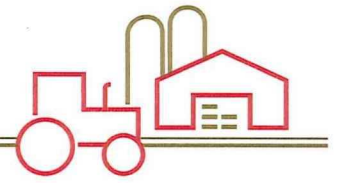




ELIJAH BEHNKE

STATE REPRESENTATIVE • 89th ASSEMBLY DISTRICT



08/11/2021

Testimony on Assembly Bill 488, Joint Committee on Education

Chairwoman Darling, Chairman Thiesfeldt and Members of the Joint Committee on Education,

Thank you for holding a public hearing today and allowing me to testify in favor of Assembly Bill 488, which requires school boards to make information about learning materials and educational activities used for pupil instruction available to the public.

Parents and guardians are often left in the dark as to what is taught in public school classrooms. Once COVID hit, and students were stuck at home with virtual learning, it gave parents and guardians a peek into what was being taught in the classrooms and it became very concerning. Many were seeing unapproved curriculum being taught to their children.

It is one thing for our children to learn about controversial topics. It's another thing for our children to be indoctrinated with controversial topics. I have had many constituents contact me regarding their concern about the politicization of the classroom. These parents want access to teaching materials, however, the school districts often times do not want to comply with their requests.

This bill would remediate this issue by requiring teaching materials to be made publically available. It is important to remember that this legislations does not limit what schools can teach but encourages families to engage with what their student is learning. Another important reminder is that this legislation does not require a creation or maintenance of a new website. It simply requires the material to be publicly listed on the already existing district website.

This legislation is important because it allows families to make decisions about their children's educational experience. It is also a resource for the Legislature and school leaders to understand what is going on in their districts.

North Carolina and Arizona have also created legislation relating to transparency of learning materials. Therefore, it is important to remember that this isn't just a state issue, it is a national issue.

Finally, I would just like to remind you that the school districts work for the parents and taxpayers in the community. Therefore, it is time for parents, guardians, and community members to take back their school districts and demand action.

Thank you again for holding this hearing on Assembly Bill 488 and allowing me to testify in favor of it. I am happy to answer any questions you many have.



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

Testimony on SB 463 & AB 488

August 11, 2021

Thank you Chair Darling, Chair Thiesfeldt, and members of the Assembly and Senate Committees on Education for holding a public hearing on SB 463 and AB 488. This legislation seeks to establish heightened transparency and improved access to the instructional materials used in Wisconsin's K-12 classrooms.

In short, SB 463 and AB 488 would require school district boards to post bibliographic information on course materials, copies of course content created by staff, and links to adopted curricula to the school district website. The bill requires this information to be organized by subject area, grade level and teacher. Finally, the bill requires this listing to be posted and updated twice annually – at the beginning of the school year in September and at the mid-point of the school year in January.

Over the past several years, more and more light has been shed on the manner in which political activism and controversial philosophies once reserved to academia have been working their way into K-12 classrooms.^{1,2} In response, there has been a growing number of concerned parents and taxpayers in communities throughout the state seeking to find out through their local school district whether students are being told what to think as opposed to how to think.

In theory, Wisconsin's public records law serves as a medium through which parents and taxpayers can request and obtain the information in question. In practice - whether filing a request independently or through an organization – requesters are often met with hundreds (if not thousands) of dollars in processing fees, long delays, various obstructions or outright denials from school districts.³ While the process may not be as cumbersome to navigate in some school districts compared to others, it is not something parents and taxpayers should be forced to navigate each time they want to obtain information on the instruction materials being used in different classes.

Instead of taking a side in every curriculum dispute, SB 463 and AB 488 would simply establish a mechanism for parents and taxpayers to easily access information on the content schoolchildren are being exposed to in the classroom, thereby facilitating robust community engagement.

Thank you again Chair Darling, Chair Thiesfeldt, and members of both committees for your consideration. I hope you will join Rep. Behnke and me in supporting this legislation.

¹ MacIver Institute, "Critical Race Theory in Wisconsin K12 Education," May 25, 2021, <https://bit.ly/3fPI0Go>.

² John Murawski, "Disputed NY Times '1619 Project' Already Shaping Schoolkids' Minds on Race," Real Clear Investigations, January 31, 2020, <https://bit.ly/3IRtmlM>

³ Will Flanders and Jessica Holmberg, "Opening the Schoolhouse Door: Promoting Curriculum Transparency in Wisconsin," Wisconsin Institute for Law & Liberty, 2021, <https://bit.ly/3xASPCe> (pp. 10-11).



Testimony in Opposition to Assembly Bills 411 & 488

To: Assembly Committee on Education
From: Rep. Gordon Hintz
Date: August 11, 2011

Chair Thiesfeldt and members of the Assembly Committee on Education:

I strongly oppose Assembly Bills (ABs) 411 & 488, which would inject extremism, racism, and division into Wisconsin classrooms.

As state legislators, we all aim to help Wisconsin be a state where people want to live and work. Wisconsin's strong public schools, vibrant communities, and high quality of life are central parts of what attract people to our state.

Unfortunately, the bills before this committee today would do a deep, troubling disservice to our state, by turning our schools into political battlefields and sowing division and disinformation into the work done in the classroom. Rather than ensuring our kids have the resources they need to succeed and educating our students so they grow up to be informed, thoughtful individuals with the ability to think analytically, ABs 411 and 488 would inject racist, extremist fear-mongering into Wisconsin classrooms and turn our kids into political pawns.

Over the past many months, our nation and our state have been undergoing a reckoning about the racist origins of our country and about the continuing impact of those roots in our society today. While our laws and institutions look very different now than at our founding, people in every community still experience the effects of systemic racism. As a state and as a people, we must acknowledge this legacy and work to address continuing wrongs. Ensuring our kids receive an accurate, comprehensive education is critical to doing this work. In the past year, alumni of Oshkosh public schools have spoken out to express support for ensuring current and future students study a more complete understanding of racism and how it has shaped our local, state, and national histories.

Our past and our present are complicated. Indeed, Wisconsin is consistently deemed the worst state in which to raise a black child. As we work to change that reality, let's enact laws that address our challenges, not add new challenges through division and extremism.

Education should be the focus in Wisconsin classrooms, not divisive politically-motivated rhetoric. I urge the committee to reject ABs 411 and 488.

Respectfully,

A handwritten signature in black ink, appearing to read "Gordon Hintz".

Rep. Gordon Hintz
54th Assembly District



Written Testimony of Rep. David Bowen

Assembly Bills 411 and 488

August 11, 2021

Chairman Thiesfeldt, Chairwoman Darling, and members of the Assembly and Senate Committees on Education,

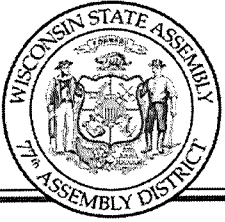
I offer my testimony today on Assembly Bills 411 and 488 under the weight of profound disappointment. Quite simply put, these bills are unnecessary, and they are born out of the drive to divide, rather than unite. The debate surrounding “critical race theory” and whether or not it should be taught in our schools is clearly a baseless attempt to feed the flames of our hyper-partisan culture wars, but it is more than that. Most importantly, it represents a failure by fellow brothers and sisters of our great State to actively listen, and a stubborn unwillingness to truly contend with our past.

