -- a community where I have met quite a few people over the years, has been a unique experience for me. I am used to reading articles and books about people I have never met, yet, as I read multiple pieces of literature pertaining to Lac du Flambeau, I found myself recognizing name after name and place after place. The Lac du Flambeau /Waswagoning trip means a lot to me both personally and professionally. It has been a place where I have gone as a student, a chaperone, and as a patron in the summer trips. For two decades, this trip has encouraged non-Native students to learn about Lac du Flambeau Ojibwe in an immersive environment. This experience is unique in the sense that no other school in Wisconsin does this.

The choice to locate myself in this thesis was inspired by Margaret Kovach (2010), who explains that one reason to locate one's self is to find the motivation for their research. Kovach explains that locating one's self for this reason matters "[...] because researchers need to know their personal motives for undertaking their research, and they are usually found in story" (pg. 115). My motivation for this research comes from my own experiences with Indigenous studies in my schooling. Really, learning about Native cultures and issues as Act 31 intended had left me feeling shocked and even angry by how little non-Natives knew about the original people on whose land we now live.

With this thesis, I aim to show that, in the shared opinion of many Native American studies teachers and professors, the inclusion of Native American studies in Wisconsin public school

curricula is both important and possible to achieve. In fact, it is very possible - and doable - for Wisconsin schools to follow Act 31. I recognize that a field trip such as Waswagoning, which will be described in depth later, is not possible for every school to achieve but there are teachers in Wisconsin who are “exemplars” of Act 31 who do not include a field trip like Waswagoning. In fact, the teacher who plans the Waswagoning trips would be an exemplar without them because of how he includes Native American studies in his courses.

As a non-Indigenous student of Indigenous studies, I have been very careful to recognize my role in the discipline. There will be people who believe that ethnicity does not matter when it comes to research, but I feel ethnicity is especially important in Indigenous studies. Many of my ancestors were colonizers and fought wars against Native peoples, which means that a lot of irreparable damage has already been done. It is imperative that I do not, intentionally or otherwise, cause more harm with my research. Non-Indigenous scholars have, for years, researched Indigenous people and indigenous issues. For much of this history, the results have been harmful for Indigenous people (Smith, 2012; Olsen, 2017; Kovach, 2010). About the word “research” Linda Tuhiwai Smith writes, “when mentioned in many indigenous contexts, it stirs up silence, it conjures up bad memories, it raises a smile that is knowing and distrustful” (pg. 1). In his article on being non-Indigenous in Indigenous Studies, Torjer Olsen (2017) notes that “the ways Indigenous peoples have been the objects of research throughout history is a sad chapter in the history of research. Thus, Indigenous people have good reasons to be skeptical towards non-Indigenous scholars” (pg. 206).

1.4 Ethics, Methods, and Methodology

Ethics in research is an important topic, and in Indigenous Studies, it is arguably one of the most important topics due to the historical relationship between researchers and Indigenous peoples. One of Linda Tuhiwai Smith’s most famous quotes is, “[t]he word itself, 'research', is probably one of the dirtiest words the indigenous world's vocabulary,” (Smith, 1999, pg. 1). This comes from her book, *Decolonizing Methodologies*, which is, in a sense, a handbook on decolonization in the research space. Research on and about Indigenous peoples has been taking place in North America arguably since 1492. Much of this research was done at the expense of Natives, and this has led to many negative feelings and memories about research

in Indigenous communities (Smith, 1999). Because of this, I have chosen methods, ethics, and methodologies that are meant to help decolonize this thesis. Decolonization is an important component of this thesis because it is part of what binds it to Indigenous studies as opposed to being in a different discipline. Act 31 can be utilized as a basic form of decolonization in that it aims to educate the Wisconsin public on Indigenous issues and treaty rights - something that Wisconsin's public schools did not actively do before the 1990s - with the intent of ensuring that the public knows about the treaties, culture, and history of Wisconsin tribes. The people I interviewed for this thesis, Native and non-Native, had an idea of decolonization or at least have been participating in decolonization without knowing the term.

The two methods that I chose for obtaining the data are interviews and document analysis of the two previously published surveys. Together, these methods make my thesis both qualitative and quantitative in nature, although the way in which I use the surveys leans more towards qualitative. It should be noted that I am not a quantitative researcher, however analyzing the two surveys previously conducted on Act 31 gave added meaning -- and in some respects -- validation to what was said in the interviews.

When it comes to ethics in research, naming interviewees is unusual, however, my interviewees were chosen because of on their outspokenness on the topic of Act 31 implementation. Because it was important to show the participants I interviewed are qualified to speak on the topic, I asked the interviewees for consent to include their names along with the interview content. The interviewees themselves believe the issue is very important and because they have already been publicly connected to Act 31, it is not an issue to include their names and relevant work experience.

In total, three interviews were conducted for this thesis. It is important to note there are many people who work with Act 31 in some capacity and narrowing down the field of candidates to just a few was difficult. However, these three individuals were chosen based on my ability to contact them and to be able to conduct the interviews in person. I decided to conduct the interviews in person because it was essential to fully understand the interviewees' stories. Storytelling is common in Indigenous communities and Bagele Chilisa (2012) wrote about the importance of stories and their place in research in her book, *Indigenous Research*

Methodologies. Chilisa explained that “stories are the tools of data collection, analysis, and interpretation that give another side of the story to deficit theorizing about the Other and allow the Other, formerly colonized and historically oppressed, to frame and tell their past and present life experiences from their perspectives,” (2012, page 139). It was because of Chilisa’s explanation of the importance of storytelling, that I first chose a less structured interview with the idea that it was perhaps less colonial and would allow the interviewees to feel comfortable and be able to say all they wanted. The two interviews for the teachers involved questions such as:

- “Why do you implement native studies in your curriculum?”
- “Do you feel that you are doing so because of the law or would you do it anyway?”
- “What are your experiences as a teacher working with Act 31 and what was the hardest part for you about including it in your curriculum?”
- “How do you feel educators could improve how Act 31 is implemented or implemented at all?”

I wrote these questions with the intention of using them as an opening into more of an unstructured dialogue. For the president of the WIEA, the questions I asked were centralized around his role as president; how he felt about the rhetoric of Act 3; who all he felt held responsibility for implementing Act 31; and what he felt were Act 31’s strengths and weaknesses.

In actual practice, the first two interviews with the two non-Indigenous men became more of a question and answer type format. However, the third interview with the Indigenous man ended up being the storytelling type conversation I had hoped to have. Could there be a correlation here? I cannot say for certain as I only interviewed three people, but the observation was interesting enough that I believe it should be included in this thesis.

For the document analysis section, I compared the results and recommendations of two surveys that have been previously conducted on Act 31. No inclusion or exclusion criteria were necessary because these surveys are the only ones in existence on the implementation of Act 31, so there was no need to decide which surveys would or would not be analyzed. In analyzing the surveys, I searched for similarities and differences in the findings and identified

potential trends. The results and my survey analysis were then compared with the interview findings where I continued to look for similarities, differences, and potential trends.

With interviews and data analysis, there are some limitations. The group of people interviewed was not as large or diverse as it could be due to my limited ability to travel and certain time constraints. As for the surveys, some of the questions in the two surveys were similar, but many were not, which added difficulty to make some comparisons. In addition, these are the only surveys that have been conducted and there is a 14-year gap between the two. These two issues are not necessarily strong limitations; however, they are important to note.

1.5 Indigenous Wisconsin

Wisconsin is home to eleven different tribes who are formally recognized by the federal United States government and one which is neither state nor federally recognized. A majority of these tribes signed treaties with the government before the 1860s. Some tribes later signed treaties in which they ceded large parts of their territories to the government and placed the tribes within the borders of reservations. For this thesis, the most relevant treaty is one that was signed between the Ojibwe and the U.S. Government around 1837. This treaty ensured that Ojibwe in Wisconsin would retain many of the rights, such as hunting, gathering and fishing, they had before they ceded the land. However, just eleven years later, Wisconsin officials enforced state conservation rules which, in the eyes of the state of Wisconsin, meant that Ojibwe people were illegally harvesting, fishing, and hunting- despite those actions being legal according to treaty rights (Leary, 2018). Eventually, Ojibwe were able to secure those rights again but after decades of those rights being considered “illegal”, non-Native Wisconsin citizens were angry and did not fully understand the history between Ojibwe and the U.S. Government. This lack of knowledge, hostility towards treaty rights, and lack of knowledge on Native history in Wisconsin are some reasons why Act 31 came to be. The history leading up to and the development of Act 31 will be explained in depth in a later section.

The state of Wisconsin has always had some connections with Native peoples. In fact, the word “Wisconsin” has indigenous origins. According to the Wisconsin Historical Society, and

backed by geological evidence, the general consensus is that Wisconsin is “the English spelling of a French version of a Miami Indian name for a river that runs 430 miles through the center of [Wisconsin],” (Wisconsin History, paragraph 1). The word was originally written as “Meskonsing” and translates to “this stream meanders through something red” (Wisconsin History, paragraph 1) and refers to what we now know as the Wisconsin River. Michael McCafferty, a linguistics professor at Indiana University specializing in the Algonquin (among other) languages, argued convincingly enough for the Wisconsin Historical Society to adopt the theory that the “red” in the translation referred to Wisconsin Dells’ red sandstone bluffs (McCafferty).

“Meskousing” was the first version of what would become the name “Wisconsin.” This term was entered into a journal by Father Jacques Marquette in 1673, referring to a river on which he traveled (Wisconsin Historical Society). “Miskonsing” was first used on a map depicting the Wisconsin River that Louis Joliet drew in 1674 (McCafferty, 2003).

Many cities and towns in Wisconsin have names that are, or at least based on, Native names. There are also various origin stories for any given name, so it is possible that while this thesis mentions one story, a cursory Google search may come up with one or two additional stories. The first example is Milwaukee, which is the largest city in Wisconsin. The name allegedly comes from the Potawatomi word referring to council grounds (“History of Milwaukee Government & City Hall.”). According to the Visit Waukesha official website, the name means “By the Little Fox” but the website does not specify from which language the name comes from. It does mention that Sauk, Menomonie, Potawatomi, and Winnebago (Ho-Chunk) tribes have all lived in the area (“History” Visit Waukesha). The origin of the name Minocqua, a small town neighboring town to the Lac du Flambeau Ojibwe reservation, allegedly comes from the Ojibwe word “*Ninocqua*” meaning “noon-day-rest.” Another belief is the town is named after an Ojibwe chief who lived on the island (Minocqua, WI).



The map above, found on Wisconsin’s Department of Public Instruction website, shows where all eleven of Wisconsin’s federally recognized tribes are located. There are six different Ojibwe bands consisting of the Lac du Flambeau band, the Bad River band, the Red Cliff band, the Lac Courte Oreilles band, the Mole Lake Sokaogon band, and the St. Croix band. The remaining five tribes are the Ho-Chunk Nation, Stockbridge-Munsee Nation, the Oneida

Nation, the Menominee Nation, and the Forest County Potawatomi Nation. The Brothertown band is not recognized by either the state or the federal government. Compared to other states, Wisconsin also has the fifteenth largest Native American population in the United States and has one of the largest Native population in the Eastern half of the U.S. (meaning states that are East of the Mississippi River).

Throughout time, what is now known as Wisconsin has been home to several different tribes - some still live on the land today while others were moved elsewhere. The Menomoneie and Ho-Chunk tribes' origin stories begin in Wisconsin, which suggests they have been there longer than any of the tribes currently residing in Wisconsin ("Map"). The Sauk, Potawatomi (who still have land in Wisconsin), Kickapoo, and Mascouten tribes were not originally from Wisconsin but moved there to escape the Dutch, French, and British settlers who were at war amongst themselves. These four tribes are referred to as refugee nations because of their flight ("Maps"). The Ojibwe moved to Wisconsin partly because they were forced to move ("Ojibwe History.") and because of a prophecy that lead them to a place where "food grows on water" - a reference to wild rice ("The Ojibwe People"). However, this land happened to be the territory of the Dakota people. After the Ojibwe first arrived, several wars and battles ensued, and the Ojibwe ultimately drove the Dakota out of Wisconsin ("Ojibwe History"). However, it is important to note that while Dakota and Ojibwe peoples were regarded as traditional enemies, once the territorial disputes ended, some of the bands from each Nation later hunted together, created families together, and ultimately valued their relationships with one another -- at least in the neighboring state of Minnesota ("The Ojibwe People").

Most of the work for this thesis has been conducted in Prescott, Black River Falls, the Ho-Chunk Nation, and the Lac du Flambeau Ojibwe Nation. Looking at the previous map, one can find Black River Falls by looking for the Ho-Chunk Nation. Lac du Flambeau is also noted on the map. Prescott, however, is not located on or near a Native community. Prescott is located on the border between Minnesota and Wisconsin, roughly between the St Croix band of Ojibwe and the Ho-Chunk Nation. Prescott and Black River Falls are relatively close to each other with the drive time being a little less than two hours. Lac du Flambeau is easily a four to five-hour drive from Prescott.

