

Proponent Testimony: HB 2662
For the House Committee on K-12 Education Budget
February 16, 2022
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Chair Williams and Members of the Committee, thank you for the opportunity to provide testimony on this legislation. I strongly support the establishment of protections under a parents' bill of rights and in particular the provisions of this bill creating a parent transparency portal to list the materials used for student instruction in K-12 schools.

Indeed, these transparency provisions are necessary, because in K-12 schools across the country, politically charged content is spreading at an extraordinary pace throughout nearly every grade and subject, and yet parents are blocked when they try to pull back the curtains of what our public schools are actually teaching.

To briefly illustrate the extent of this issue, consider the words of *teachers* themselves, in the national journal *Education Week*, the self-described “education newspaper of record”¹:

“Keeping Politics Out of the Classroom Is Like Keeping the Water Out of Rain...”

“We must take up controversial issues like racism, sexism...inherently political topics such as gun control or climate change...”

“Every teacher is a civics teacher.”

Members, in other words, many of our teachers increasingly believe they have a mandate to connect every classroom subject area—whether history, or science or math—to politics, to open the eyes of students to a more enlightened, or “woke,” worldview.

The online transparency provisions in this bill provide a mechanism to ensure that such instruction no longer takes place in secret. As Ethics and Public Policy Center Fellow Stanley Kurtz has written of similar provisions now being considered in state legislatures across the nation²:

“A vote against curriculum transparency is a vote to keep the public in the dark, to shut out parents, and to allow teachers to politicize the classroom... K-12 curriculum transparency should henceforth be a top-tier issue for state legislators and governors everywhere — not above CRT in priority, but alongside it.”

Many of you are familiar with the New York Times 1619 Project, an academically discredited series of essays attempting to rewrite American history. As reported by a RealClearPolitics investigation, The 1619 Project has “been adopted in more than 3,500 classrooms in all 50 states.”³

But even more significantly, and this captures the crux of why this current bill before you is so necessary: as the investigators found:

¹ “Keeping Politics Out of the Classroom Is Like Keeping the Water Out of Rain”

<https://www.edweek.org/teaching-learning/opinion-keeping-politics-out-of-the-classroom-is-like-keeping-the-water-out-of-rain/2020/10>

“Same Old Civics Ed. Won't Save Us”

<https://www.edweek.org/teaching-learning/opinion-same-old-civics-ed-wont-save-us/2021/01>

² Will Teacher Transparency Sink the Democrats? <https://www.nationalreview.com/corner/will-teacher-transparency-sink-the-democrats/>

³ “Disputed NY Times '1619 Project' Already Shaping Schoolkids' Minds on Race”

https://www.realclearinvestigations.com/articles/2020/01/31/disputed_ny_times_1619_project_is_already_shaping_kids_minds_on_race_bias_12219_2.html

The 1619 project “is mostly being used as supplemental, optional classroom teaching material. By and large, school systems are adopting the project by administrative fiat, not through a public textbook review process.”

Members, this means that Kansas students across the state are not only having this material assigned to them but that in nearly every case, the schools or teachers who are pushing it, are doing so without any public discussion, district governing board signoff, or meaningful parental awareness.

Unfortunately, this problem is larger than the 1619 Project or critical race theory. As former teacher and American Enterprise Institute scholar Robert Pondiscio has noted:

*“states, districts, and school boards have less control over what gets in front of students than do Google, Pinterest, and the lesson sharing website Teachers Pay Teachers — the top three places teachers go when looking for materials.”*⁴

Teachers should have the ability to creatively supplement their lesson plans, but this freedom does not negate the rights of parents to know what is being taught in public schools.