America is a great nation, but it is not a nation without blemishes. Ask any person of color in this room or elsewhere, and they will be able to tell you about the discrimination, the hurdles, and the outright racism they or their family members & friends have experienced. Let us not forget that there are individuals alive today who participated in the Civil Rights Movement of the 1950s and 1960s. There are individuals alive today who grew up under the shadow of Jim Crow. There are individuals alive today who survived internment, forced assimilation, and genocide both here and abroad. And there are individuals alive today whose grandparents were born into slavery in this very country. If anyone tries to tell you that discussions about these issues, these experiences, do not belong in the workplace, they are wrong.

And members of the Committee, let me tell you today that these experiences and these issues *matter*. Learning about them *matters*. Earlier this year, we voted unanimously (and correctly) in both chambers of the Legislature to incorporate lessons on the Holocaust and other genocides into our state curriculum; have we already forgotten that those atrocities were fueled by the very types of both casual and systemic racism we’re discussing today?

Today, I ask you to truly listen to the testimonies before you, and to empathize with the speakers. Emphasize with their lived experiences but recognize what systemic effects have force us all to deal with. I ask you to grapple with the fact that the mistakes of the past, even when we recognize them as mistakes, still rear their heads in the present. I ask you to remember that those who deny their past, who refuse to learn from it, are doomed to repeat it.

Thank you for your time.



WISCONSIN STATE REPRESENTATIVE

Shelia Stubbs

77TH ASSEMBLY DISTRICT

Testimony in Opposition to Assembly Bills 411 & 488

To: Members of the Assembly Committee on Education

From: Rep. Shelia Stubbs

Date: August 11, 2011

Chair Thiesfeldt and members of the Assembly Committee on Education:

I strongly oppose Assembly Bills (ABs) 411 & 488, and I urge all members of the committee to reject these bills.

I support equity and inclusion in our classrooms and in our communities. It is essential for all students to thrive. The reality is Wisconsin is the worst state to raise a black family. Wisconsin has been ranked as the worst state in the nation to raise a black child. It is critical that we work against any bills that allow this shameful disparities. The racial disparities that we face in Wisconsin makes it extremely difficult for black families to live and work. AB 411 and AB 488 further increases systemic racism, and division in our classroom. Our student should be taught historical truths.

Prohibiting our teachers from educating our students on the facts of life is simply setting them up for failure. Erasing our racial past and present does not make those events disappear, it just makes for an uneducated and unaware generation of students. There is no reason for us to involve our children's classrooms in political battlefields. I urge the committee to reject AB 411 and AB 488.

Respectfully,

A handwritten signature in black ink that reads "Shelia Stubbs". The signature is written in a cursive, flowing style.

Rep. Shelia Stubbs

77th Assembly District

STATE CAPITOL / P.O. Box 8953, Madison, WI 53708

TELEPHONE / (608) 266-3784 TOLL FREE / (888) 534-0077 EMAIL / rep.stubbs@legis.wisconsin.gov



STATE REPRESENTATIVE

Dora
DRAKE

Testimony in Opposition to Assembly Bills 411 & 488

To: Members of the Assembly Committee on Education
From: Rep. Drake
Date: August 11, 2021

Chair Thiesfeldt and members of the Assembly Committee on Education:

I am writing to express my strong opposition to Assembly Bills 411 & 488. Our teachers and our schools have an incredibly important job of educating our kids. That education begins with teaching our kids how to read, write, add and subtract. It also includes learning about the history of our state, our country, and our planet, so students graduate equipped to understand the context in which they exist in the world.

Unfortunately, there is an effort being made across our nation to stop our schools from taking steps to ensure students and communities who have been ignored, minimized, or left behind in the past have the support and resources they need to receive a solid education, and to stop our schools from teaching history with fullness and completeness. The bills before the committee today are a direct reaction from people who want to further divide us, and prevent any discussion of our country's legacy of slavery, or the ongoing effects of systemic racism. The bills are intended to sow more division, not just among adults, but among kids as well. These bills are about politics, not education.

While parts of history can be uncomfortable, we should never turn away from an honest discussion of the past. If we want our state to be great, we must acknowledge the good, the bad and the ugly truths in order to move forward. The true movement behind bills like AB 411 and 488 is rooted in a familiar strategy of division used throughout our nation's history, which is to undermine our shared goals to promote justice, opportunity, and compassion.

If these were enacted into law, teachers cannot teach how Juneteenth, a celebration of liberation from slavery in 1865 came to be, or how Black Americans won the right to vote. Given how consistently Wisconsin has been ranked as the worst state in the nation to raise a black child, we should be working against bills that aim to maintain that shameful status quo. We should do everything we can to support our kids and our schools, and change that reality.


We must not allow our kids to be used as political pawns, nor our classrooms to be used as political battlefields. I urge the committee to reject ABs 411 and 488.

Respectfully,



Rep. Drake
State Representative
11th Assembly District

**ELEVENTH
ASSEMBLY
DISTRICT**

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August 11, 2021

**TESTIMONY OF THE WISCONSIN INSTITUTE FOR LAW & LIBERTY IN
SUPPORT OF 2021 SENATE BILL 463 / ASSEMBLY BILL 488**

Chairman Thiesfeldt, Chairman Darling and Members of the Committees on
Education:

Thank you for providing me with the opportunity to testify in favor of Senate Bill 463 and Assembly Bill 488. I am Libby Sobic from the Wisconsin Institute for Law & Liberty (WILL) and I am here today to speak about why a bill to require transparency of public school classroom materials is critical for Wisconsin families and taxpayers.

The majority of Wisconsin students attend a K-12 public school in our state. For many families and students, their local public school is an integral part of their community and a pivotal place for student growth. But the pandemic provided parents a peek into the classroom and for far too many families, concerns about curriculum, classroom topics and activities were put on their radar. And when families reached out to their school leaders and school boards, their effort to access information was stonewalled despite Wisconsin's historical legal and public policy preference for taxpayers' access to public records.

This is not a new phenomenon. Parents have been raising concerns about curriculum materials for public school students for decades. For example, there have been debates on the use of Common Core, the teaching of health education and reading, among countless other subjects. Without a doubt, curriculum discussions will continue in the future. Senate Bill 463 / Assembly Bill 488 is a smart public policy proposal that addresses parental concerns today and in the future.

What problem is AB 488 / SB 463 addressing?

As the debates over curriculum and classroom materials exploded this past school year, parents were often locked out of the discussion. All too often, parents went to school leaders about the materials their children were learning in the classroom, yet school boards and administrators simply claimed that certain topics were not taught. This created an on-going debate that divided communities. At the heart of these disputes is the difficulty for parents to access the materials being taught in the classroom.