1.6 Thesis Outline

The next chapter of this thesis is a literature review. Then for chapter three, I explore the background of Act 31 including information on the events that led up to the passage of the act, the political climate of Wisconsin during that time, and the ensuing educational policies. The fourth chapter is a look at Act 31 that explains the individual statutes. Next, the data is presented in the fifth chapter, covering the two surveys and the three interviews. Chapter Five also includes my comparisons of the surveys and interviews separately, then both together. The sixth chapter will be a discussion about the data and how the findings fit with certain situations in other states and countries. Finally, this thesis will end with my conclusions.

2 Indigenous Studies in Previous Research

There is only one book that specifically focuses on Act 31, and the author, J.P. Leary, delves into the history behind the act. Because it is the only book written about Act 31, it has obviously been instrumental in the writing of this thesis. In this book, *The Story of Act 31; How Native History came To Wisconsin Classrooms*, J.P. Leary (2018) educates the reader on the history of Act 31. The book is divided into five sections. The first section reviews treaty rights in Wisconsin, discusses sovereignty, and describes how treaties were used as forms of diplomacy. In addition, Leary talks about state laws and the effects they have had on exercising treaty rights. The second section discusses the reaction and backlash to treaty rights and delves into exactly what happened at the boat landings where they Ojibwe went to exercise their treaty rights -- a topic that is discussed in this thesis as well. In the third section, Leary creates a comprehensive timeline of social studies and policies on a national level while the fourth section focuses on the state level. The final section reviews the actual passage of Act 31 and everything that happened in the immediate aftermath. In his conclusion, Leary discusses the issues facing the implementation of Act 31 and how budget cuts and policy changes eliminated audit teams in the Department of Public Instruction, which is the department in charge of education. These budget cuts and policy changes have made enforcing the law much harder. Leary's book originated from his participation in a project when he was working for the Wisconsin Department of Public Instruction. The project also

evolved into his PhD dissertation, and then finally the book that is available today (Leary, 2018).

In 2000, David Berard and Brian Gauthier published their findings from a survey that examined concerns and issues surrounding the implementation of Act 31. Collaborators for this survey included the Cooperative Extension, Wisconsin Indian Education Association, Wisconsin Indian Education Directors Association, University of Wisconsin Stevens Point Native American Center, and the University of Wisconsin Eau Claire American Indian Studies Program. The project was funded by a University of Wisconsin Extension Cross Divisional Grant and the surveys were conducted through the University of River Falls Research and Survey Lab. The project team consisted of David Berard, Sharon Cloud, Richard Florence, Brian Gauthier, Marge Hebring, Dana Jackson, Larry Martin, Virginia Nuske, and Larry Swain. The study team sent out 400 letters to various school principals around Wisconsin and analyzed the surveys from the 135 principals who returned the surveys. Recommendations from the study team show that further clarification on Act 31 would be helpful for teachers and administrators, teacher training needs to be better, and more teaching materials should be made available based on the various ages of students (Berard & Gauthier, 2000).

Fourteen years later, in 2014, Shelly Hadley and David Trechter conducted a survey on Act 31. Collaborators for this survey included the Wisconsin Department of Public Instruction, the Wisconsin Historical Society, the Wisconsin Indian Education Association, the Wisconsin Media Lab, Wisconsin Public Television, the University of Wisconsin Extension, University of Wisconsin Green Bay First Nations Studies, University of Wisconsin Madison School of Education, and the Survey Research Center at the University of Wisconsin River Falls. This survey was conducted through the University of Wisconsin River Falls and was funded through a Program Innovation Grant from the University of Wisconsin Extension. It was adapted from Berard and Gauthier's 2000 survey. Hadley and Trechter sent the surveys via email to 2,213 school administrators and 34,906 teachers, resulting in 381 and 1,726 responses respectively. Important survey findings suggest that over half of the teachers could not recall or did not receive instruction for American Indian studies in Wisconsin. In addition, most teachers claimed a lack of materials contributed to their own lack of Act 31 in their

classrooms and said they did not have enough time to implement it (Hadley & Trechter, 2014).

It is important to recognize what other research has been conducted on Indigenous Studies outside of Wisconsin because what other researchers have found can be used to help implement Indigenous Studies. A very important finding is that, not surprisingly, that Native students can benefit from Indigenous studies in schools. In his article titled “An Incomplete History: Representation of American Indians in State Social Studies Standards”, Wayne Journell (2009) found that, Native representation in textbooks, and U.S. and state history standards often represent Native peoples as victims, a single hegemonic people, and with a narrative that ends in the early 1800s. He then argues that this can be damaging for Native students because only seeing “constant sentiment of oppression may cause students to question their heritage or self-worth. If all students see within their history curriculum are examples of people like themselves constantly being oppressed and having to struggle for equality, that may act as a form of oppression in itself” (pg. 25).

On the flip side, Journell (2009) also argues that the eurocentrism of U.S. history can reinforce problematic notions in students of European descent and lead to discrimination against minority groups by these students. In the case of Wisconsin, it has a predominantly white population descended from European settlers and, to put it bluntly, the population’s lack of knowledge on treaty rights is what really pushed Act 31 into existence. In John Wills’ (1996) article called, “Who Needs Multicultural Education? White Students, U.S. History, and the Construction of a Usable Past ,” the author argues that white students also benefit from multicultural education, writing that “politicizing the voices of African Americans, Native Americans, and other racial and ethnic groups has the potential to broaden the focus of the history students learn and provide themes, concepts, and issues that provide more easily realized connections between the past and the present” (pg. 381).

In the United States, Indigenous studies in public schooling is not limited to Wisconsin and, especially in the social studies field, is part of a discussion taking place all over the country. In Montana, Phyllis Bo-yuen Ngai and Peter H. Koehn (2010) conducted research on an intercultural approach to Indigenous education in elementary schools. They found that

implementing Indigenous studies based on local tribes in a primary school was beneficial for “[...] students’ knowledge of Montana tribes and their sense of place” (pg. 603). A survey conducted by Sarah Shear, Ryan Knowles, Gregory Soden, and Antonio Castro (2015) looked into representations of Native peoples in history standards in the U.S. and found that “Indigenous peoples were largely confined within a pre-1900 context devoid of any significant voice” (pg. 89) within U.S. and state standards for history taught from kindergarten through twelfth grade.

Nado Aveling’s (2012) research titled “Indigenous Studies: A Matter of Social Justice; A Matter of Urgency” focused on comparing Montana with Australia. Aveling found that in Montana, the teaching students were exposed to resources that Aveling described as something that “one could only dream about” (pg. 110). However, Aveling found that many of the teaching students did not “get it.” The research article goes on to say that it is imperative for teaching programs around the world to properly instruct future teachers on *how* to implement Indigenous studies. Without this vital training, Aveling says “we cannot expect teachers to teach Indigenous studies” (pg. 111).

Nadean Meyer (2011) investigated various representations of Native Americans in resources, specifically books, for children. Meyer writes that “it is important for curriculum centers to obtain many resources that reflect the best practices for understanding American Indian history and tribal sovereignty” (pg. 27). Julie Kaomea (2005), in her article “Indigenous Studies in Elementary Curriculum: A Cautionary Hawaiian Example,” examined the implementation of Hawaiian studies in elementary schools in Hawaii and found the vast majority of teachers who participated in the study expressed a lack of confidence in their ability to teach the subject.

This discussion is also happening on a global level. In Australia, school curricula are expected to include material on Aboriginal and Torres Strait islanders culture, history, and societies with the intention that it will encourage understanding and respect among Aboriginal and Torres Strait islanders and non-indigenous Australians (Aveling, 2012; Price, 2015; Baynes, 2015). Both Aveling (2012) and Price (2015) note the importance of such curriculum in Australians schools for multiple reasons. Knowing the full history of Australia, combatting

racism, and creating a better learning environment for Indigenous students are among the reasons put forth by both authors. Kaye Price (2015) says that while there are many resources about Aboriginal and Torres Strait Islanders available in Australia, very little are used by teachers because said teachers have not had the proper instruction to feel confident with any of the resources they have found.

In their analysis of representations of First Nations, Métis, and Inuit people in Newfoundland and Labrador Canada curriculum, Godlewska et al. found Indigenous issues are seldom represented in class material presented from kindergarten through ninth grade. In fact, it is not until seventh grade that any history of colonization appears in textbooks. In general, Godlewska et al. determined the textbooks are generally strong when teaching history but that teachers, at times, lack the context needed to understand the full scope of the situation and often fail to link current issues in Indigenous societies with colonial policies. According to the Ontario Canada Curriculum for grades 9 through 12, the inclusion of First Nations, Métis, and Inuit studies in the curriculum allows students from all backgrounds to learn about the different cultures, contributions, perspectives, and the Indigenous knowledge and ways of knowing (The Ontario Curriculum, 2019).

In their article in early childhood education, Torjer Olsen and Bengt-Ove Andreassen (2017) discuss including Indigenous issues in both New Zealand and Norway's curricula. The authors also discuss the importance of implementing Indigenous Studies in curriculum (in this case, for early childhood education). They note that while education policies about Indigenous Studies in curricula are important, there ultimately needs to be actual implementation by education institutions and teachers for the policies to work the way they were intended.

In Brazil, Selva Guimarães (2015) analyses the implementation efforts of Indigenous studies in the school system. Guimarães article, titled "The teaching of Afro-Brazilian and indigenous culture and history in Brazilian basic education in the 21st century," concluded that while there are some successful experiences, there are still many problems and challenges with the implementation.

3 The History of Treaty Rights, Social Studies Policies, and Post Act 31 Implementation

3.1 The Tribble Brothers, The Treaty Wars, and the Journey to Act 31

In March of 1974, Mike and Fred Tribble, two Ojibwe brothers, left the Lac Courte Oreilles reservation to spearfish (Leary, 2018). Spearfishing is a traditional way of fishing in Ojibwe culture and involves using a spear to harvest the fish. The brothers notified the Sawyer County sheriff before they went and, as expected, the Department of Natural Resources (DNR) wardens came to arrest them. When confronted by the wardens, Fred Tribble provided a copy of the treaty of 1837 and claimed that what they were doing was in fact legal through treaty rights. Ignoring the treaty, the wardens arrested the Tribble brothers and they were charged and convicted of breaking Wisconsin's conservation laws. This arrest became one of the most important court cases on the recognition of treaty rights for the Lac Courte Oreilles and then for all Ojibwe in Wisconsin. For the next seventeen years, the issue of treaty rights would prove to be a battle between the Ojibwe (and their allies) and non-Natives (Loew, 1997). In fact, the circumstances "polarized the people of Wisconsin as no other issue had in recent history and united the previously disparate Chippewa bands who came together to defend their treaty rights and sovereignty," (Loew, 1997, pg. 716.)

Right after the Tribble brothers were arrested, the Lac Courte Oreilles Nation sued the state of Wisconsin claiming that through the treaties signed between the Ojibwe and the federal government, Ojibwe had retained the right to spearfish and thus the Tribble brothers broke no law (Loew, 1997). But during the trial in 1978, federal judge James Doyle decided "the Chippewa had given up their hunting, fishing, and gathering rights when they signed an 1854 treaty that established their reservations," (Loew, 1997, pg. 718). Eventually the Lac Courte Oreilles band appealed the ruling and in 1983, Doyle's decision was overturned.

In 1983, the U.S. Court of Appeals decided to uphold the right for tribes in Wisconsin to fish, hunt, and gather on the land that they had ceded in the treaties of 1837 and 1842 (Nesder, 2002). This would be known as the *Voigt* decision. Before this decision, many Native peoples had been denied the rights they retained through the treaties that their ancestors signed with the United States government. This led many white people in Northern Wisconsin to fear that Ojibwe exercising their rights to spearfish would deplete the wild fish populations -- most importantly the walleye fish -- and thus tourism would suffer.

George Lipsitz (2008) explains this was a time where white supremacists blamed the local Natives and their treaty rights for Wisconsin's economic problems. For many years, campaigns and protests against spearfishing were led by non-Indians. These protests were all anti-Indian and often violent, intimidating, and terrorizing. Racist rhetoric was verbalized and written down on large signs with phrases such as 'Save a Walleye: Spear an Indian' (Lipsitz, 2008, 104) and worse. If anything was available to throw at the spearers, it was. At times the protests were life threatening when the protesters shot their guns around and at the boats while the Ojibwe spearfished (Lipsitz, 2008). In short, the mid 1980s to the early 1990s was a very dangerous time to be Ojibwe in northern Wisconsin.