Unfortunately, parents across the nation have found this right abridged. In fact, the Goldwater Institute even now is defending a parent who sought curricular information from her local public school prior to enrolling her incoming kindergarten daughter. This mother, who simply wanted to ensure that her local school’s environment prioritized academic excellence—not ideological activism—was instructed by her district to file formal public records requests to even obtain the information, before being told it would cost \$74,000 to provide those records. Her school district then also threatened litigation against her and the national teachers union filed a lawsuit to block her access to the materials.⁵

At the same time it is throwing up barriers to parental access, that same teachers union, the National Education Association, has expressly called for infusing ideologies such as critical race theory into K-12 curriculum across the nation, declaring at its 2021 national assembly⁶:

“It is reasonable and appropriate for curriculum to be informed by academic frameworks...including critical race theory” and that the association *“will educate members on the tools and resources needed to defend honesty in education including but not limited to tools like CRT.”*

Given the routine denials that concepts like CRT are anywhere to be found in America’s K-12 schools—in sharp contrast to the pronouncements of the NEA and the extensively documented examples of CRT nationwide⁷—it is essential that parents be empowered to see for themselves the materials actually going into the classroom.

The provisions for academic transparency before you would accomplish this in a way that maximizes transparency while minimizing the additional requirements for teachers. Public school teachers already commonly document the resources they use in the classroom by submitting lesson plans to principals or other administrators. As one union leader conceded in her testimony against a similar transparency initiative in Arizona:

⁴ “What the critical race theory debate misses: We really don’t know what’s happening in our classrooms”

<https://www.aei.org/education/what-the-critical-race-theory-debate-misses-we-really-dont-know-whats-happening-in-our-classrooms/>

⁵ “NEA Sues Mom for Asking Questions about Curriculum”

<https://goldwaterinstitute.org/article/nea-sues-mom-for-asking-questions-about-curriculum/>

⁶ NEA New Business Item 39, 2021 Representative Assembly. <https://web.archive.org/web/20210705090534/https://ra.nea.org/business-item/2021-nbi-039/>

⁷ “No Critical Race Theory in Schools? Here’s the Abundant Evidence Saying Otherwise”

<https://www.realclearinvestigations.com/articles/2021/12/22/no-critical-race-theory-in-schools-heres-the-abundant-evidence-saying-otherwise-808528.html>

“I currently serve as the vice president of the Arizona education association... Weekly I implement lesson plans. I submit them to my principal, to my coach, to the district office. This is because I’m a professional.”⁸

This bill simply recognizes that if teachers can disclose their materials to others inside the school walls, there is no reason that the information cannot also be publicly shared with current or prospective parents. In fact, various programs already exist to allow teachers to do this at the click of a button.⁹

Moreover, for veteran teachers, who have refined their own classroom syllabi over the years, these great teachers do not start from scratch each year, but instead already keep track of what works well in one year so they have it on hand to use the next. So this information is already largely compiled, and complying with the proposed provisions in this bill would require but a few minutes of additional effort each year.

And for new teachers, this transparency bill would *help* them see what others are doing and model the most successful instruction, rather than being expected to scour the internet for resources and build their own syllabus from scratch. As a nationwide survey that sampled over 1,300 respondents from a database of 200,000 educators found, teachers themselves report spending over 4 hours each week “searching for free instructional resources to use in my classroom.”¹⁰ As the survey authors concluded, this enormous investment of time under the status quo is “taking away significant time from analyzing data, communicating with parents, and diagnosing specific student needs.” The online transparency provisions in his bill would help *reduce* the amount of time teachers are left scouring the internet for resources, as they could instead look directly at the listing of materials being used by high quality instructors in other schools.

In fact, in North Carolina, when similar legislation recently came before their assembly, one representative opposed the bill out of fear that teachers would be able to copy what others are doing. As she said,

“My concern is who gets credit for the lesson plans.... I also think that this would prompt people who are coming into the system [i.e. new teachers] to just search the website and grab the best lesson plans and turn them in...”¹¹

But members, we *should* be encouraging our teachers to build on each other’s work, not spending time reinventing the wheel. As one teacher who testified to the North Carolina House of Representatives—which voted overwhelmingly in support of similar legislation—put it:

“This is a great collaborative effort for teachers and educators to find other resources that are effectively being used across the state and posting those and making them available for their colleagues. As a former Wake County teacher, 20 years ago I provided all of this information. I turned in my lesson plans to my principal. Doing it electronically now would be so much simpler than what I was expected to do as a Wake County teacher. So all of this is stuff that I had to do as a teacher that now as a parent I would greatly appreciate.”¹²

Members, as this teacher also noted,

“Additionally I was expected to get every single media piece that I used in my classroom pre-approved before I used it and shared it with my students.”