My colleagues at WILL tested this theory and submitted public records requests to several school districts for classroom materials from high school social studies and English classes. These requests were also narrowed to materials with specific phrases.¹ Unfortunately, our experience highlighted the difficulty for parents and taxpayers to access information from public school classrooms.

This difficulty of accessing learning materials is not just limited to larger districts. There have been recent media reports, and in some cases WILL has provided legal assistance, when smaller districts, like Elmbrook, also struggled to provide transparency to parents over curriculum concerns.

Unfortunately, due to concerns of political backlash, several parents and teachers were uncomfortable submitting testimony with personal identifiable information. Included in my testimony are messages from these individuals. It is these concerns that highlight the need for AB 488 / SB 463.

Why don't public records laws provide enough transparency?

When WILL submitted public records requests to districts for classroom materials, the district responses revealed more barriers than transparency.

For example, we requested information from seven teachers who taught classes at two Madison high schools. The district responded and requested at least \$10,000 for the request to be completed. The Kenosha School District requested that we pay over \$1,200 for the materials. These costs serve as significant barriers to accessing information and are, unfortunately, permitted under the public records laws.

WILL identified additional barriers to accessing classroom materials. For example, a Racine Unified district administrator claimed that teachers would not fulfill the request and other districts ignored our requests for months on end.

Unfortunately, these barriers are not a surprise. A WILL report in 2017 reviewed the largest school districts and their responses to public records requests. The report found that several districts, including Madison, failed to follow practices set forth by the Wisconsin Attorney General's office and often neglected to make public records a priority.²

School districts have failed to make these materials available to parents despite requests to do so. AB 488 / SB 463 addresses this concern and harmonizes Wisconsin school district practices with federal requirements. Despite the requirement under

¹ *Opening the schoolhouse door: promoting curriculum transparency*, Will Flanders and Jessica Holmberg, May 2021, https://will-law.org/wp-content/uploads/2021/05/OpeningTheSchoolhouseDoor_FINAL.pdf

² *Let there be light- how long does it take Wisconsin's largest school districts to comply with open records laws?* Libby Sobic, November 2017, <https://will-law.org/wp-content/uploads/2021/01/sunshine-report-2017.pdf>



federal law that parents should have notice and access to their child's classroom surveys and educational curriculum, testimony today highlights that is not the case.³ AB 488 / SB 463 will take an important step to ensure that parents can access the materials in their child's classrooms.

Obligation of public schools to make materials accessible

Public school districts and their employees, including teachers, are entities that implement government speech. When materials are created by public school teachers and used in the classroom, parents, as well as taxpayers, have every right to access the materials. Therefore, the classroom materials in public school districts should be made accessible to the public.

AB 488 / SB 463 addresses any concerns or limitations on providing access to the classroom material. There is no obligation to fully provide a copy of any material that is copyrighted. In any situation in which ownership of the materials is of concern, the proposal requires the posting of identifiable information of the material.

Furthermore, the bill proposal only requires the information to be posted twice during the school year. This timeline ensures that teachers continue to have the flexibility to create and edit lessons plans based on any adjustment necessary. The obligation to post this information is specifically on the district and the format of posting this information can be simple, such as a Google document or online dropbox.

While a process will need to be created and a determination of how districts will meet this obligation, I believe the bill proposal provides significant flexibility for districts to create a process that limits the burden on our teachers.

Taxpayers have a right to know how our tax dollars are being spent. Government schools – public schools – are not exempt from this requirement. AB 488 / SB 463 provides critical access to the classroom to inform parents and taxpayers how our government is implementing education. Expanding transparency and letting the sunlight into the classroom will help rebuild our communities and ultimately, empower parents to work with teachers in the classroom.

Thank you for your time. I am happy to answer any questions you may have.

Libby Sobiech
Director of Education Policy & Legal Counsel
Wisconsin Institute for Law & Liberty
libby@will-law.org

³ Protection of Pupil Rights Amendment (PPRA)



WISCONSIN FAMILY ACTION
Marriage|Family|Life|Liberty

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**TESTIMONY IN SUPPORT OF SENATE BILL 463/ASSEMBLY BILL 488
SENATE & ASSEMBLY COMMITTEES ON EDUCATION – JOINT HEARING
WEDNESDAY, AUGUST 11, 2021
JULAIN K. APPLING, PRESIDENT**

Thank you, Chairwoman Darling, Chairman Thiesfeldt and committee members, for the opportunity to speak in support of SB 463 and its companion AB 488, proposals that require school boards to make available to the public, information about learning materials and educational activities used for pupil instruction by posting it on the home page of the school districts' internet sites.

If you've ever poked around on any school district's or local school's website, you know it can be difficult to find any information regarding the curriculum content and materials used to provide instruction to our children.

I regularly talk to parents around the state who have tried various methods (website searches, requests via email and telephone, and in-person office visits) to obtain information about the specifics on what is being taught to their children, only to end up frustrated because they cannot find what they are not only looking for, but what they are entitled to know. The only option they are often left with is an open records request, which is cumbersome and can be expensive.

COVID lockdowns forcing schools to provide virtual instruction via Zoom and other web-based portals have provided a transparent window into what and how our children are taught. In many cases, this has been an alarming, eye-opening experience for parents.

One such example is Critical Race Theory. Despite a recent YouGov survey which shows 58% of Americans oppose CRT, including 72% of independents who believe teaching it is "bad for America," the nation's largest teachers' union (NEA) recently approved a plan to promote CRT in all 50 states and 14,000 local school districts. In the resolution, the union agreed to publicly "convey its support for CRT, oppose restrictions in state legislatures and use schools for political activism."

The union, which represents 3 million public school employees, approved funding for three separate items related to this issue: "increasing the implementation" of "critical race theory" in K-12 curricula, promoting critical race theory in local school districts, and attacking opponents of critical race theory, including parent organizations and conservative research centers.

Despite these overt actions, schools here in Wisconsin continue to tell inquiring parents that they are not teaching Critical Race Theory or training staff in it. Parents are not convinced they are getting the straight story, which precipitates their online research that all too often yields nothing because either the information is not available at all online or it is so buried, it's basically impossible for parents to find.

Students receiving a good education is crucial for the future of the county. That responsibility falls to *parents*, educators, and leaders alike. It's a partnership. And always, parents are the most important part of this cooperative effort. Always. Children are not wards of the state; they belong to their parents who have both the responsibility and the privilege of caring for them, which includes seeing that they are educated.

However, without transparency, parents, who are also taxpayers, have little to no insight as to what is actually occurring in the classrooms, what is actually taught.

The state budget for public schools totals nearly \$7.4 billion, representing a total of 34% of the state's General Purpose Revenue Fund. This does not account for tax dollars received at the local level nor federal aid. I'd say these numbers more than qualifies parents to have the right to easy access to instructional information.

Moving forward, the question is now clear: Who will decide what happens in public schools? Parents, voters, and state legislatures? Or the national teachers' union and its allies in the public-school bureaucracy?

