



WISCONSIN CATHOLIC CONFERENCE

TO: Members, Assembly Committee on Government Operations and State Licensing
FROM: John Huebscher
DATE: October 3, 2013
RE: AB 297, School Mascots

On behalf of the Wisconsin Catholic Conference, I wish to share our views for information only regarding Assembly Bill 297, as drafted in Substitute Amendment 1.

Fundamentally, this issue of mascots is about respecting those who are different from the majority. As a society, we need to ask: Do we make members of minority groups feel welcome or not? Are we open to hearing their voices? Do we make it easier or more difficult for them to ask the majority to respect them?

Our current law regarding school mascots and other symbols, while not perfect, represents a reasonable effort to make sure our schools are welcoming communities that don't stigmatize or marginalize members of minority populations. We urge you to assess AB 297 in light of its impact on that policy objective.

We are concerned that, in some key respects, this bill does not further that objective.

The provision in Section 2 of the Substitute Amendment is particularly worrisome. Section 2 requires that those who wish to challenge any mascot or symbol obtain the signatures of 10 percent of the school district on any challenge. This places a severe burden on any minority group. Given that challenges primarily involve Indian names, the fact that few, if any, schools have Native American populations to generate sufficient signatures is problematic.

We suggest that the Catholic experience in Wisconsin is relevant to this discussion. No such "numbers" requirement existed when Catholic parents in the Edgerton School District filed their challenge to the practice of reading the King James Bible in public schools in 1890. The practice was wrong whether the majority agreed with it or not.

Other examples are also relevant. Nine girls were enough to challenge the segregation in the public schools of Little Rock. One man was sufficient to challenge the "whites only" tradition of the University of Mississippi. In the twenty-first century, Wisconsin should not impose a higher barrier when the issue is one of asking our public school system to address race-based symbols.

We also have reservations about Section 19, which prevents the Superintendent of Public Instruction from creating a presumption of what constitutes discrimination. Creating such a presumption can offer useful guidance to schools and the Division of Hearing and Appeals as to the kinds of mascots that have traditionally been viewed as prejudicial or intolerant.

We do not equate race-based school symbols with the harsh aspects of past discrimination. But that does not mean the impact of such symbols is trivial. Injuries caused by police dogs, water cannons, and billy clubs are visible and explicit. Other wounds, though less apparent, are wounds nonetheless.

The pain caused by a symbol that demeans or ridicules is real. In some respects, it can be more lasting than physical hurt. Symbols that serve to undermine a person's sense of worth can inflict damage that endures for years. This is especially true if the symbol is reinforced by policies that suggest a person is wrong to feel the pain, or that actively discourage him or her from asking society to recognize that pain and address its causes.

In opposing race-based mascots, we make no judgment about the communities whose schools may have them. We presume no ill intent is involved. We also understand that when a practice goes unchallenged for a long time it can be difficult to grasp why it seems wrong now. But the longevity of a policy is not always a measure of its wisdom.

Here too, our experience with Bible reading in public schools may be relevant. It is probable that Catholics resented the practice long before they made an issue of it in the late 1880's. It is likely they needed time to be comfortable as Americans and distanced enough from the era of church burnings, before they were sufficiently confident to assert their right not to be proselytized in public schools. Our experience as a religious minority helps us grasp that Native Americans or other minorities may only now be comfortable challenging what has long troubled them.

We ask you to consider whether the public interest may best be served by retaining current law.

Thank you for your consideration in this matter.