⁸ Arizona Senate Education Committee: SB 1058

<https://invintus-client-media.s3.amazonaws.com/6361162879/69f906e5f5acb494026ace79eb8190432116d36e.mp4#t=7740>

⁹ See PlanbookEdu or Google Classroom as examples of currently existing platforms that allow sharing of materials:

<https://www.planbookedu.com/pages/tour>; https://workspace.google.com/marketplace/app/classroom_share/891096890441

¹⁰ Classroom Trends: Teachers as Buyers of Instructional Materials and Users of Technology https://mdreducation.com/wp-content/uploads/2020/12/StateofK12Market2016_ClassroomTrends.pdf

¹¹ HB 755: Academic Transparency. North Carolina House of Representatives Floor Debate, 2021-2022 Legislative Session

¹² “GOP lawmakers want school materials listed online”

<https://www.wral.com/gop-lawmakers-want-school-materials-listed-online/19660358/>

Yet this legislation before you today does not even require teachers to get their resources approved before they can use it, nor does it limit their ability to adapt their lesson plans anytime they find a new resource.

Members, universities commonly post their individual course syllabi online. In K-12, prospective parents at various charter school networks around the country, such as the Great Hearts schools, can go online and see detailed reading lists that feature the individual short stories and poems that students will encounter.¹³

As scholars such as Stanley Kurtz have put it “If you doubt that these transparency provisions are needed, recall that many teachers have promised to preach CRT to their students, even if that violates the law.”¹⁴ Indeed, already, in the wake of several states passing bans on certain tenets of Critical Race Theory for instance, over 4,000 teachers across the country, including educators in over a dozen cities and towns in Kansas, publicly pledged to continue teaching their vision of racialized history “regardless of the law”.¹⁵ It is essential, therefore, that parents have the ability to see for themselves what materials are being used in the classroom.

Members, more than twenty states across the country have now introduced legislation in the 2021-2022 legislative sessions containing provisions similar to those before you.¹⁶ In several of those states, including Wisconsin, Indiana, North Carolina, Arizona, and Pennsylvania, the legislation has already passed one or both legislative chambers.

If you believe parents have a right to know what sort of materials their students will encounter—before they are forced to make such a monumental decision such as the enrollment and education of their kids—or that teachers should be encouraged to share, not jealously guard the ingredients of a successful selection of materials that are already visible within the school walls, then I strongly encourage you to join with the parents and sponsors in support of this legislation.

Thank you.

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¹³ **De-Escalating the Curriculum Wars: A Proposal for Academic Transparency in K-12 Education**

<https://goldwaterinstitute.org/wp-content/uploads/2020/01/De-Escalating-the-Curriculum-Wars-A-Proposal-for-Academic-Transparency-in-K-12-Education-2.pdf>

¹⁴ **“Dueling Texas CRT/Civics Bills Test Abbott, Patrick, and West”**

<https://www.nationalreview.com/corner/dueling-texas-crt-civics-bills-test-abbott-patrick-and-west/>

¹⁵ **“Here Are The Thousands Of Teachers Who Say They’re Willing To Violate Law To Keep Pushing CRT”**

<https://www.dailywire.com/news/here-are-the-thousands-of-teachers-who-say-theyre-willing-to-violate-law-to-keep-pushing-crt>

¹⁶ **“Arizona Senate Education Committee Passes Curriculum Transparency Bill”** <https://azfreenews.com/2022/02/arizona-senate-education-committee-passes-curriculum-transparency-bill/>