According to US Department of Education, Wisconsin ranks the 9th highest in the nation. Obviously, we are doing something right, at least in comparison to other states. Given this, school districts and individual schools should be very happy to let parents scrutinize the content and instructional materials being used in every classroom and every program. Surely, they have nothing to hide.

The bills are specific in what must be made available because parents have learned that too often, as in other areas of life, truly "the devil is in the details." Without the specific requirements, parents would not have all the information they not only need but are entitled to as they consider and actively engage in the education of their children. Keeping the information updated should be a foregone conclusion; but again, it's not unreasonable to build in safeguards to ensure timely updates and notifications. Really, teachers and administrators and all staff should be happy to comply and should be thrilled to know parents want to know what is going on in the schools so that they can work together to provide the very best education possible for their children.

Frankly, our schools should welcome the transparency that comes with easy access to the specifics of what students are learning and the materials teachers are using in their everyday instruction. What's being proposed is reasonable. Opposing this bill or vetoing it will simply solidify in parents' thinking that schools and school districts are hiding something. I can't imagine that will settle well with parents who are already not happy with a number of things taking place in our schools.

We urge you to support this bill in committee and move it to the full Senate and Assembly for votes.

Thank you for your careful and thoughtful attention to our position on these bills. I am available for questions, should you have any.

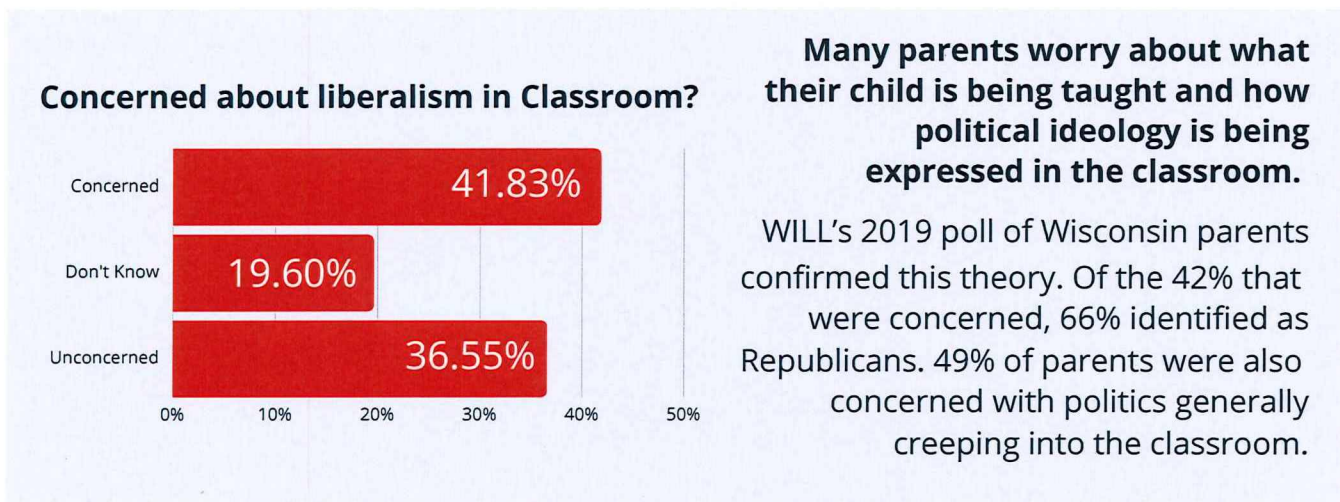
Classroom Transparency

WISCONSIN PARENTS DESERVE ACCESS TO TEACHING MATERIALS

Across the country, news stories concerning controversial curriculum included in K-12 schools are becoming more common. Unfortunately, Wisconsin is not exempt from these stories.

While it's not surprising that school districts like Milwaukee and Madison include more controversial or "woke" topics, this issue is not limited to the urban districts.

Many suburban and rural school districts including **Burlington, Germantown, Amery,** and **De Pere** have received attention for teaching contentious Black Lives Matter lessons, social identity assignments, and having teachers participate in the New York Times Magazine's 1619 Project.

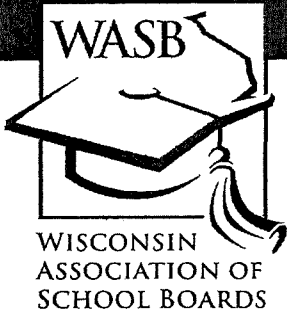


WISCONSIN SHOULD JOIN THE NATIONAL MOVEMENT AND REQUIRE CLASSROOM TRANSPARENCY BY PUBLIC SCHOOLS

LRB-3687 requires teaching materials and curriculum to be posted online twice annually so parents, school board members and taxpayers can easily access this information.



Support SB 463 by Senator Stroebel and Representative Behnke to expand classroom transparency.



122 W. WASHINGTON AVENUE, MADISON, WI 53703
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JOHN H. ASHLEY, EXECUTIVE DIRECTOR

TO: Members, Senate & Assembly Committees on Education
FROM: Dan Rossmiller, WASB Government Relations Director
DATE: August 10, 2021
RE: OPPOSITION to SENATE BILL 463 & ASSEMBLY BILL 488

The Wisconsin Association of School Boards (WASB) is a voluntary membership association representing all 421 of Wisconsin's locally elected public school boards. Although Senate Bill 463 and Assembly Bill 488 are perhaps less onerous than the other bills on today's public hearing docket, we oppose these bills because they would add unnecessary and unduly burdensome mandates on school boards related to posting instructional materials online and could encourage the filing of legal actions against school boards and districts by providing for generous awards of attorney fees.

POSTING ALL LEARNING MATERIALS AND EDUCATIONAL ACTIVITIES USED IN PUPIL INSTRUCTION IN THE SCHOOL DISTRICT ON THE SCHOOL DISTRICT'S WEBSITE

Parents already have a legal right under federal law to review these materials. Under that federal law—the Protection of Pupil Rights Amendment--all school districts are required to have policies and procedures in place to allow parents access to instructional materials upon request. All or nearly all school districts also have policies and procedures for addressing complaints regarding instructional materials for parents and other community stakeholders.

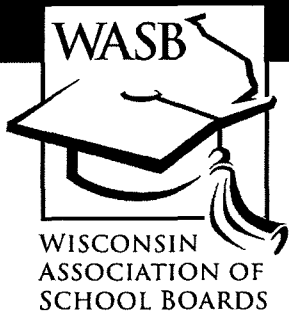
While the WASB supports transparency, we also support local control. Given that parents already have legal rights under federal law to review these materials, we believe that it should be left up to the local school board and district to decide whether all learning materials and educational activities, as defined in the bill, should be posted online.

Each school district has its own unique set of resources and needs, and we believe each locally-elected school board is in a better position to balance its resources with the needs of its local community than are legislators in Madison.

As school districts are coming back from an unprecedented and challenging last school year and addressing the learning disruptions caused by the pandemic, we question how the mandates in this bill will help schools in their primary mission of educating our students.