The events of this tumultuous time were leading factors in the creation of Act 31, which may sometimes be referred to as American Indian Studies in Wisconsin, in 1991, according to Professor J. P. Leary of the University of Green Bay Wisconsin:

One of the things that I think about as we look back to that era is- we can see that in 1989, we were making the national news. What they were showing of Wisconsin was not pretty. They were showing violent, often racist protests at boat landings against Ojibwe people who were exercising court affirmed Treaty Rights. I ran across a statement in my dissertation research, this idea that we can evaluate our education programs, not based on short-term measures like test scores, but upon the actions of our alumni, and so one of the things that we were seeing in Wisconsin is a lot of the alumni of our school systems acting out on

the boat landings based on the lack of knowledge that we had equipped them with as public schools (Leary, 2017, Video Transcription).

Leary (2018) then doubles down, adding “the protests themselves changed the way outsiders viewed Wisconsin, in turn forcing Wisconsin residents to reconsider how they viewed themselves” (p 88-89). It was clear the way Wisconsin educated its students needed to change to prevent such acts from happening again.

The Ad Hoc Commission on Racism in Northern Wisconsin was the first group to give “concrete recommendations” for a change in policy addressing the racism and ignorance surrounding tribal sovereignty and treaties (Leary, 2018). The commission came up with these recommendations by holding a public hearing from October 29-30th in 1984 in Cable, Wisconsin. This public hearing gave people a chance to testify on what they had witnessed regarding racism in Wisconsin. In total, there were forty-two witnesses from whom came testimonies and twenty-three artifacts of racism including photographs, audio recordings, signs, clothing, and print documents (Leary, 2018). The commission viewed racism as not only problematic and harmful to the oppressed, but also to the oppressors as it “feeds on and fosters ignorance, fear, and hurt” and therefore it “saps the creativity, rationality and the health of mind and spirit of both the victims of racism and the racist group or individual” (quoted in Leary, 2018, pg. 89).

On November 30th, 1984, the Ad Hoc Commission on Racism issued its report. Their conclusion was that racism against Native peoples in northern Wisconsin existed at a “significant” level (Leary, 2018, p. 90). They also concluded that anti-Native racism was prevalent in multiple places such as schools, churches, and the media, and divided into categories based on themes. The commission made recommendations that were specific to these categories and called on other organizations and entities to be active participants against racism against Native peoples in Wisconsin. Their recommendations included dissecting and addressing the causes of racism, which the commission had predetermined to be “misinformation, fear, and hatred” (Leary, 2018, pg. 90), and to correct the misconceptions and misinformation at its roots.

The Ad Hoc Commission on Racism recognized that one of the larger issues regarding education was the teachers' lack of knowledge on the subject and even a level of fear (due to this lack of knowledge) on teaching the subject (Leary, 2018). They recommended and even urged K-12 (kindergarten through 12th grade) schools and education programs at Wisconsin universities to develop courses on Native history in Wisconsin. The commission's recommendation to the University of Wisconsin school system was for the universities to be aware of the issues raised by the report and to prepare a response to the need for more education about Natives in Wisconsin. One of the questions that the commission asked was, "Where are these prospective teachers taught facts on tribal sovereignty, and treaties affecting Wisconsin Indians, Indian culture, history and current Indian concerns? What can be done NOW and in the coming years?" (quoted in Leary, 2018, pg. 92).

The commission also made recommendations to other groups working with Indian education in Wisconsin. It recommended the American Indian Language and Culture Education Board to urge Wisconsin schools to "begin without delay to develop and implement courses that teach the meaning of tribal sovereignty, Wisconsin Indian Treaties [sic] and Wisconsin Indian culture and history" (quoted in Leary, 2018, pg. 91). Another recommendation was to the Department of Public Instruction (DPI) asking them to work with the agency to put as much pressure on the schools as possible to begin and strengthen any and all programs related to Wisconsin Natives (Leary, 2018). Leary (2018) notes in his book that this report "reflects faith in DPI's power to drive change, but also cast doubt on its willingness to do so" (pg. 91). The Great Lakes Inter-Tribal Council (GLITC)¹, a group consisting of the federally

¹ GLITC consists of the following Native Nations: Bad River Band of Lake Superior Tribe of Chippewa Indians, Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin, Forest County Potawatomi Community, Ho-Chunk Nation, Lac du Flambeau Band of Lake Superior Chippewa Indians, Lac Vieux Desert Band of Lake Superior Chippewa Indians (Michigan), Oneida Nation, Red Cliff Band of Lake Superior Chippewa Indians, St. Croix Chippewa Indians of Wisconsin, Menominee Indian Tribe of Wisconsin, Sokaogon Chippewa Community and the Stockbridge-Munsee Community. Information from the GLITC official website.

recognized nations in Wisconsin as well as one group from Michigan, was called by the commission to develop a plan to fight racism and make it the group's top priority (Great Lakes Inter-Tribal Council Inc.; Leary, 2018). Many of the recommendations were, to various degrees, implemented and overall, this commission's report started the dialogue that would ultimately change the way Wisconsin teaches about treaty rights, native history, and native culture (Leary, 2018).

3.2 Wisconsin's Education Policies Through the 1900s

Wisconsin's education policies for social studies changed throughout the 1900s as politics, social norms, and current events changed. Because Wisconsin does not have a state school board, unlike many other states, local officials determine what does and does not meet the state's standards (Leary, 2018). Leary (2018) claims that "while school districts may defer to state recommendations, curriculum guides and other policy bulletins are largely nonregulatory" (pg. 135). This section offers a brief overview, compared to Leary's thorough analysis, of Wisconsin's education policies.

The two world wars greatly affected how subjects, such as history and social studies specifically, were taught. After World War I, many Wisconsin progressives believed the United States' involvement in World War I was because of British propaganda (Hagensick, 1984). Regardless of whether this is true or not, the belief led to a law that stated "no book may be adopted for use or be used in any public school which falsifies the facts regarding the history of our nation, which defames our nation's founders or misrepresents the ideals and causes for which they struggled and sacrificed or which contains propaganda favorable to any foreign government," (Hagensick, 1984, pg. 279.) Through this law, a complaint procedure was set up and required the state superintendent to hold a hearing on any book that received five or more complaints. In 1927, this law was amended to include all books in schools (Leary, 2018). It would be amended multiple times until in 1984, when it was repealed. Leary notes that "The "Pure History Law" shows how sociopolitical factors external to the schools shaped state laws regarding education" (pg. 136).

During World War II, patriotism greatly affected social studies policy. The National Council for Social Studies (NCSS) declared social studies was essential for the war effort and Wisconsin agreed (Leary, 2018). From this, came two documents that “urged public schools to develop curriculum more suited to the needs of a nation at war and instill patriotic feelings and the values of democratic citizenship in students” (Leary, 2018, pg. 137). The National Defense Education Act (NDEA) was passed by Congress in 1958, which basically was an educational policy response to the Cold War and the launch of Sputnik (“National Defense Education Act”). This act allowed over \$1 billion USD to be used for the coming seven years to achieve the goal of educating young people specifically in science, mathematics, and foreign languages (“National Defense Education Act”). The NDEA shifted the educational focus of policy makers onto areas that were more of interest to national security (the fields mentioned above). They eventually included provisions on social sciences and humanities (Leary, 2018). The NDEA also swayed the educational policy power away from state departments and educational institutions and this would last into the 1960s.

In the 1960s, Wisconsin’s State Curriculum was very similar to what was happening around the rest of the United States at that time, in part because of the Cold War but also because of the NDEA. Leary (2018) says that while the curriculum was responding to national concerns, it was “less responsive” (pg. 137) to the civil rights movement and other social issues from that time. Nevertheless, Wisconsin *was* responding to sociopolitical issues through educational policies and this can be seen in *A Conceptual Framework for the Social Studies in Wisconsin Schools*. This document was published by the Department of Public Instruction and was the first document published after the NDEA. It was created by the Wisconsin Social Studies Curriculum Study Committee and it focused on history, political science, anthropology-sociology, economics, and geography. A second volume was released a few years later due to the national recognition the first one received (Leary, 2018).

Similar to the previous decade, the political climate of the 1970s greatly affected the social studies curriculum of Wisconsin. The Vietnam war, women's rights movement, and the civil rights movement (carrying over from the 1960s) all influenced the curriculum policy. These events forced policy leaders to find ways to prepare the students for these new sociopolitical issues (Leary, 2018). During the mid 1970s, the DPI set out new policy bulletins regarding

social studies in Wisconsin. The first bulletin aimed to help the various curriculum committees improve their students' awareness and understanding of all topics related to civics and government. Essentially, the guide lists multiple things that students should learn and despite talking about "how local, state, national, and planetary agencies can provide different yet important services to the communities of the world" (Quote of the Wisconsin Social Studies Curriculum Study Committee found in Leary, 2018, pg. 142), the guide does not list anything about tribal governments. Leary notes that the omission of tribal sovereignty meant that students had been denied, with or without intention we do not know, the chance to learn about native issues and treaty rights.

The early 1980s saw a shift in national curriculum policy which moved it toward focusing on the similarities between peoples and cultures (Leary, 2018). Wisconsin, however, was still doing a lot of what it had done in the 1970s. What this showed, Leary notes, was that changes to national, state, and local curriculums were not happening at the same time. Around the mid 1980s, the DPI emphasized the need for students to, among other things, learn about different cultural groups, encouraging tolerance, learning more about the plurality of the United States, and to "recognize the unique historical experiences of Blacks, Hispanics, Asians, and American Indians in U.S. History" (Quote of the Wisconsin Social Studies Curriculum Study Committee found in Leary, 2018, pg. 147).

3.3 Act 31; Native Studies in Wisconsin

Wisconsin Act 31 refers to the four state statutes and began on September 1st, 1991. A more in-depth analysis of the act will commence in the next chapter. The first of the statutes recognized as Act 31 declares that students in 4th through 12th grades are expected to be taught about Ojibwe treaty rights to hunt, gather, and fish off the reservations. The second statute focuses on cultural appreciation and ensuring that human relations of not only Native peoples, but Black Americans, and Hispanic Americans as well, are taught at all grade levels. The third statute mainly dictates that teachers are not allowed to teach until they have undergone education in minority group relations, as well as Native sovereignty, history, and culture of the Wisconsin tribes. And finally, the fourth statute states which types of materials are to be included and stakes the date September 1st, 1991, as the beginning of the change in

social studies curricula to include Indigenous studies. The late Alan Caldwell, a member of the Menomonie Nation, was the DPI educational consultant from 1984 to 1991 and the person who drafted much of Act 31 (Leary, 2018).

JP Leary describes Act 31 as “unprecedented” and says that it “went well beyond anything previous to that date” in regard to the act specifying *how* Native studies in Wisconsin public schools should be taught (Leary, 2017). As of 2018, there are some concerns, however, that Act 31 is not being implemented in schools as well as it could be. “I often run into situations where schools haven’t done much at all,” claims Paul Rykken, a social studies teacher at Black River Falls High School (Bayer, 2018). In an interview with Max Bayer for The Daily Cardinal, Rykken discusses how he has been able to implement Act 31 in his teaching and what Act 31 means for Wisconsin. He goes on to say that he believes that the reason why many schools do not do much for Act 31 is because not many schools have a large Native population such as Black River Falls High School, where about 20%² of the students identify as Native (Bayer, 2018).

The last official Wisconsin population census was in 2010, but as of July 1st, 2017, Wisconsin *estimates* its Native populations to be around 1.2-1.3% of the total population (“U.S. Census Bureau QuickFacts: Wisconsin.”). For Rykken, including Native perspectives in his classroom is really just making sure his students feel represented. Rykken notes that often schools without a large Native population do not implement an in-depth Native curriculum and how that is unfortunate because Act 31 was created to make sure non-Natives in Wisconsin learn more about their indigenous neighbors (Bayer, 2018).

Within a few weeks of Act 31’s passing, concerns began to emerge. While many regarded Act 31 as a win for Native studies, there was skepticism over how it would be funded and how it would be implemented. One of the main concerns was about the budget available for Indian education (Leary, 2018). Nick Hockings, representing Lac du Flambeau Ojibwe, voiced his

² I have since been informed by Paul Rykken that this statistic is closer to 25%. This is the percentage currently used by Black River Falls school administrators.

concern over how little money was being spent on Indian education compared to how much was used for law enforcement at the boat landings. The initial budget was \$300,000 USD with a yearly increase of \$50,000 USD. This first budget was meant to authorize three new positions at the Department of Public Instruction (DPI) - the department that would produce the materials and curriculum to satisfy Act 31. These new positions would make it easier for the DPI to work with the American Indian Language and Culture Education Board (AILCEB), which was established by the American Indian Education Act. The AILCEB has been an advocate for change in curriculum for many years (Leary, 2018).

