

## **INDIAN MASCOT BILL INTRODUCED**

### **BY COLORADO STATE SENATOR WILLIAMS**

A bill introduced Wednesday would require public and charter high schools to get state approval to use Native American-themed nicknames.

Basically, Senate Bill 10-107 would mandate that any public or charter high school “that uses an American Indian mascot to either cease using the American Indian mascot or obtain approval for the continued use of the American Indian mascot or another American Indian mascot from the Colorado Commission of Indian Affairs.”

The deadline for doing that would be July 31, 2013, and any school that ignored the law after that date would be fined \$1,000 a month.



Lamar High School Savages logo

No count was immediately available on how many schools have such mascots. Colorado does have several teams named the Indians. La Veta High School’s teams are named the Redskins, and Lamar High School uses Savages.

Brace yourself for lively committee and floor debates about cultural sensitivity, political correctness, legislative meddling, local control and school traditions.

The measure is sponsored by Sen. Suzanne Williams and Rep. Nancy Todd, both Aurora Democrats, along with nine Democratic cosponsors in both houses

## **INDIAN MASCOT BILL**

Second Regular Session

Sixty-seventh General Assembly

STATE OF COLORADO

INTRODUCED

LLS NO. 10-0651.01 Richard Sweetman    SENATE BILL 10-107

## SENATE SPONSORSHIP

Williams, Bacon, Heath, Spence, Steadman, Tapia

## HOUSE SPONSORSHIP

Todd, Ryden, Merrifield, Schafer S., Solano

Senate Committees

House Committees

Education

A BILL FOR AN ACT Concerning the use of American Indian mascots by public high schools.

### Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill requires each public high school of a school district and each institute charter high school that uses an American Indian mascot to either cease using the American Indian mascot or obtain approval for the continued use of the American Indian mascot or another American Indian mascot from the Colorado commission of Indian affairs (commission) on or before July 1, 2013. Each school district that includes a high school that uses an American Indian mascot, and the state charter school institute, are required to notify each such high school of the provisions of the act and notify the commission of each such high school's use of an American Indian mascot on or before January 1, 2011. The commission will evaluate the use of American Indian mascots by public high schools of school districts and institute charter high schools and either grant or deny approval of such use.

For each month in which a public high school of a school district uses an American Indian mascot after July 1, 2013, without obtaining approval from the commission, the school district shall pay a fine of \$1000 to the state treasurer, who shall credit the same to the state education fund.

For each month in which an institute charter high school uses an American Indian mascot after July 1, 2013, without obtaining approval from the commission, the state charter school institute shall pay a fine of \$1000 to the state treasurer, who shall credit the same to the state education fund.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Article 1 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

22-1-128. Use of American Indian mascots - definitions -notice - approval by commission.

(1) As used in this section, unless the context otherwise requires:

(a) "American Indian mascot" means a name, symbol, or image that depicts or refers to an American Indian tribe, individual, custom, or tradition.

(b) "Commission" means the Colorado commission of Indian affairs established in section 24-44-102, C.R.S.

(c) "Institute charter high school" means a charter school authorized by the state charter school institute pursuant to part 5 of article 30.5 of this title and serving any of grades nine through twelve.

(d) "Public high school of a school district" means: (I) A school of a school district that serves any of grades nine through twelve; and

(II) A charter school of a school district that serves any of grades nine through twelve.

(2) On and after July 1, 2013, the use of an American Indian mascot by a public high school of a school district or by an institute charter high school is prohibited; except that a public high school of a school district or an institute charter high school that obtains approval from the commission pursuant to subsection (4) of this section may use an American Indian mascot.

(3) (a) On or before January 1, 2011, each school district that includes a public high school that uses an American Indian mascot shall:

(I) Notify each such high school of the provisions of this section; and

(II) Notify the commission of each such high school's use of an American Indian mascot.

(b) On or before January 1, 2011, the state charter school institute established in section 22-30.5-504 shall:

(I) Notify each institute charter high school that uses an American Indian mascot of the provisions of this section; and

(II) Notify the commission of each institute charter high school's use of an American Indian mascot.

(4) On or before July 1, 2013, each public high school of a school district and each institute charter high school that uses an American Indian mascot shall:

(a) Cease using the American Indian mascot; or

(b) Obtain approval from the commission for the continued use of the American Indian mascot or another American Indian mascot.

(5) (a) For each month in which a public high school of a school district uses an American Indian mascot after July 1, 2013, without obtaining approval from the commission pursuant to paragraph (b) of subsection (4) of this section, the school district shall pay a fine of one thousand dollars to the state treasurer, who shall credit the moneys received to the state education fund created in section 17 (4) of article IX of the state constitution.

(b) For each month in which an institute charter high school uses an American Indian mascot after July 1, 2013, without obtaining approval from the commission pursuant to paragraph (b) of subsection (4) of this section, the state charter school institute shall pay a fine of one thousand dollars to the state treasurer, who shall credit the moneys received to the state education fund created in section 17 (4) of article IX of the state constitution.

SECTION 2. 24-44-103 (1) (k), Colorado Revised Statutes, is amended, and the said 24-44-103 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

24-44-103. Duties of commission. (1) It is the duty of the commission:

(k) To make and publish reports of findings and recommendations; and

(l) To evaluate the use of American Indian mascots by public high schools of school districts and institute charter high schools and grant or deny approval of such use as described in section 22-1-128, C.R.S.

SECTION 3. Act subject to petition - effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor.

## **Senator Says She Will Withdraw Indian-Mascot Law**

**Sen. Suzanne Williams Says She Wanted To Start Discussion**

Posted: 02/04/2010

A state lawmaker who ignited a firestorm of controversy by introducing a bill that would require public high schools to get permission to use American Indian mascots said she will withdraw the legislation.

Sen. Suzanne Williams, D-Aurora, told the **Denver Post** she has achieved her goal of starting a community discussion over whether the mascots are appropriate.

Williams, who is one-quarter Comanche, told the Post, "I introduced this bill because I feel very strongly that we need a conversation about the subtle discrimination between races and cultures."

The bill would have required all public and charter high schools with Indian mascots to get approval from the Colorado Commission of Indian Affairs. Schools that did not get approval would be fined \$1,000 a month.

Williams said there are about a dozen schools with Indian mascots including Lamar High School, home of the Savages, and Montbello High School, home of the Warriors.

Sunday the **Greeley Tribune** editorialized the mascot at Eaton High School which features a large-nosed, scowling Indian in a loincloth and leather pants.

The newspaper said "It's time for the Reds to go," adding "It's unfortunate Williams even had to introduce the legislation."

Opponents of the bill pointed out that some schools, like Yuma High School, have mascots meant to honor American Indians. Yuma High changed its mascot in the 1920s from the Cornhuskers to the Indians.

Republican Sen. Scott Renfroe said mascots are an issue for local school boards.

Williams still has to formally withdraw the bill during a committee hearing.