Indeed, our first question when addressing a "one-size-fits all" mandate such as this is: what will the impact be on children? If teachers have to take time to post everything they use, how much time will that bureaucracy take them away from helping children?

We believe the posting requirements alone will be burdensome because many, if not most, Wisconsin school districts **do not** have a staff person who is devoted full-time to managing the district's website. As a result, the mandates in these bills will likely require school districts to either hire a new staff person solely to comply with these bills or to contract with a private vendor to perform this work at significant new cost either way.



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We believe the posting requirements alone will be burdensome because many, if not most, Wisconsin school districts **do not** have a staff person who is devoted full-time to managing the district's website. As a result, the mandates in these bills will likely require school districts to either hire a new staff person solely to comply with these bills or to contract with a private vendor to perform this work at significant new cost either way.

LEGAL SUITS AGAINST DISTRICTS

Although these two bills, unlike the other two bills on today's hearing docket, do not authorize lawsuits against school districts for monetary damages, they do permit a school district resident to bring an action in circuit court (for injunctive relief or a writ of mandamus) to compel a school board to comply with the requirements created in these bills. Further, the bill also appears to skirt the current law restriction on the award of attorney fees that generally limits those fees to \$500, and instead specifically directs a court to award up to \$15,000 "reasonable" attorney fees in suits brought under these bills.

All legal actions brought against a school district, whether meritorious or not, must be defended at a cost to the district that may or may not have been budgeted for. That is money that cannot be used for educating children.

Thank you for the opportunity to share our concerns with you. Please feel free to contact me if you have questions or would like additional information. I can be reached at drossmiller@wasb.org or (608) 512-1720.

August 11, 2021

Public Hearing – Joint Committee on Education: SB 463

Members, thank you for your time. My name is Matt Beienburg, and I am the director of education policy at the Goldwater Institute, speaking in support of SB 463.

This transparency bill is 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.

Just 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.

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.”²

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

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 Wisconsin 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 or district governing board signoff.

More importantly, this also means that parents who might want to know—when making an enrollment decision for their children— which schools are pushing this content, are typically left in the dark until it is too late and that parent has already committed their child to a given school.

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 “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-122192.html>

Unfortunately, this problem is larger than the 1619 Project or critical race theory. As former teacher Robert Pondiscio recently 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”³

Members, I’m glad our teachers have the ability to creatively supplement their lesson plans, but this freedom does not negate the rights of parents to know what’s being taught in our public schools.

Members, today you will surely hear from parents and teachers alike on this issue. I would like to observe that testifying as a teacher or parent in the face of union pressure is a daunting task. In fact, the Goldwater Institute even now is defending a parent who sought curricular information so that she could send her kindergarten daughter to an environment that prioritized academic excellence, not one that pushed political ideologies. She was then told it would cost \$74,000 to provide the records, and now the local school district has threatened, and national teachers union has filed a lawsuit to block her access.⁴

I’d also like to address the impact of this legislation on teachers, given the unions’ organized opposition to transparency, which they see a direct threat to their ability to infuse politicized content into classrooms:

Members, 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:

“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.”⁵

This bill simply recognizes that if teachers can disclose their materials to others inside the school walls, there’s no reason that information can’t also be publicly shared with current or prospective parents.

Moreover, for veteran teachers, who have refined their own classroom syllabi over the years, these great teachers don’t 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 compliance would be but a few minutes each year, if that.

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.

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...”⁶

³ “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/>

⁴ NEA Sues Mom for Asking Questions about Curriculum

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

⁵ Arizona Senate Education Committee: SB 1058

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

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.”⁷

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.”

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.⁸

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.”⁹ Indeed, already, in the wake of several states passing bans on certain tenets of Critical Race Theory for instance, over 4,000 teachers, including over 130 in Wisconsin alone, publicly pledged to continue teaching their vision of racialized history “regardless of the law”.¹⁰

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.

Matt Beienburg, Director of Education Policy, Goldwater Institute

⁶ HB 755: Academic Transparency. North Carolina House of Representatives Floor Debate, 2021-2022 Legislative Session

⁷ “GOP lawmakers want school materials listed online”
<https://www.wral.com/gop-lawmakers-want-school-materials-listed-online/19660358/>

⁸ 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>

⁹ “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/>

¹⁰ 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>



School of Education
UNIVERSITY OF WISCONSIN-MADISON

Senate, Assembly Committee on Education

2021 Senate Bills 411, 463

Anti-racism and anti-sexism pupil instruction and anti-racism and anti-sexism training for employees of school districts and independent charter schools

Requiring school boards to make information about learning materials and education activities used for pupil instruction available to the public

August 11, 2021

Chair Darling, Chair Thiesfeldt, and members of the Assembly and Senate Committees on Education:

My name is Diana Hess and I am the dean of the UW-Madison School of Education. Thank you to the committee for the opportunity to provide testimony on Senate Bills 411 and 463. I'm sorry I could not be there in person with you today.

The UW-Madison School of Education takes seriously its commitment to prepare excellent teachers for Wisconsin schools. It is one of the best Education schools in the nation: Our secondary teacher education program currently ranks second in the United States and our elementary teacher education program ranks fourth. Our teacher education programs prepare hundreds of students each year to join the ranks of the professional teaching force. We have recently launched an \$18 million, privately funded program to provide incentives to encourage our teacher education graduates to stay and teach in the state of Wisconsin.

As written, Senate Bill 411 would deprive Wisconsin students of the education they need and deserve, because racism and stereotyping were central causes of some of the most horrendous events in the history of the United States and other nations. To name just a few examples, slavery, genocides, and the internment of Japanese Americans during World War II are realities of our shared history that shape the world today. Teaching history without talking about racism and stereotyping is impossible.

The bill specifically prohibits teaching topics that would make an individual “feel discomfort, guilt, anguish, or any other form of psychological distress because of the individual’s race or sex.” As a former high school teacher, I can attest that teaching history — which is full of glories and horrors — cannot be done effectively without having an impact on students’ emotions. I remember feeling great discomfort when I first learned about the three-fifths compromise that treated enslaved people as less than full humans.

School of Education Office of the Dean

377 Education Building University of Wisconsin-Madison 1000 Bascom Mall Madison, WI 53706-1398
608-262-1736 Fax: 608-265-2512

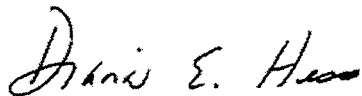
Teachers do not deliberately set out to make students feel bad about themselves. I interact with hundreds of teachers each year and have for decades. The problem this bill seems to identify — that Wisconsin's teachers, intentionally or otherwise, want to make their students feel bad — is simply not real. With all due respect, the bill provides a solution for a problem that doesn't exist. My fear is that if it becomes law, it will have a chilling effect, inhibiting teachers from teaching a full account of history, as well as many contemporary events and issues in our society that are important to gaining a well-rounded education.