Another concern involved the language of the law itself in that no specified amount of time was allotted to Native studies. This was a specific concern voiced by Gordan Thunder, a representative of the Winnebago (also known as Ho-Chunk) band in southern Wisconsin. He also noted the rhetoric in the Act was specific to Chippewa treaty rights and while the Treaty Wars was one of the motivations behind Act 31, Wisconsin citizens in general had many misconceptions about Native tribes in the entire state (Leary, 2018). The enforceability of the Act was (and is) an immediate concern after the passing of Act 31. To put it basically, the Act is not fully enforceable. The DPI was tasked with coming up with supplies and materials to help schools implement Act 31, but the DPI was not in a position to be able to enforce it.

The question has always been how do we enforce Act 31? Even today, this is debated, and opinions vary person to person. To start this discussion, we will begin with Act 31 itself. This next section will look at each statute and explain what it requires and who that statute points to as responsible for upholding it.

4 Looking at Act 31

As mentioned before, Act 31 is actually comprised of four statutes used to help guide schools and teachers on how to include Native studies in their curricula. This chapter goes into a deeper analysis of the act itself, what the individual statutes mean, and their intentions.

Breaking down each statute, I am presenting my interpretation of the act as a non-indigenous participant in Indigenous studies. This involves a discussion on what each individual statute is declaring and who is supposed to oversee the enforcing of it.

The first statute is:

§115.28(17)(d), Wis Stats.

General duties. The state superintendent shall:

(17) AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION.

(d) Develop a curriculum for grades 4 to 12 on the Chippewa Indians' treaty-based, off-reservation rights to hunt, fish and gather.

This statute describes the general duties of the act and puts the responsibility for implementation on the state superintendent. The superintendent is elected by the people of Wisconsin in a nonpartisan election every four years (Petrovic, 2018).

Specifically, the superintendent should work with the American Indian Language and Culture Education Board to create and develop a curriculum about Ojibwe (Chippewa) treaty rights and how those rights work both on and off reservation lands (Leary, 2018). This includes how the treaties retained the rights that Ojibwe people have held since they migrated to Wisconsin, specifically fishing, hunting, and gathering from the land. This statute was created in response to the Treaty Wars mentioned in chapter 3.1.

Act 31 was basically created as a response to the lack of knowledge on treaty rights and the act goes right into coverage of that topic. As noted earlier, a major concern with this statute is that it focuses on Ojibwe treaty rights and history even though there are several nations in Wisconsin. In his book, J. P. Leary (2018) highlights this concern by quoting Gordon Thunder, a representative of the Wisconsin Winnebago (Ho-Chunk) tribe, saying to the state superintendent that “the need for education regarding Indian culture, history, and sovereignty is not limited to the north woods area” (Pg. 261).

The second statute is:

§118.01(2)(c)(7.and 8.), Wis Stats.

Educational goals and expectations.

(2) EDUCATIONAL GOALS. . .each school board shall provide an instructional program designed to give pupils:

7. An appreciation and understanding of different value systems and cultures.

8. At all grade levels, an understanding of human relations, particularly with regard to American Indians, Black Americans and Hispanics.

In this statute, the expectations and goals are laid out a little more broadly. It requires that students be taught an “appreciation and understanding” of cultures and value systems. But rather than focusing only on Native peoples, the act expects that all grades receive an education in “human relations” regarding American Indians, Black Americans, and Hispanics. One group of Americans that is missing from the list are Asian Americans, specifically Hmong populations in Wisconsin. It is interesting that this statute does not include Asian Americans despite the history of discrimination against Hmong people in Wisconsin (Powers 2016).³ The educational goals in this statute are specific to the school board and they are the ones who are supposed to make sure that an instructional program is created.

The third statute states:

§118.19(8), Wis Stats.

Teacher certificates and licenses.

(8) The state superintendent may not grant to any person a license to teach unless the person has received instruction in the study of minority group

³ There is an attempt to include Hmong education in schools as well, through Wisconsin Assembly Bill 34. This would amend a previous bill and direct schools to not only teach about Hmong history during the Vietnam war but also more contemporary issues (Prelutsky 2019).

relations, including instruction in the history, culture and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state.

This statute describes what is required, regarding cultural studies, for someone to actually receive a license to teach in Wisconsin. The aspiring teacher needs to have some form of education in the histories, cultures, and tribal sovereignty of all the federally recognized tribes in Wisconsin. This is an important statute because it is supposed to ensure that all teachers in Wisconsin who receive their license after 1989 have at least some knowledge of Native people in Wisconsin. Once again, this job falls on the state superintendent.

The fourth and final statute:

§121.02, Wis Stats.

School district standards.

(1) Except as provided in §118.40 (2r)(d), each school board shall:

(h) Provide adequate instructional materials, texts and library services which reflect the cultural diversity and pluralistic nature of American society.

(L) 4. Beginning September 1, 1991, as part of the social studies curriculum, include instruction in the history, culture and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state at least twice in the elementary grades and at least once in the high school grades.

(“State Statutes for American Indian Studies in Wisconsin.”)

This final statute designates a date for the law to begin and establishes where and how teachers can access information. The school board should be the body to provide such information via texts, materials, and library services.

5 Analyzing and Comparing the Data

5.1 Surveys

Two surveys have been conducted by the Department of Public Instruction. The first one was published in 2000 and the second in 2014. Despite having been enacted 30 years ago, there has been very little research done on Act 31, so I examined both surveys in depth and compared the findings.

2000 with David A. Berard and Brian Gauthier

The first survey to examine how Act 31 was enacted was published in 2000 by David Berard and Brian Gauthier through the University of Wisconsin River Falls Research and Survey Lab and funded by the University of Wisconsin Extension Cross Divisional Grant. The researchers sent out letters to a total of 400 different principals in 100 different school districts in Wisconsin. Each letter contained a survey for the principal and three additional surveys to be handed out to a few social studies teachers (principals were allowed to copy and hand out extra surveys if needed). In all, 135 principals sent back surveys with 328 surveys coming from teachers at various school levels (Gauthier & Berard, 2000).

The results of the principal survey showed that 90% of principals believed their schools were following the requirements for Act 31, 8% of principals did not answer and 2% said their school was not following the requirements for Act 31. Regarding whether their school had a *strong* curriculum for Act 31, 44% said yes, 19% said no, 33% were unsure, and 4% did not respond (Gauthier & Berard, 2000, pg. 2). Of the 44% who believed they had a strong curriculum, 45% said their curriculum was strong because “a good curriculum has been developed,” 19% said it was “because of the good teachers,” and 18% answered it was because “a good set of resources is available” (Gauthier & Berard, 2000, pg. 2). For the 19% who answered their school did *not* have a strong curriculum, their reasonings were “due to a limited curriculum” (58%), “due to limited resources” (31%), “due to a lack of time and conflict with other classes” (15%), “because of teacher training” (8%), and other (8%) (Gauthier & Berard, 2000, pg. 2).

Another question posed by this survey was the “Barriers to Compliance” question that asks whether a principal is intimidated or concerned by Act 31 and why they feel that way. Around 73% responded by saying they were not concerned or intimidated by the Act, 17% said they were not sure, 6% did not respond, and 4% responded with yes. There were a few different reasons why the 4% stated they were concerned or intimidated by it. For example, some said their teachers did not fully understand tribal sovereignty and some felt there were limited resources or materials. Other reasons included not being aware of Act 31 or wanting more information to fully understand the requirements of the act itself. Some principals just felt they did not have the time to add it into their curriculum (Gauthier & Berard, 2000, pg. 2-3).

The final questions that were posed to the principals were about resource use and need. Of those who responded to the survey, 43% said they needed additional resources and materials for American Indian studies in Wisconsin. The 43% who said yes were then asked a follow up question about what types of materials they needed and the number one answer at 52% was “everything and anything developed for the different ages of students” (Gauthier & Berard, 2000, pg. 3). The resources that were being used at the time of the survey were textbooks (76%), films or videos (67%), the Wisconsin Department of Public Instruction (44%), printed material developed by Natives (43%), demonstrations of customs, foods, culture (43%), Native speakers (19%), other (19%) and tribal officials (12%) (Gauthier & Berard, 2000, pg. 3).

Because the teachers’ portions of the survey were handed out at the discretion of the principals, Gauthier and Berard noted the surveys were likely given to the educators who teach American Indian studies in their curriculum. When asked how many hours they spent teaching about all the Native tribes in the United States, the answers ranged from 0 hours to 100 hours with 12 being the mean and 8 being the median. When asked the same question but specifically about Wisconsin tribes, the range was from 0.5 to 75 hours with an mean of 9 hours and a median of 5 hours (Gauthier & Berard, 2000, pg. 4).

Teachers were also asked about their “Barriers to Compliance” and 57% said that they did not experience any issues to teaching the subject, 23% said they experienced some barriers, and 20% either did not respond or said they were not sure. Of those who said yes (multiple

answers allowed), 36% struggled to find age or grade appropriate material, 29% did not feel as though they had enough time, 20% cited funding as a reason, 19% said a lack of tribal resources and experts, 16% said the curriculum, 5% said it was everything, and 29% cited other singular resources (Gauthier & Berard, 2000, pg. 4). Despite 57% answering that they were not experiencing any barriers related to implementing Act 31, only 28% said that they had sufficient materials to effectively teach the subject (Gauthier & Berard, 2000, pg. 6). Everyone else either said they did not have sufficient materials (40%) or did not respond (32%). Those who said no or did not respond were asked what materials they would need, and the top two answers were all current information (41%) and specific materials for each tribe (28%) (Gauthier & Berard, 2000, pg. 6).

The next set of survey questions were designed to determine how teachers incorporate American Indian studies into their curriculum. When asked how they included information related to Wisconsin tribes, 51% said that they both integrated it with general teachings on Native Americans and talked about it separately, 27% said they integrated it, 14% said they taught it alone, and 8% did not respond. When asked if the teacher also teaches about Native tribes in other states, 75% said they did, 21% said they did not, 1% were not sure, and 3% did not respond (Gauthier & Berard, 2000, pg. 4). Next, teachers were asked how they measured their students' understanding of the topic. Those who responded were allowed to pick more than one answer and 60% said tests, 39% said projects and assignments (other), 31% said discussions, 27% said projects and assignments (written), 22% said other, and 13% said quizzes (Gauthier & Berard, 2000, pg. 5).

Teachers were then asked what resources they use to help with teaching about Wisconsin tribes. Fourteen answers were given, and multiple choice was allowed, but the top two resources used were films/videos (72%) and textbooks (71%) (Gauthier & Berard, 2000, pg. 5). When asked about the one resource they have found to be the most helpful resource, 35% chose books and materials, 21% said electronic material, 9% said the Wisconsin Department of Public Instruction and related curriculum, 6% said input from Native people, 4% chose museums, 9% chose other, and 16% did not respond (Gauthier & Berard, 2000, pg. 5). On top of these questions, the survey asked whether that teacher had specifically taught anything about Wisconsin Indian treaty rights since the fall of 1998 and 50% answered yes, 42%

answered no, 4% said they were not sure, and the final 4% did not respond (Gauthier & Berard, 2000, pg. 5).

The teachers were also asked if they felt that their school complied with Act 31 and 70% answered yes, 3% answered no, 13.5% answers not sure, with no response from the remaining 13.5% (Gauthier & Berard, 2000, pg. 7). This is, again, different from how the administrators answered with 90% saying they believed their school complied with Act 31's requirements (Gauthier & Berard, 2000, pg. 2). In relation to Act 31, the teachers were asked if they had received any training regarding Wisconsin's tribes and of all of the teachers in this survey, only 13% said yes. The remaining 87% either did not answer, said no, were unsure, or had graduated from a different state (Gauthier & Berard, 2000, pg. 7).

The conclusion and recommendations of this survey were that in general, teachers and administrators needed more clarification and definition for Act 31. Teachers and teaching students need better training in Wisconsin tribal history, culture, and sovereignty, and education needs to continue even after the teacher has their license. They also recommend that more materials made that are more grade and age sensitive and that a guide and material list be developed and up to date (Gauthier & Berard, 2000, pg. 9).

2014 with Shelly Hadley and David Trechter

The most recent survey report relating to Act 31 was published in 2014 by Shelly Hadley and David Trechter. The administrator part of the survey was sent to 2,213 Wisconsin school administrators covering public schools from all over the state. Of the 2,213 surveys sent, 381 were completed online. Of the respondents, many were principals and/or administrators for predominantly elementary and middle schools. In addition, a survey was sent to 34,906 Wisconsin public school teachers and 1,726 were completed. The response rates for both surveys were 4.6% and 5% respectively (Hadley & Trechter, 2014).