Both bills risk creating problems that our already overburdened schools do not need and likely could not be done in a way that is legal. Senate Bill 463 requires posting all learning materials on websites. This would create incredible administrative burdens, be extremely costly, and cause legal problems. Many excellent curriculum materials that schools purchase are copyrighted, and while the purchase allows them to be used in classes, posting materials on websites that are available to the public would be a violation of contracts and copyrights.

Our state has strict requirements for teacher preparation. Consequently, we must treat teachers as professionals with all the rights and responsibilities the term implies. Bills that prevent educators from teaching some of the most important topics in history send the message that teachers do not merit our trust and respect. In a time when many school districts in Wisconsin have a teacher shortage, I fear that these bills could undermine our goal of attracting and retaining teachers.

Thank you for the opportunity to submit testimony on the impact this legislation would have on teachers across Wisconsin. I strongly encourage you to vote against Senate Bills 411 and 463. If you have any questions, please reach out to me (dhess@wisc.edu or 608-262-6137).

Sincerely,

A handwritten signature in cursive script that reads "Diana E. Hess".

Diana E. Hess, Ph.D.
Dean, School of Education
Karen A. Falk Distinguished Chair of Education
University of Wisconsin-Madison

LEGAL SUITS AGAINST DISTRICTS

Although these two bills, unlike the other two bills on today's hearing docket, do not authorize lawsuits against school districts for monetary damages, they do permit a school district resident to bring an action in circuit court (for injunctive relief or a writ of mandamus) to compel a school board to comply with the requirements created in these bills. Further, the bill also appears to skirt the current law restriction on the award of attorney fees that generally limits those fees to \$500, and instead specifically directs a court to award up to \$15,000 "reasonable" attorney fees in suits brought under these bills.

All legal actions brought against a school district, whether meritorious or not, must be defended at a cost to the district that may or may not have been budgeted for. That is money that cannot be used for educating children.

Thank you for the opportunity to share our concerns with you. Please feel free to contact me if you have questions or would like additional information. I can be reached at drossmiller@wasb.org or (608) 512-1720.

August 11, 2021

Thank you, Chairman Thiesfeldt and Chairman Darling, for allowing us to testify today.

We are Julia and Joseph Zaccaria. We live in Brookfield Wisconsin. We have two children in the Elmbrook School District.

We are in support of Senate Bill 463, proposed by Senator Stroebel and Representative Behnke.

A current problem in our schools is content within school curriculum which shouldn't be there, that is being hidden from both parents and the public, with no controls for governance or accountability.

There are Policies and Laws, but they are largely unenforced and obscured from the public.

One of many first hand examples we can give, happened this past year in our 10th grade child's Human Growth and Development lessons.

Our child's teacher created a "sex survey" on a public internet-based survey application called "Poll Anywhere". To be clear, it was not the Youth Risk Assessment Survey.

Our daughter was coerced via peer pressure to participate in taking the survey. The teacher openly stated it was a completely risk free survey and the students' choice to participate. She stated this without telling the class anything about the content of the survey.

The survey was not preceded with any relevant discussion about the content or information within the survey. Additionally, none of the content was used in a follow-up lesson, deeming the survey useless.

The survey data was collected. It was posted on a big screen at the front of the classroom where the students were to view the accumulated percentages of their peer's answers.

The 10-question survey asked personal questions about sexual habits including whether the students had participated in anal sex or in group sex. Our child was lied to, misguided and not informed about the risks associated with sharing this type of information as well as about sharing information electronically.

Had we had access to know this survey was in the curriculum, it would have given us the opportunity to provide our child guidance and proper instruction regarding:

- Her right to privacy

- The reality of internet security and anonymity
- The many risks of publicly sharing this type of information
- How easily sexual predators obtain and use this information
- How often sexual predators are a trusted adult or authority figure in a victims life

We would have had the opportunity to address the thoughts and mental images it would and did place in our daughter's mind.

In actuality, we would have just opted her out of the survey. Some of the more sensitive content is in direct conflict with our beliefs and values, and that content was normalized by the event. The unnecessary thoughts and mental images it produced in our daughter's mind are now bothersome distractions to her learning, to her relationships, and to her emotional well being.

I was very lucky to take a photo of this survey, which I was only able to do because I picked my daughter up from school early, just before it was deleted from view.

When the picture was brought to the schools attention, the principal of the school sent an email to his student's parents that acknowledged it was unapproved and that although their policy is "crystal clear", this seasoned teacher whom he had told us "has just about every student in the school run through her class", didn't follow it.

There was no thorough investigation to look into why this survey was administered. There was no attempt to address the students that this survey harmed, or correct the misinformation and confusion it created in their minds. There was no communication on the steps that would be taken to make sure this survey, or anything like it, didn't happen again to other students.

Over the course of both our children's education in Elmbrook Schools, there have been numerous times that we have asked for specific curriculum content, assignment instructions, or access to sanctioned resources for an assignment, and have been denied. We have even been denied access to graded assignments.

Additionally, there have been numerous times that we have found inappropriate, controversial content that we had no opportunity to discuss with our children in order to provide them context of the topics in real world application.

Bill 463, will at least provide our kids, the chance of having some parental protection from the overwhelming harm our schools subject on them. It will also provide vital access that has been denied about our children's education.

Thank you again for your time.

bill

Testimony in Support of Senate Bill 463 and Assembly Bill 488

My name is Carol Heger, and I come here today from West Bend in Washington County, one of the reddest counties in the state.

West Bend School District, surprisingly, has had a couple dramatic examples of what can happen when there is no oversight or transparency in curriculum and teaching materials, and liberal ideology is allowed to enter our public school classrooms.

The first example I have for you today occurred in late 2017 at our Badger Middle School. Eighth graders were given an optional survey to complete. The 55 questions on this survey, or "privilege test," covered topics from sexuality and race to religion and family finances. Here are some questions from the survey:

I have never tried to hide my sexuality.

I have never been told that I "sound white."

I have never been called a derogatory term for a homosexual.

I have never considered suicide.

I feel comfortable in the gender I was born in.

I have never been shamed for my religious beliefs.

This "privilege test" was a surprise to parents. Many felt the questions were not age-appropriate; others were concerned that too many personal details were revealed, even though it was an anonymous survey. Some local residents felt that the teachers were promoting racist and sexist concepts of white privilege and toxic masculinity. In addition, this test was not a part of the district curriculum.

The need for transparency in curriculum, learning, and teaching materials is also obvious in my second example from the West Bend School District.

Two years ago, an article in *Esquire* Magazine surprised the community, because the cover story featured a 17-year-old from West Bend. As the boy's everyday life was explored, the writer attended a U.S. Government and Law class at West Bend High Schools. There the writer observed the class singing along to The Liberal Song and The Conservative Song. The lyrics were written by a teacher, and classes had been singing these biased words for years, without the knowledge of parents or taxpayers. Here's a sampling of the lyrics:

Liberal Song: "I would be so very happy, happy as a man could be,
Knowing that in liberal land this other man could marry me."

"We'd end pollution it's so harmful, very harmful one can see.

Come with me to liberal land we'll all join hands then hug a tree."

Conservative Song: "I'm conservative so listen up closely my son.

I never go out without my loaded shotgun."

"I dislike high taxes and business regulations are obscene.

I think women should stay home, pro-create, cook, and clean."

Once again, this activity was not part of the standard district curriculum.

As taxpayers and parents, it's obvious that we need transparency and unbiased truth in the materials used in our public schools. Placing these materials online and available for review is a great solution, thus avoiding many long and sometimes costly FOIA requests.

I would also encourage you to plug a loophole in this potential law. I would suggest that teachers be required to complete an application for each class they teach, listing outside sources like newspaper articles or movies, that they would like to add to the regular curriculum. The applications would have to be approved by the administration, or a community committee, before the start of every school year.

Thanks for having all of us here today to share what's happening in our schools across the state. Please support Senate Bill 463 and Assembly Bill 488.

Carol Heger
575 Ridge Rd.
West Bend, WI 53095
xusnps@aol.com

8/12/2021

[The page contains two columns of extremely faint, illegible text, likely bleed-through from the reverse side of the paper. The text is too dark and blurry to transcribe accurately.]

If I were a liberal I would be a very good friend
of mine and I really love and like them because by the way

would be a very happy baby as a man could be
knowing that liberal and in his other that could make me

If I were a liberal I would be a very good friend
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If I were a liberal I would be a very good friend
of mine and I really love and like them because by the way

would be a very happy baby as a man could be
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THEY ONLY HAVE ONE

I am currently also helping closely my son
I covered off with my brother's daughter

I have social programs they really make me want to make
I would really use the money for a lot of things

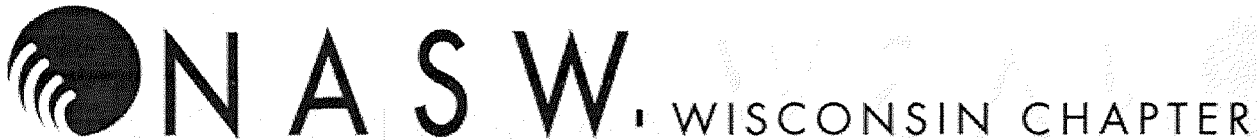
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I have social programs they really make me want to make
I would really use the money for a lot of things

2118, Feb. 14, 2019 ~ Owen Robinson, Boots & Sabers blog
(West Bend School District)



National Association of Social Workers

Chairperson Darling, Chairperson Thiesfeldt and members of the Senate and Assembly Committees on Education.

On behalf of the National Association of Social Workers, Wisconsin Chapter, I am asking that you oppose Senate Bill 411 and Assembly Bill 411

As social workers we believe in promoting conditions, policies and practices that encourage respect for cultural and social diversity within the United States. We also believe in the importance of facilitating informed participation by the public in shaping social policies and institutions. Beyond these values, as our country and all our communities in Wisconsin become more diverse, it becomes critical that we learn how to understand and respect differences of our fellow workers, customers and clients. Being able to understand and respect differences means understanding the history of people from different racial and ethnic backgrounds and understanding how policies based upon race throughout our history have impacted African Americans, other ethnic and racial communities and caused the tremendous disparities of wealth in our country. SB 411 does nothing to advance understanding of people coming from different racial and ethnic groups and as I will mention later could have the impact of intimidating teachers and instructors from covering these topics in a comprehensive manner.

Senate Bill 411 proposes to address a problem that does not exist. There is no evidence that the public schools in our state are teaching children sex stereotyping or teaching children that one race or sex is better than another race or sex or that one individual is responsible for the acts of other individuals of the same race or sex in the past. There is absolutely no evidence that schools are teaching kids to hate each other or to hate white people.

The biggest danger from this bill is the unintended consequences of intimidating teachers who are simply teaching history in a comprehensive way to the students or leading students in an open, honest discussion of history and race in our country. If you look at the fine print of this bill, if you were a Modern Problems or American History teacher for seniors in a high school in Wisconsin, you could not have a debate or discussion on such concepts as unconscious bias, affirmative action or the impact of racism on the lives of African-Americans in America today. This is pure censorship and a speech code, which is contrary to the democratic principles of our country. This bill would also encourage, sanction and support parents to take legal action against school districts when they don't like how a particular teacher is presenting their curriculum.

As a parent of sons who attended Madison public schools, there were times I had concerns about a teacher or policy. In those cases I brought the concern directly to the teacher and sometimes the principal. Did I agree 100% with everything taught or not taught? Of course not! But I had a basic respect for our school system, the teachers and the principal. This bill undermines that basic respect and could encourage parents with a particular point of view to take a teacher's comments they hear second or third hand out of context and go to court.

This bill seems designed to prevent any teaching of American history or discussion of race or sex that could lead students to feel discomfort, guilt, anguish, or any other form of psychological distress. By

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National Association of Social Workers

logical extension Germany's teaching of the holocaust would be illegal as it almost certainly has made German students feel discomfort, guilt and anguish about Germany's responsibility for the holocaust. To be informed citizens and critical thinkers, our students need an honest and comprehensive education of our country's history, not a whitewashed and sanitized version designed to prevent any students from feeling discomfort.

As every corner of our country becomes more diverse it is critical that our children learn to appreciate and fully accept people from different racial and ethnic backgrounds. At the same time that this bill solves no real problems and creates new problems there is a tremendous need to increase education about different racial and ethnic groups in our state, including African-American history in our country. Although students are generally taught about slavery and the civil right movement, they know little to nothing about other aspects of history that shape the current inequalities in our country. How many children or even adults know that African Americans were denied federal home loans after World War II and as a result their families could not accumulate wealth over generations? How many children or adults know that African American neighborhoods were redlined so that regardless of their income they could not qualify for bank loans? How many children and adults know that there were restrictive covenants throughout the United States even into the 1960's that prohibited African Americans from moving into the best neighborhoods with the best schools and highest market value? The house that my parents bought in the 1960's in a suburb of Minneapolis had such a restrictive covenant. How many children and adults know that African Americans were denied the ability to get into trade unions? How many adults and students know the extent of lynchings and mob attacks on African American communities like the one that destroyed Black Wall Street in Tulsa, Oklahoma in the 1920'?

Instead of trying to pass bills that solve an imaginary problem, I would ask legislators to support AB 273, the African American Education Bill. We need this bill so students can get a comprehensive and accurate understanding of the history of African-Americans in his country. I would also ask legislators to support AB 381, requiring education regarding Hmong Americans and Asian-Pacific Islander Desi Americans. What we don't need is legislation encouraging parents to sue a teacher or school district if they are uncomfortable and/or don't like what a teacher is presenting on the history of African Americans and race in our country.

Please vote down SB 411 and AB 411 and instead support AB 273 and AB 381.