In the administrator survey, the strong majority of those who responded said their school or district include some form of education on Wisconsin Native American history and culture. Tribal sovereignty was taught in a little over half of the responses. Almost all administrators who responded said that American Indian studies is taught in their social studies departments

and around one-third said that English, reading, and art included some sort of American Indian studies as well (Hadley & Trechter, 2014).

Material and professional development was part of another question on the survey. In general, the consensus was that administrators would like to see both more instruction material and more professional development. For instructional materials, 69% wanted more available for culture, 52% for history, and 51% wanted more for tribal sovereignty. As for professional development, 47% said yes for culture, 59% said yes for history, and 56% wanted more for tribal sovereignty.

There were quite a few findings from the teacher portion of the survey. Of those who responded, the vast majority taught kindergarten through 5th grade with 40% of teachers who responded teaching 4th grade. On average, eleven hours of the school year was spent teaching about Wisconsin tribes and of all the tribes in Wisconsin, the Menominee, Oneida, and Ho-Chunk nations are taught about the most. About four in every ten teachers integrated American Indian studies into their curriculum, one in every three taught it as a unit, and then the remaining one in every four held both a unit and space in their curriculum. The two most common ways that teachers tested their students' knowledge regarding their American Indian studies curriculum were through projects, and question and answer. Both the administrator survey and the teacher survey came back stating that texts books were the most common resource for instruction (Hadley & Trechter, 2014).

More specifically in the subject of teacher training, 38% responded they received instruction on the culture, history, and tribal sovereignty of Wisconsin tribes when they were training to become teachers. Another 38% responded that they did not receive that training, and the final 25% said that they were not sure or could not recall. As for the *types of training*, half of those who responded yes said that they received one class as training while one third said they got their training through multiple classes. About one-fourth claimed it was a part of their required reading (Hadley & Trechter, 2014).

Within their own classrooms, 84% of teachers answered (multiple choice options) they taught history, 77% said they taught culture, 20% said they taught contemporary issues, and 20%

said they taught tribal sovereignty. When asked how many hours they spent per school year teaching about Wisconsin tribes, the responses ranged from 0.1 hours to 300 hours with the average being 11 hours per school year. In assessing their students' understanding of the content (multiple choice options), the answers were question and answer (60%), projects (56%), oral reports/presentations (37%), quizzes and texts (36%), visual cues from the students (35%), written reports (25%), and "other" (16%) (Hadley & Trechter, 2014, pg. 18). There were many resources reportedly used by teachers, but the top five are textbooks (54%), videos or DVDs (52%), newspapers (33%), literature by American Indian authors (33%), and demonstrations of foods, customs, cultural practices (28%) (Hadley & Trechter, 2014, pg. 19). In an open ended question, teachers were given the chance to write one resource that they have found to be the most helpful in their American Indian studies teaching, the top three answer groups were books/textbooks/videos/DVDs/visuals with 30% of the responses, internet/online resources/technology at 16%, and guest speakers and tribal members with 14% (Hadley & Trechter, 2014, pg. 20).

Survey questions in the next section asked teachers whether they believed they needed more materials, more professional development, or both. For material needs, 72% responded that they needed more materials for culture, 68% needed more materials for history, and 64% said they needed more materials regarding tribal sovereignty. As for professional development, 60% felt they needed more development for culture, 73% needed more development for history, and 65% responded with the need for development for tribal sovereignty (Hadley & Trechter, 2014, pg. 21). In general, the teachers and the administrator's answers were very different. More teachers felt that there needed to be more materials and professional development compared to administrators.

Just as before, teachers were given an open-ended question to describe one thing they would "wish" for regarding curriculum and instructional materials. The top three things that were wished for were curriculum materials at 16%, books/textbooks/videos/DVDs/visuals at 16%, and age/grade level appropriate curriculum at 11% (Hadley & Trechter, 2014, pg. 22). As for professional development, two-thirds said they would like to have access to webinars, half said non-credit workshops, one-third answered the American Indian Studies Summer Institute

(through the Wisconsin DPI), and one fourth said they'd like a credit course for professional development (Hadley & Trechter, 2014, pg. 22).

Hadley and Trechter's survey came out with a few conclusions. They determined the instruction level for American Indian studies in Wisconsin was high for history and culture, but not as high for tribal sovereignty. When comparing all departments, the study team found the vast majority of American Indian Studies was taught in the social studies departments. Books/textbooks/videos/DVDs were both considered the most helpful resource and the most wished for resource for American Indian studies. About four out of every ten teachers who got their teaching license after 1991 recalled having specific instruction in the history, culture, and tribal sovereignty of Wisconsin tribes, and of those four, a little over half said they were trained on it in one day. Their final conclusion was that "When asked if they had additional comments regarding the teaching of Wisconsin American Indian history, culture, and tribal sovereignty, both administrators and teachers emphasized the educational importance of the curriculum area as well as the challenges to teach the material, in particular, the lack of curriculum materials and time-constraints." (Hadley & Trechter, 2014, pg. 24).

Comparing the Surveys

These two surveys give an insight into what is happening regarding Act 31 on the implementation front. While these two surveys do not ask the same exact questions, a few of the questions are similar enough to where a comparison can be made.

The general conclusions for both surveys show that textbooks and videos are still the main form of educational materials used and at the same time, the materials that were most wished for were written and video materials (Gauthier & Berard, 2000; Hadley & Trechter, 2014). When it comes to teachers in 2000 and teachers in 2014, it is clear they felt -- and still feel -- they need more materials in order to be able to properly implement Act 31. As for the teachers themselves, 17% in 2000 recalled getting some type of education for Wisconsin tribes while in 2014 that number has slightly more than doubled with 38% responding that they can recall receiving education in Wisconsin tribes (Gauthier & Berard, 2000; Hadley & Trechter, 2014). In 2000, the average number of hours spent teaching about Wisconsin Natives was 9 with a

median of 5, while in 2014 there was an average of 11 hours with a median of 6 (Gauthier & Berard, 2000; Hadley & Trechter, 2014).

There are a few things that can be learned from these surveys. For example, we can see which tools the teachers are currently using to implement Act 31 and we can also see what types of materials the teachers would like to add. This can help future material developers focus on creating content based on what teachers are using and what they want more of. It is also interesting to note that, in general, administrators have a greater tendency to believe their schools are achieving Act 31 requirements than the teachers. In addition, we see there is a strong focus on the use of books and videos to teach about Native peoples compared to having Native guest speakers or other teaching materials. As for University teaching programs, it appears that student teachers are learning more about Act 31 while still in college, which may bode well for the future.

5.2 Interviews

A large part of this thesis revolves around teachers, because in a way, a lot of the pressure is on teachers to include Act 31 material in their studies. Since this focus is on the educators, I interviewed two teachers who are considered “exemplars” of Act 31, as named by Wisconsin First Nations; American Indian Studies in Wisconsin and who are recognized as the “gold standard” by Brian Jackson, president of the Wisconsin Indian Education Association (“Exemplars”; Jackson).

The high school teachers I chose to interview for this thesis “are known for their successes teaching and supporting the integration of American Indian Studies in Wisconsin classrooms” (“Exemplars”). Conducting these two interviews allowed me to examine the topic of teaching about Native Americans in depth and I was able to showcase what these exemplars have to say. In future research, it would be beneficial to seek out any of a number of individuals who are also knowledgeable on the subject such as Patty Loew, Lori Mueller, Reggie Cadotte, David O’Connor, and J.P. Leary. All these people have worked with Act 31 in some capacity and are well known and included in discussions on its implementation.

In general, my interview questions focused on why and how each teacher incorporates Indigenous studies into his classroom and if he would teach these topics even if it was not a law. I was also interested in both teachers' opinions on Act 31 in general. In addition to interviewing the teachers, I wanted to interview Brian Jackson because as president of the Wisconsin Indian Education Association, he has an official role in advocating for Act 31. Of course, he also has personal insight on its implementation.

**Brian Jackson, Wisconsin Indian Education Association President
and Cultural Connections Coordinator at Lac du Flambeau
School**

Brian Jackson is the Cultural Connections Coordinator at the Lac du Flambeau Public School and the President for the Wisconsin Indian Education Association. His interview provided context for the importance of Act 31 as well as insight into what the association wants to accomplish. The Wisconsin Indian Education Association (WIEA) functions as a sort of advocacy group and works with issues related native education. For example, their official website details how they work with Act 31 as well as concerns about the use of "Indian" imagery in sports mascots (Wisconsin Indian Education Association). WIEA board members have been known to testify on behalf of some of these issues.

Brian Jackson originally joined the board of the WIEA in 2005 and shortly after, was elected as the president. His role as president is to "represent the board at state events, state meetings, tribal meetings, and [to] facilitate board meetings." Part of this role includes talking about Act 31 and advocating for stronger American Indian study laws. Right now, the WIEA is pushing for American Indians studies to be taught at more grade levels than is currently required (Jackson).

When asked about the strengths and weaknesses of Act 31, Jackson said that it's important to look at what schools are actually doing to be able to fully answer this question. In the past, he said, the relevance and importance of Act 31 was questioned by the Wisconsin government. This led Jackson, as well as other Indigenous educators and their allies, to think about what schools were doing that appeared to be successful. He mentioned both Prescott and Black River Falls and said they are the first school

districts that come to mind when he thinks about successful implementation of Act 31. Of course, he explained, there are other schools doing great things regarding Act 31 and some school districts that are showing some improvement.

On the flip side, Act 31 is not always implemented properly. Jackson believes the lack of mandating language in Act 31 has resulted in this lack of implementation. For example, he explained that for some schools, talking about pilgrims and Thanksgiving during the month of November is enough to satisfy the requirement. Jackson also pointed out that these schools have tended not to be close to Native communities or have Native representation in their districts.

Jackson said he'd like to see specific resources be made available for all schools. One of the resources he mentioned was a book by Patty Loew called *Indian Nations of Wisconsin: Histories of Endurance and Renewal*. Jackson also said there are week-long conferences on American Indian Studies in Wisconsin that are presented by David O'Connor. In addition to this, he would also like to see more funding to help schools implement Act 31.

The last topic we discussed was about who should be responsible for implementing Act 31. He said that according to the DPI, the responsibility is on the school districts. Although the onus is often put on teachers rather than administrators, Jackson said that "teachers are so busy" (Jackson). He believes that it is ultimately the administrators who need to bring awareness of Act 31 to the teachers and give them the resources they need to fulfill the act.

During the interview we also talked about racism since the purpose of Act 31 is to help combat racism with specific reference to Ojibwe people in Northern Wisconsin. On reservations, Native representation is constant so Jackson believes that for teachers teaching in reservation schools, they should not only know the local area and the history, but also be a part of the community in any way they can.

"I always remember Dr. [Anton] Treuer. He's from St Croix but works at Bemidji State, and he came to talk to our teachers about 7 years ago[...] he

says, ‘you know, if you're going to come and work in Indian country, part of the orientation process is knowing your environment, knowing your workplace, and knowing your community. Doing your homework. Knowing and having some true buy in of where you are going to work. Not just go get a job, get through the day, the week, and then collect your paycheck but be invested in the community.’

So we remind teachers of that. We’ll say, ‘hey we have this big event coming up, you'll see a lot of the students there. It may be a good idea to show up for a little bit and students see you in the community’ [...] we have students asking teachers to come to more things and they are actually doing these things. That is the true buy in from non-Native folks coming into Indian Country to work. And really having some true investment.” (Jackson)⁴

According to Jackson, we can see how implementation of Act 31 may be different for schools on reservations. Jackson mentions that he’d like to see teachers actually invest their time into the communities where they teach. For Jackson, implementing Act 31 is not just about teaching Native studies, it’s about relationships and people.

“Act 31 is bigger than all of us. That is how I look at it. It is more about knowing a person.” (Jackson).

It is not a surprise, then, that school districts and teachers he considered to be great representatives of Act 31 are the ones who actually focus on more than just teaching but building relationships. He points to Black River Falls and Prescott as examples of building relationships.

⁴ In the large quotes, I use [...] to signify an area where I removed excess words that were due to having a spoken quote, where repeat phrases are more common.

Paul Rykken, Social Studies Teacher at Black River Falls High School

I was able to interview Paul Rykken, a social studies teacher at Black River Falls High School in Black River Falls, Wisconsin, where the Native population is roughly 20%⁵ of the total student body (Black River Falls High School 2016-2017 School Year). The first thing I noticed when I walked into the high school was the presence of Native history and art. In a state where the Native population makes up about 2% of the total population, this strong indigenous influence is a relatively rare sight to see.

When I entered Rykken's classroom, I began to understand why he is considered an exemplar for the implementation of Act 31. On the side whiteboard was a comparison of the Ho-Chunk constitution, the Wisconsin Constitution, and the United States constitution. Rykken would later explain to me how this constitution comparison is one of the ways he implements Act 31 in this course, "US and Global Politics."

As is expected, quite a few of the exemplars of teaching to Act 31 are non-Native so during the interview I asked Rykken where his interests in Indigenous studies came from since he is not Native himself. Part of his interest stemmed from the stories the Rykkens as a family have with the Native nations of Wisconsin. His grandfather, T.M. Rykken was both a missionary and a teacher in Wittenberg, Wisconsin (located near the Menominee reservation) at Bethany Mission. Boarding schools were, in general, culturally disruptive and destructive to Native peoples. So, while Bethany Mission was designed to assimilate Wisconsin Natives into becoming more American and Christian, there were settlers who worked at this mission and ended up taking advocacy roles on behalf of Native peoples. T.M. Rykken was one of them. (Rykken)

Ryken described an example of how his grandfather traveled around Wisconsin hoping to gather funds for Bethany and at the same time, he "spoke to white audiences in blunt terms about the horrific Ho-Chunk removal stories he had learned first-hand from the grandparents

⁵ Since this interview, Paul Rykken has informed me that the Black River Falls administration is up to 25%.

of his students, themselves young adults during the final removal attempts in the 1870s” (Rykken, 2019, pg. 16).⁶ Paul Rykken shares his family’s backstory to explain how and why his family has been connected to Native peoples for nearly a century- not in an attempt to remove any white guilt or to try to justify the boarding school period.

Another reason for Rykken’s interest in Native studies comes from his childhood when he lived in Black River Falls from ages five to fifteen. This initial move to Black River Falls was an important part of Rykken’s life as he “grew up in some of [his] formative years [in Black River Falls] and [he] was part of the first class [in Black River Falls] that was integrated” (Rykken). This means that for the ten years he was in that school system, he was learning alongside Native students from the local area tribes.

Seventeen years later, Rykken found himself back in Black River Falls, but this time interviewing to become a teacher in the same school system where his interest in Native studies began. This was just after the passage of Act 31, and because Black River Falls has a significant Native population, the school was very interested in how he would implement it. As he explained to me, Rykken’s main priority with Act 31 was that they did not turn it into a unit.

“When I came [to Black River Falls] [...] there had been some work done already on [Act 31] and they were trying to sort of navigate how to bring it into the classes... We started an approach that was kind of unique at the time... we tried to integrate it wherever we could naturally in the curriculum. We didn’t want to treat it as a stand-alone, we didn’t want to treat it as a unit. We didn’t want to have an Act 31 unit; we didn’t want to have an Indian unit. I was in somewhat of a leadership position right away with it so we did more of

⁶ While the vast majority of this section comes from the interviews, this part that talks specifically about T.M. Rykken comes from both the interview and from some information that was sent to me after the interview. Paul Rykken later sent me an article he wrote where a part of it delves into the story of his grandfather and his role at Bethany Mission. That is where the more specific details about the mission and T.M. Rykken come from.

a- what we called at the time- infusion [...] we were integrating parts of it where we thought it [would] fit.

I teach [US and Global Politics] and I started right away doing comparative constitutions. To me that was a perfect segue into sovereignty because to me part of the key with Act 31 is sovereignty. If you start with sovereignty, then a lot of the other stuff starts to flow from that. If you don't get that piece of it, you'll miss most of it because that gets you into the treaty rights and all of it starts to flow from there. Government- we [implemented] it there. History, of course[...] we just started [implementing] it in wherever we could.” (Rykken)⁷

In this quote, we see that Rykken’s main priority is that Act 31 not be taught only as a unit. He continued to talk about how the school tried to “navigate” the newly formed law just as he started his teaching career at Black River Falls High School. Rykken also discussed how he implements Act 31 and how it’s important to include sovereignty when teaching American Indian studies in schools.

One of the questions lingering throughout this entire process was that even though Act 31 is a law, do exemplars implement that act only because it’s a law? Or would they have implemented a sort of Act 31 equivalent anyways? When I posed this question to Rykken, he explained that even before coming to Wisconsin, he had included Native stories in his courses.

“I taught for 11 years before I came to Wisconsin, and I had been integrating American Indian perspectives within my history classes in the 11 years of teaching prior to coming to Black River Falls. Coming out of college, I had American Indian courses in college [...] so to me it is just good history [...] It is the same as, ‘do we teach the story of African American people in our

⁷ In the large quotes, I use [...] to signify an area where I removed excess words that were due to having a spoken quote, where repeat phrases are more common.

history classes’? Of course we do. Why would you not? It is a huge part of the story.” (Rykken).

Naturally, being one of the first teachers to work with implementation of Act 31, Rykken was pushed into a position of leadership. Besides teaching, he also travels around the state of Wisconsin, speaking and holding workshops with schools looking to diversify their own curricula. While it’s exciting to work with schools to improve the education of students in Wisconsin, it can also be a frustrating experience because some schools have not done anything so with this leadership position also comes some nervous moments. We talked about how to teach Native studies while being non-Native and that it can be nerve wracking because a lot of work needs to be done in order to do the whole process correctly.

As Rykken explained to me, he works hard to ensure that he is up to date with information so that he knows what he is talking about. He also makes sure to specify to audiences, especially Native audiences, that he really is a “foreigner trying to understand another culture” and because of his training as a historian, he is better equipped to do that (Rykken).

One could argue that a social studies teacher would have an easier time including Native histories and stories in his or her curriculum because it seems like the obvious place to do so, plus there is a plethora of historical texts and documents available about Natives. And in many respects, this idea is probably correct. But what is impressive about Rykken and his work at Black River Falls High School is his determination to naturally integrate Native studies into various types of curricula and how it extends to other departments in the school as well. Whenever race or identity is discussed in sociology or psychology classes, those teachers try to discuss Native perspectives and histories. At the time of the interview, one teacher in the English department was utilizing a book about Native people that Rykken helped pick out. Another teacher in the Math department also incorporates Native applications in his teachings.

At Black River Falls High School, a large emphasis is placed on teachers looking for and being aware of situations where they can include Native studies in a way that does not turn it into an isolated educational unit. A lot of this extended from how much work the social studies department has put into their own curricula. This sounds very impressive - and it is. However, during the interview, Rykken felt it was important to note that he did not want to make the impression that his school district seems to do more than it actually does, but Black River Falls does do more than most of the schools that Rykken has helped work on their Act 31 curriculum.

During the interview, we also discussed the inclusion of local tribes. For Rykken, working with the Ho-Chunk Nation is very important when implementing Act 31 in his classroom. He admits he does have a bit of an advantage because of the neighboring Ho-Chunk community but continues to say he believes that a school should always try to incorporate as much of the local tribal history as possible. As mentioned before in the Indigenous Wisconsin section, Wisconsin has a large Native population and eleven federally recognized tribes. This gives teachers a plethora of different cultures and local Nations to work with and histories to incorporate into their curriculum. For those who do not live adjacent to a tribe, Rykken says that they should still work with the closest tribe.

Working with a local tribe not only helps to ensure the information is accurate, but it enriches the students' education. Each semester, Rykken takes his First Nations Studies class on a field trip and the most recent one involved a question and answer with the Attorney General of the Ho-Chunk nation. "The kids were asking great questions, so here's all of these white kids, I have Native kids in there too, but I'm thinking 'all of these white kids who would never go out there, here they are interacting with a professional really knowledgeable woman Attorney General.' I feel like that is some real education for them... We have done some phenomenal trips where they get out with people from the nation." (Rykken).

Rykken said that working with educational leaders from the Ho-Chunk nation has allowed the department to not only ensure that they teach the subjects correctly but has

helped navigate what the teachers *should not* be teaching. For example, religion and culture. The Ho-Chunk Nation made it clear from the beginning that religion was not something that should be taught in the classrooms, because of how easily non-Natives could portray it incorrectly. Another example is the desire to bring in Ho-Chunk people to talk about their own culture. Rykken pointed out that the rhetoric of the Act would be easy to interpret as teaching culture, because the statute lists culture as part of the first statute. While culture is a very important part for any community, Rykken argues that it should be Native peoples who teach the culture. As a historian, he adds, he is trained to discuss and teach history, so he feels that his history department is equipped to teach that aspect of Native studies.

Another important thing Rykken noted was how the presence of Native teachers at his high school helps a lot. Three Native Americans teach the Ho-Chunk language (the high school offers four years of this language), and another Native teacher is a member of the history department, along with Rykken. He explained how this is significant for his history department because students see Native and non-Native teachers interacting daily. For Rykken, this “is a model of teaching without saying a word” (Rykken). Students also see how this teacher deals with the same challenges that any other non-Native teacher faces. This may not seem like it would be a very important aspect, but as Rykken explains it, there are so many US citizens who go about their lives without ever interacting with or seeing Native peoples.

This led me to ask Rykken a question about why a teacher would not implement Act 31. As an educator who has implemented Act 31 since the beginning, there are a couple of reasons he attributes a lack of implementation to the teachers. The first reason he mentioned was that teachers may not feel confident that they know enough information to teach properly. For example, Rykken explains that Indigenous history in the US is a very complicated and this could scare off teachers. The second issue he raised was that teachers may not have had any real interaction with Native peoples. Without that interaction, Rykken believes it can be hard for teachers to understand why incorporating Native studies in the curriculum is important. And the third reason was the training they received was not enough for teachers to have an in-depth understanding of the history of Native peoples.

As Rykken mentioned, the Indigenous history is complicated and as discussed earlier in this thesis, Wisconsin has had its share of dark periods in history with racism and the local tribes. The whole purpose of Act 31 is to help dismantle and deal with racism that Natives face in Wisconsin. This naturally led me to ask about Rykken's own experiences with racism in his classroom. He explained how in the early 1990s, when he first started with Act 31 at Black River Falls High School, there were incidents that would go down as some of the worst and most uncomfortable moments he's ever experienced as a teacher. Today, he said that his students are "remarkably tolerant," which is a quality he attributes to this younger generation. He has found he can have conversations with his students today that would have been very hard to have twenty-five years ago. But of course, racism will still show up at times and during these moments, he tries to use it as a teaching moment. He explained that social studies teachers are generally good at "playing a role and taking on a different position" (Rykken) and he uses it to help frame different experiences. Another thing Rykken does in his classroom to help manage racist ideas is to encourage his students to write. A lot. This is so that students can write about whatever they are thinking but are afraid to say out loud, because as Rykken explained, students will, at times, write things that he may not want to hear, it is a dialogue that needs to happen.

Teachers such as Rykken are the final link in the chain of implementation of Act 31 - those who teach Native studies to their students. Without these educators actually incorporating Act 31 into their teaching, it will not happen. Even though Rykken would have included Native studies into his curriculum even without Act 31, his interpretation of the law can help other teachers understand how "exemplars" view the law.

In analyzing the first statute (§115.28(17)(d), Wisconsin Statutes. - general duties), Rykken noted the first act is rather vague in its description. "[This statute] focused a lot on the Chippewa Indian treaty rights, which was sort of the original thing that was really driving Act 31, but American Indian language and culture education is really broad" and he went on to ponder, "what does that really mean?"

For the second statute (§118.01(2)(c)(7.and 8.), Wisconsin Statutes.- educational goals and expectations), Rykken pointed out that Hmong Americans are not mentioned but went on to

explain that “if you’re interpreting this broadly, you would be including them anyways...” and notes that he and Black River Falls High School are trying to incorporate the Hmong story into Wisconsin history.

The third statute is arguably one of the more important statutes (§118.19(8), Wisconsin Statutes Teacher certificates and licenses) as it deals with determining what education teachers should have regarding cultural studies before they can legally teach in the state of Wisconsin. Rykken also believes this is an important statute. In his opinion, this statute “is big and very important and [...] needs to be beefed up,” meaning that new teachers need to have a solid base of knowledge on Native studies if they are expected to teach it. Rykken has had the opportunity to talk to a lot of newly graduated teachers over the years and noted that oftentimes, they did not get enough education on this topic. Some of these young teachers told Rykken the class that was meant to educate them on Act 31 and its requirements was in reality only a short portion of the class and then when it was over, the requirements were not discussed any further.

The fourth and final statute describes what the school district should do regarding class materials, texts, and library services (§121.02, Wis Stats.) For Black River Falls High School, keeping the materials relevant and up to date has been important. Rykken says that, in his opinion, “the materials available today are significantly better than 30 years ago.” This is important because one of the reasons why teachers may argue they cannot implement Act 31 is a lack of materials. Rykken, as an educator with forty years of experience has a simple response to other teachers who say they are not be able to find materials. “You just aren’t looking then.”

Jeff Ryan, Social Studies Teacher at Prescott High School

The second teacher I interviewed was Jeff Ryan, a social studies teacher at Prescott High School in Prescott, Wisconsin. While Paul Rykken’s school has about a 20% Native population, Ryan’s school district has an estimated 0-1% Native population (1% of students identify as two or more races, so the concept of having no Native students in Prescott cannot be ruled out) (Prescott School District, WI). Prescott is not located in the immediate vicinity of any of Wisconsin’s Tribal Nations, so Prescott High School is an example of a school

working with a Wisconsin tribe in general. Prescott High School and the Lac du Flambeau Ojibwe Reservation have a unique relationship that I'll present later in the interview. The first section focuses on Ryan's interest in Native studies and why he implements Act 31 in his classrooms.

Just like Rykken, Ryan is another non-Native teacher who is considered an exemplar in implementing Act 31, so the first question I asked was about his interest in Native history and why he includes it in his classrooms. Ryan explained that growing up as a young boy in Northwest Wisconsin, near the St. Croix Band of Ojibwe, he had always been told the reservation was dangerous and scary. Of course, now he knows that those were misguided thoughts and stories, but that was the rhetoric common for the time in his community.

Ryan said that things changed when his older brother befriended an Ojibwe man and was invited to join a baseball team for the local township of McKinley, Wisconsin. The Sand Lake Ojibwe community is situated near McKinley and the area had a baseball team called the McKinley Braves. As Ryan describes it, the team was predominantly Native so on Sundays during the summer the Ryan family would be one of the few white families among the "scores" of Native families watching the games.

Ryan said this experience was incredibly important for him growing up. "I remember what an important experience and valuable experience that was for me. We got to know a lot of the [Native] families and it was fun! We did that for a couple of summers and then the Braves kind of folded and didn't play anymore, but we maintained those relationships" (Ryan). These relationships would be integral for Ryan a decade later when Treaty Rights were reaffirmed, and Ojibwe began to exercise their rights off the reservation in northern Wisconsin.

In 1988, Ojibwe in Wisconsin began to spearfish off the reservation, and as Jeff Ryan explained it, "the backlash was just unbelievable" (Ryan). He decided to go to a couple of the boat landings himself to see what was happening and described the anti-Native signage, violence, threats of violence, death threats, and the hate speech that he witnessed there. Ryan also mentioned how although not everyone was holding a sign, there were many people who supported the anti-spearfishing protests by laughing whenever racist phrases were shouted or

displayed. Phrases like, “Timber [N-word]” and “Spear a squaw, save a walleye. Spear a pregnant squaw, save two walleyes were among some of the phrases Ryan heard and saw on the signs at the boat landings. Some of the backlash was even thrown at him because he wasn’t there specifically for the anti-spearing protests.

“So, I went to a couple of landings [...] seeing people that I've known for a long time, just behaving in ways that I never ever imagined. I never imagined there was a group of people from where I am from, that would treat other people like that. It was one of the saddest things I've ever seen. When I think about it, it almost makes me cry[...] I'd really rather not get into the specifics of me, but there were things that were said about me, and done to me, things that were said to some [Ryan's] family members that were really really hurtful. I hadn't made a decision. I was there to watch as an observer. I didn't come in banging the drums, and I didn't have signs saying stop spearing. I am a hunter, I am a fisherman, and people would ask me what I think about this and I'd say, 'I'm trying to find out information'

Plus, these people who were out there spearing, we knew them! We knew the families. These were friends of ours, they weren't Chippewa spears, they were friends of ours[...] You don't let people do that to your friends, people that you know. That's another thing that was so unbelievable. You just don't treat human beings like that[...] So, kind of after those moments in the 1980s in the spring, I basically said 'well, I don't want to be associated with that type of behavior'" (Ryan).

These personal experiences as a young person all contributed to Ryan’s interest in Native studies, and still are some of the motivating factors for implementing Native studies in his classrooms. On a less personal note, he explained that he also incorporates Native material into his classes because it is “just a sound educational practice.” (Ryan).

As the teacher for Civics, which is a required course for all students at Prescott High School, Ryan gets the opportunity to teach all the students at one time or another. This also means that

he teaches students who have misguided views on Native people. Ryan explained that the most important thing for him to do is to expose the students to facts. Similar to Rykken's ideas regarding letting history do the work, Ryan's approach is that by exposing students to the facts regarding Act 31, treaty rights, and Native history, many students will listen. Ryan added how he has always found the reaction of the parents to be fascinating. In his experience, some parents become very angry and accuse him of imposing his beliefs on the students. However, some parents respond positively and find the information interesting because they had never been exposed to the facts before. The most rewarding moments are when the latter situation happens.

Ryan would not be considered an exemplar if he did not go above and beyond the basics in the field of Native Studies in high schools. As he explains, a big part of implementing Act 31 involves giving the stage to Native people. "If you are teaching a class on Native people, I think it makes sense to, not just talk to Native people, but give them the opportunity to give and share their thoughts with students." (Ryan). He believes this is what Prescott High School does best, and believes this idea extends beyond high school and into the community at large.

Over the years, Ryan has invited various Native speakers and performers to Prescott, usually during the month of October. The Native speakers and performers are usually funded through the school district and go to the elementary school, the middle (intermediate) school, and of course, the high school. At times they will also hold public performances for the community. Throughout the years, there have been groups and individual speakers and performers invited from the Twin Cities of Minneapolis and St. Paul in Minnesota, as well as the Lac du Flambeau Reservation.

In the classroom, Ryan believes that including stories of Native perspectives is important and healthy for students. He introduces students to different policies such as the General Allotment Act (also known as the Dawes Act) and the boarding school era. During these subjects, he has students read the official policies from both the Wisconsin and the US government. Ryan says he lets the facts speak for themselves.

Of all the things he does to implement Act 31, Ryan is probably most proud of the field trips to Lac du Flambeau. Since 2000, there have been over forty field trips to the reservation with students only (in autumn) and students and members of the Prescott community together (in the summer). As part of a Lac du Flambeau field trip, the group leaves Prescott and heads to Northern Wisconsin where they spend four days with the Lac du Flambeau community. Participants learn first-hand about the history, culture, tribal sovereignty, and the everyday contemporary life of Lac du Flambeau tribal members. This field trip is the result of decades of trust and hard work.

The fall field trip is the students-only trip, and only those who are currently taking Ryan's Advanced Placement US History or First Nation's History courses can apply for the opportunity. Eight students are chosen per year even though dozens of students may apply. One may wonder how Ryan is able to choose which kids get to go. The answer is that he doesn't.

While the Lac du Flambeau field trip is already unique, the way the students are chosen adds one more layer to that uniqueness. When students apply, they are required to write an essay to explain why they want to go. In addition, they are not allowed to include any information that would identify them as the writer of the essay. Then each 'anonymous' essay is sent to approximately ten people who are asked to judge them and choose the eight essays they believe are the best. The judges may be other teachers, tribal members, or community members. Only Ryan knows whose essay is whose, but he is never one of the judges. The reason for this selection method is to keep any biases out of the process. He said there have been times when he posted the list of who was accepted and the teachers who got to pick would be surprised at who was chosen to go. Experiences like this only strengthens his decision to anonymize the essays.

One look at the itinerary for the 2019 fall field trip shows just how much the students get to experience. The itinerary changes a little bit with each trip, but there are certain events that have been consistent over the years. Some of these events include visiting the Tribal museum, learning how to make a craft from a local Ojibwe craftsman or

craftswoman, meeting individuals on the Tribal Council, meeting the current or former Tribal Chairman, volunteering in the community, and in recent years, visiting the renovated boys' dormitory from the boarding school era. The itinerary shown next is used with permission from Jeff Ryan.

I have included the itinerary of the trip to show how in depth this trip is and to show all of the various things the students are able to do and visit in a short time.

Prescott High School Annual Lac du Flambeau Fall Visit

September 26—29, 2019

Thursday, September 26

6:00 AM: Departure from Prescott High School

11:00 AM-11:30 AM: Arrival in Lac Du Flambeau – Meet & Greet with Lac du Flambeau Tribal Council @ William Wildcat Community Center

11:45-12:30 PM: Lunch at Eagles Nest Restaurant at Lake of the Torches Resort Casino

12:45-1:20 PM: Tour of George W. Brown Museum/Indian Bowl

1:30-1:55 PM: Tour of George W. Brown Fish Ojibwe Hatchery with Lyle Chapman

2:00-3:00 PM: Tour of Lac du Flambeau Historic Boys Dorm with LDF Tribal Historic Preservation Officer Melinda Young

3:15-4:15 PM: Camp set-up @ LDF Tribal Campground

4:30-5:00 PM: Peter Christensen Dental Campus Tour

5:15-6:15 PM: Welcoming Dinner/Tribal Governance Talk Question & Answer with Brandon Thoms @ LDF Multi-Purpose Building

6:30-7:30 PM: Tomahawk Circle Singers at LDF Multi-Purpose Building

7:45-9:30 PM: Teachers Choice Ojibwe Arts & Crafts with Greg “Biskakone” Johnson @ LDF Multi-Purpose Building

10:15 PM: Retire to LDF Tribal Campground

Friday, September 27

6:30-8:30 AM: Showers & Breakfast @ LDF Tribal Campground

9:00 AM-11:30 AM: Dream Catcher Workshop with Danielle “Shannon” Jack, LDF Traditional Craft Artisan at LDF Multi-Purpose Building

11:45-12:30 PM: Lunch at Lac du Flambeau Public School with Cultural Connections Program Director & Wisconsin Indian Education Association President Brian Jackson

1:00-3:00 PM: Tour of Lac du Flambeau Historic Sites

3:30-5:30 PM: Ice Spearing Decoy Carving Workshop, LDF Tribal Councilman & Carver Brooks Big John at LDF Multi-Purpose Building.

6:00-7:00 PM: Dinner at Lake of Torches Restaurant - Courtesy of Lac Du Flambeau Tribal Council

7:30-9:30 PM: Talking Circle with Tom Maulson at LDF Multi-Purpose Building

9:45 PM: Retire to LDF Tribal Campground for Evening

Saturday, September 28

7:00-7:45 AM: Showers

8:00-8:50 AM: Breakfast and Understanding Contemporary Indian Life talk with Brandon Thoms at LDF Tribal Campground

9:00-10:00 AM: Volunteer Work/Community Clean-Up of Thunderbird Park, Downtown LDF

10:30 AM-12:30 PM: Pontoon Tour of Strawberry Island & Lac du Flambeau Chain of Lakes with Former LDF President and Treaty Rights Icon Tom Maulson & Brandon Thoms

1:00-2:15 PM: Lunch @ LDF Tribal Campground

2:00-4:00 PM: *Understanding Ojibwe/Indian People* Talk with Lac du Flambeau Elder Betty Jack @ LDF Tribal Campground

4:00-4:30 PM: Break

4:30-6:00 PM: Ojibwe Migration Story with Brandon Thoms at LDF Multi-Purpose Building.

6:15-6:50 PM: Dinner at Lake of Torches Restaurant - Courtesy of Great Lakes Inter Tribal Council

7:00-9:00 PM: Talking Circle with Donnie Carufel, LDF Ojibwe

9:30 Retire to LDF Tribal Campground for the evening

Sunday, September 29

7:00-7:30 AM: Light Breakfast @ LDF Tribal Campground

7:45-8:30 AM: Showers

8:30-9:30 AM: Break Down Camp

9:30-11:00 AM: Closing Talking Circle, Final Thoughts with Brandon Thoms, Tom Maulson, Brian Jackson @ LDF Tribal Campground

11:15 AM: Depart for Prescott

As evident in the itinerary, the students get to meet and listen to multiple members of the community and tour various businesses run by the tribe and its members. This allows tribal members to tell their own stories and portray their community and history in the way they believe is best. Another important component is the volunteer work that is always part of these field trips. For example, on a recent field trip, the students helped the community by pulling the docks up from the water to protect them for the winter. Other ways students have participated in volunteer work was by cleaning public areas and raking the leaves for elders. When asked why this is important, Ryan said the community gives so much knowledge to the students and this is a way for the students to give back to the community.

Comparing the Interviews

There are similarities and differences in these interviews. This section compares the two teachers' interviews and includes pieces from Jackson's interview whenever it is applicable. Jackson was asked different questions than the teachers, therefore the comparison does not include all his interview.

Probably the main similarity is that overall, more work needs to be done for state-wide implementation of Act 31, possibly ensuring teachers receive more instruction, putting more effort into the administrative area, or increasing the funding. Another similarity is the rhetoric used in Act 31's statutes needs to have the mandatory language added. Paul Rykken, Jeff Ryan, and Brian Jackson all stated the need for more specific language in the statutes.

Another similarity between the two non-Native educators is how their interest in Native studies stemmed from experiences during their youth. Both Rykken and Ryan grew up living near reservations and both were directly and indirectly affected by that in some way. Rykken was part of the first integrated class where students from the neighboring Ho-Chunk reservation were able to attend public school in Black River Falls, while Ryan, on the other hand, grew up hearing how the neighboring reservation areas were something to be feared but later realized this was not true when he spent summers watching his brothers play baseball with a predominantly Native baseball team.

When asked if they each implement Act 31 because it is mandatory, both said they would teach Native studies regardless of the law because that is just part of being an effective social studies teacher. Rykken incorporated Native perspectives in his history courses at his previous teaching jobs and Ryan's experience at the boat landings affected in such a way that he cannot imagine not teaching treaty rights to his students. Both educators integrate Native studies into their curriculum rather than teaching it in separate units and both also teach a class specific to First Nations history in collaboration with the University of Green Bay.

As for *how* these two social studies teachers implement Act 31 in their classrooms, both include Indigenous studies wherever it fits organically. In his interview Ryan said, "when I

am implementing 31, I do it at all grades that I teach whether it be Geography, Civics, Advanced Placement (AP) US history or First Nations' History, obviously. You can integrate [Native studies] throughout any semester course or any year long course.” (Ryan) This aligns well with Rykken’s methods. In his interview, he said, “We didn’t want to treat it as a standalone, we didn’t want to treat it as a [single] unit. We didn’t want to have an Act 31 unit; we didn’t want to have an Indian unit. I was opposed to all of that from the beginning. I was in somewhat of a leadership position right away with this, so we did more of a- what we called at the time- infusion. I think that was the wrong word, I think it was more of an integration.” (Rykken). It is clear that both educators stress the importance of weaving Act 21 into their existing classes rather than teaching it as an isolated unit.

Both Rykken and Ryan utilize field trips as a way to include Native studies in their curriculum. Rykken takes his students on field trips to various places in the neighboring Ho-Chunk community, for example, the recent trip to meet the Attorney General of the Ho-Chunk Nation. Ryan also takes his students on a field trip (but a longer one due to the distance traveled) to various places on the Lac du Flambeau Ojibwe reservation where they meet with the Lac du Flambeau tribal council, have a question and answer session, and partake in other activities.

Both educators addressed the topic of how teachers may refuse or be hesitant to implement Act 31 in their classrooms. Both believe that, in general, it’s due to the mix of a lack of education and a lack of interest. As Rykken mentioned in his interview, teachers may not believe they know the issues well enough to teach Native studies. In addition, a lack of genuine experiences with Native people in any way could contribute to a lack of interest. As Ryan pointed out in his interview, it is important for teachers to have the will and interest to teach Native Studies and that there needs to be more accountability whether it comes from administration or other social studies teachers. Part of that accountability is helping teachers know how and where to get teaching materials.

5.3 Comparing the Surveys with the Interviews

When combining the interviews with the surveys, there are a few observations that can be made. In this section I will analyze the interviews *and* surveys to see where ideas and findings line up and where they differ. After this section, there will be a discussion about Indigenous education and the data.

Rykken mentioned that in his experience, most new teachers he's met have only had one class session dedicated to Act 31, which matches the survey data (Rykken). The survey created by Hadley and Trechter (2014), showed that 38% of teachers who responded to the survey recalled having education related to Wisconsin's tribes and of those who did, about half said they had attended one class on Act 31. This is double the findings from the previous survey when 17% of respondents recalled receiving education in 2000 (Gauthier & Berard, 2000).

The lack of mandating language leads to various interpretations of the law and according to Ryan and Jackson, there are schools where teaching about Thanksgiving is considered enough to meet the requirements of Act 31. During his interview, Rykken pointed out how the wording of the first statute is vague. This vagueness of the language is clearly viewed as a weakness by the interviewees as well as the survey findings by Gauthier and Berard (2000). One of their conclusions was that in general, teachers and administrators require a stronger definition and more clarification about what Act 31 is requiring.

The issue of teaching materials came up frequently in the surveys and was brought up in the interviews as well. Both Rykken and Ryan argue there is a plethora of material and that teachers who say they cannot find any material are not really looking. During his interview, Jackson also pointed out resources that teachers can use. However, survey findings from both 2000 and 2014, show that teachers said they want or need more resources.

As for implementation in the classroom, Hadley and Trechter (2014) determined that Tribal sovereignty was taught the least compared to Native history and culture with 20% of teachers reporting they include Tribal sovereignty in their classrooms. Gauthier and Berard (2000) found that around 4% of teachers were intimidated by Act 31 partially due to their lack of knowledge about Tribal sovereignty. Rykken believes that a "key part" of Act 31 is Tribal

sovereignty and by starting with Tribal sovereignty, the rest of the teaching will flow from there. He also plans at least one field trip to the Ho-Chunk community per semester for his class.

Another interesting issue is incorporating Native representatives into the curriculum. In 2000, only 6% of teachers said that input from Native people was a helpful source and in 2014, 16% said that guest speakers and tribal members was one of the most helpful resources for their classrooms (Gauthier & Berard; Hadley & Trechter). Ryan echoed a similar sentiment in his interview and said it was important for him to give space to Native voices and perspectives. In his experience, Jackson believes the schools with the least representation of or connection to Native communities tend to do a poor job of implementing Act 31.

6 The Discussion

What is the importance of implementing Indigenous studies in Wisconsin's public schools? One of the main reasons is to help prevent oppression and discrimination against Native peoples in Wisconsin. A Eurocentric view on US history can lead to discrimination against marginalized people (Journell, 2009). John Wills (1996) explains that "schools can provide students with an important space for practicing the role of active citizens and for thinking critically about American society and culture" (pg. 385). Looking at both J.P. Leary's (2018) analysis of Wisconsin's social studies curriculum policies and the history leading up to Act 31, it is clear that a lack of education on Indigenous history, culture, and tribal sovereignty in schools helped lead to the turbulent and dangerous environment in Northern Wisconsin in the 1980s. With this in mind, I'll discuss some of the various issues that have come up while talking about implementing Act 31.

Wisconsin is not the only state to have such educational policies. Montana passed the *Indian Education for All Act* in 1999 which focused on including education on the local tribes in Montana (Ngai & Koehn, 2010). More recently, the state of Maine passed a law in 2001 that required public schools to teach Native American history and like Wisconsin, many schools do not do it (Feindberg, 2019). Oregon's Senate Bill 13 was signed in 2017 and requires Indigenous studies to be taught in schools, and in January 2020 a curriculum called "Tribal History/Shared History" will be available for public schools (Miller, 2019).

This discussion is taking place globally, as well. Kaye Price (2015), Nado Aveling (2012), and Renee Baynes (2015) all discuss the importance of including Indigenous Studies specifically related to Aboriginal and Torres Strait Islanders in school curricula in Australia.

From the surveys, it was clear that teachers did not believe they had access to enough resources, however, we can see from the interviews that may not actually be the case. Both Ryan and Rykken talked about the plethora of material available today. Rykken further noted that because there are many sources available now, it is possible that teachers may not be sure which ones to use. Jackson did not mention this specifically in his interview, but the book he recommended by Patty Loew includes a free online lesson plan that can be downloaded. The lesson plan was created in 2013 and can help educators use the book in their coursework.

The Wisconsin First Nations' official website has an entire section of resources, some of which are lesson plans specifically created for different grades and ages. The information section states their purpose it to “[assist] educators in fulfilling Wisconsin Education Act 31, the statutory requirement that all school districts provide instruction in the history, culture, and tribal sovereignty of the American Indian nations in the state” (“About Wisconsin First Nations”). The Wisconsin Department of Public Instruction has an entire section on their website devoted to American Indian studies, including lesson plans, resource recommendations, and information on how to contact someone for help regarding the resources or Act 31.

From a national perspective, Karen Harvey wrote a book in 1990 entitled, *Teaching about Native Americans* and then in 1999 she gathered resources for social studies teachers to help them teach American Indian studies. The resources were published through the National Council for the Social Studies.

Since there are resources already available, my question is, “When teachers find these resources, do they have the adequate training to know how and when to use it?”

In fact, this question is a vital piece of the puzzle. Nado Aveling (2012) found that in Montana, just having the resources available was not enough because the teaching students did not know how to work with the materials. Julie Kaomea (2005) describes a similar

experience in Hawaii where teachers did not feel confident to teach the subject to students because they did not know it well enough themselves. Renee Baynes (2015) found that in Australia, a lack of knowledge and “fear of stepping on cultural toes” (pg. 86) contributed to the lack of implementation of Indigenous Studies and perspectives in the classrooms of science teachers. In Wisconsin, it is clear from both the surveys and the interviews that there is not enough instruction on American Indian tribes in the area *and* not enough education specifically on Tribal sovereignty. Based on the survey responses, only 20% of teachers talk about Tribal sovereignty in their classrooms and 60-73% said they needed further instruction in culture, history, and sovereignty (Hadley & Trechter, 2014).

One of the recommendations from the Gauthier and Berard survey (2000) was that teachers and student teachers needed more instruction because they found that only 17% of teachers had any form of instruction on Wisconsin’s tribal nations. And this recommendation did happen, at least to an extent, since we can see that statistic doubled to 38% by 2014. Still, only one-third of teachers recalled receiving the training. Even with that training, the vast majority believed they needed more. This is an important issue because Act 31’s third statute states, “the state superintendent may not grant to any person a license to teach unless the person has received instruction in the study of minority group relations, including instruction in the history, culture and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state” (“State Statutes for American Indian Studies in Wisconsin”). One of two things can be concluded here. Either the teachers who responded forgot they received the instruction (which is a problem in and of itself) or licenses are being given to people who don’t appear to qualify for them because it was never taught in their college or university teaching program.

This leads me to one additional question. What exactly should teachers be taught about how to implement Act 31 in their curriculum? Only 20% of teachers said they included it in their classrooms and 4% of teachers were intimidated by Act 31 in part because of their lack of knowledge of Tribal sovereignty (Hadley & Trechter, 2014; Gauthier & Berard, 2000). Rykken argues that Tribal sovereignty is one of the more important parts of Act 31 and Nadean Mayer also (2011) claims that sovereignty is important to include when teaching American Indian history. Since learning about

tribal sovereignty is a part of Act 31, that would be a great area to give extra instruction in. Also showing students teachers examples of how some teachers have implemented Act 31 could be beneficial. For example, the Waswagoning field trip by Jeff Ryan with the Lac du Flambeau Ojibwe Nation is not something that any school or teacher can expect to recreate overnight. However, looking to his itinerary may help educators and school administrators find ways to create similar opportunities for their own students whether it be visiting a local tribal museum or having a skilled Native craftsman come in and teach students how to create traditional crafts.

The issue of Indigenous Education is not limited to Wisconsin and can be found around the world as evident in this thesis. It seems that, in general, this is a newer and growing concentration in the wider Indigenous Studies field. This could mean there may not be any perfect solution. Potential collaborations between researchers, teachers, school administrators, and policy makers could better our knowledge on the best way to implement Indigenous Studies in school curricula.

7 Conclusion

The recognition of a need for American Indian studies in Wisconsin public schools stems heavily from the Treaty Wars in the 1980s, which was both a national embarrassment for Wisconsin as well as a dangerous time for Ojibwe in northern Wisconsin. As J.P. Leary (2018) states, “in the absence of authentic knowledge about American Indians, tensions escalated as violence increased, as did fears that someone might be killed at a Wisconsin Boat Landing” (pg. 268). It was after this time period the state recognized what Indigenous educators and their allies had been saying for years; there is a lack of public knowledge on the history, culture, and tribal sovereignty of the Indigenous Nations in Wisconsin.

This thesis reports that in general, teaching students are not receiving the education they need to be able to properly implement Act 31 in Wisconsin schools. The rhetoric of the statutes could also be strengthened so school administrators and educators have a better idea of what the Act requires. Teachers who do implement Act 31 tend to have a personal interest in

American Indian studies and do not struggle to implement it. Those essentially are the main findings that influence my thesis recommendations.

There are a few conclusions and recommendations to present here. Teaching students need more education on how to implement Act 31 as well as more education on Tribal sovereignty, culture, and history. Teaching general Native American history in the US is not enough to truly satisfy the requirement for Act 31 and really, if a teacher has not received this instruction, they should not have received a license to teach in Wisconsin.

School administrators and districts need to be more aware of their roles in Act 31, including how to help their educators include Native American studies in their curricula. With this in mind, there needs to be greater awareness of all of the resources that are available for educators to use. Furthermore, research specifically on Act 31 and its implementation would be beneficial for our understanding on how to help school districts fulfill the requirements.

One recommendation for further research would be to look at what Wisconsin university and college educational programs are currently doing to instruct teaching students on the importance and implementation of Act 31 to see where this can be improved as well as where it is already thriving. Act 31 is potentially going through legislature in the upcoming months and years, so it is possible (and hoped for by those connected to Act 31) that the Act will change, making the requirements clearer to both teachers and administrators. Further research on implementation post any changes to Act 31 would also be beneficial to Indigenous education in Wisconsin.

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