Marc Herstand

Marc Herstand, MSW CISW
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From: Ellen Goltry <ellentylman3@aol.com>
Sent: Thursday, August 05, 2021 4:00 PM
To: Rep.Thiesfeldt <Rep.Thiesfeldt@legis.wisconsin.gov>
Subject: Testimony in favor of SB 463

Good afternoon,

I am submitting written testimony for the record in favor of SB 463 for the August 11th joint committee hearing. Also attached are examples with my testimony for the hearing on August 11th.

Sincerely,

Ellen Goltry

Chairman Thisfeldt,

I am submitting testimony in support of SB 463 for more curriculum transparency in our schools. Unfortunately, I have navigated several issues with my School District in Germantown, particularly with our School Superintendent (Brett Stousland) and our Director of Teaching and Learning (Brenda O'Brien). They both deny that critical race theory (CRT) is taught in our schools.. As a first-generation immigrant to the United States, I know the struggle that all communities, regardless of skin color or nationality, have endured to build a better life for their children. The terminology used in the critical race theory application does an injustice to families like mine – stereotyping and discriminating against individuals merely based on the color of our skin.

Below and attached to my testimony are just a few examples that other parents and I have uncovered that proves CRT is being pushed in our schools:

- On 10/20/20, Brenda sent an email to the entire Germantown Teaching staff promoting social justice books in elementary, middle school, and high-school classrooms. The email is attached below:

From: Brenda OBrien <bbrien@gsdwi.org>
Date: October 29, 2020 at 11:21:22 AM CDT
To: MA Teaching Staff <mteachingstaff@gsdwi.org>, RF Teaching Staff <rfteachingstaff@gsdwi.org>, CL Teaching Staff <clteachingstaff@gsdwi.org>, AB Teaching Staff <abteachingstaff@gsdwi.org>, KMS Teaching Staff <kmsteachingstaff@gsdwi.org>, GHS Teaching Staff <ghsteachingstaff@gsdwi.org>, Andy Eisenbach <aeisenbach@gsdwi.org>, Dana Croatt <dcroatt@gsdwi.org>, Joel Farren <jfarren@gsdwi.org>, Katie Kohel <kkohel@gsdwi.org>, Susan Climer <scclimer@gsdwi.org>, Steven Williams <swilliams@gsdwi.org>, Jennifer Johannsen <jjohannsen@gsdwi.org>, Marc Lehnerer <mlehnerer@gsdwi.org>
Subject: Social Justice books

In reading the latest issue of *Educational Leadership*, I found this link to children's books on social justice. While the main focus is for elementary, this website includes titles for middle and high school as well as professional reading around these topics.

<https://socialjusticebooks.org/booklists/>

As we continue to grow resources so we can better represent ALL students in texts, please let me know if you would want to add titles to align with your curricular topics.

Additionally, when teaching around social justice and using articles/texts/books as resources and teaching multiple perspectives, ask the students' "Who's story isn't being told?" at the end of the reading. This will prompt discussion around other perspectives that might not be revealed in one text.

Happy Thursday!
Brenda

A link to these books is also provided by Brenda in the body of her email. A few titles include Activism and Organizing, Black Lives Matter at School, and White Identity just to name a few.

Here is a link to the entire booklist:

<https://socialjusticebooks.org/booklists/>

- At a recent Teacher's Inservice held on 3/12/21, Brenda O'Brien invited all of the Germantown School District teachers to participate in a book study entitled "Me and My White Supremacy" written by Layla

----- Forwarded message -----

From: **Brenda OBrien** <bobrien@gsdwi.org>
Date: Mon, Oct 26, 2020 at 10:18 AM
Subject: Book Study and Professional Goals
To: GSD All Staff <gsdallstaff@gsdwi.org>

Happy Monday!

Just wanting to update everyone on the status of the book studies for *Why Do All The Black Kids Sit Together in the Cafeteria* and *Me and My White Supremacy*.

I am working with Linetta Davis, a consultant from the UBUNTA Research and Evaluation - "a learning organization led by Black women to facilitate organizational development, strategic leadership coaching and capacity building for those in public health, education, and non profit sectors." I've asked Linetta to help facilitate conversations around social justice.

I'm in the process of securing March 12 as a date to have Linetta and her team facilitate a workshop designed to 1) identify and learn about multiple identities and how they intersect 2) become aware of who may be left out of advocacy work in schools 3) challenge barriers and create solutions using an intersectional framework. There would be an hour long lab where staff will review school documents, handbooks, and data through the lens of intersectionality. This would be a total of a three hour workshop.

For those who are using this book study as their professional goal, please review the following statement sent on September 18. There will need to be additional meeting times (outside of the March 12 proposed date) and "evidence of progress" to consider this a goal. *Some staff asked if the district-wide book study could be considered a cohort group. Based on the criteria found on the second page of the document, if someone is ONLY reading the book and coming to the established meeting times, the answer is "no." In order for it to be a cohort group, there needs to be additional meeting times (at least monthly), a facilitator of the group taking notes, and "evidence of progress" in between the meetings - learning and actions teachers are implementing in the classroom as a result of the reading and discussions - that are shared at the monthly meetings. If that happens, the book study is a cohort group.*

I will continue to update staff as I work with Linetta and her team to secure a date, time, and location for the three-hour workshop.

Thank you!
Brenda

Me and White Supremacy
Discussion Guide

School:

Number of Participants in the Discussion:

The self-reflection questions and group discussion questions are taken from me and white supremacy: a guided journal, an official companion to the book by Layla F. Saad.

Self-Reflection: Each participant is encouraged to write down their thoughts and reflections regarding the following questions. The group may choose to discuss these questions or begin with the “Group Discussion” questions in the next section.

1. In what ways do you hold white privilege? Study the list from Peggy McIntosh on page 37 and reflect on your own daily life. Make a list of the different ways you hold white privilege in your personal life.
2. What have you learned about your white privilege that makes for positive experiences? Might have caused harm to others? Makes you uncomfortable?
3. Author Robin DiAngelo defines white fragility as “a state in which even a minimum amount of racial stress becomes intolerable, triggering a range of defensive moves.” How does your white fragility show up during conversations about race? Do you fight, freeze, or flee?
4. Think back across your life, from childhood to where you are in your life now. In what ways have you consciously or subconsciously believed that you are better than BIPOC? According to the author - “Don’t hide from this. This is the crux of white supremacy. Own it.”

Group Discussion: The whole group is invited to discuss the following questions. The recorder should summarize the discussion.

1. ‘White Fragility’ is a phrase coined by author Dr. Robin DiAngelo and is defined as “a state in which even a minimum amount of racial stress becomes intolerable, triggering a range of defensive moves.” When the author began directly writing and talking about race, she realised how deeply white fragility runs in the vast majority of white people. So many of the white people who were interacting with her work had so little experience talking about race that any racial discussion lead to them having a total meltdown.
 - a. Reflection: Where and how does white fragility show up? Why do we need to look at white fragility?
2. Tone policing is a tactic used by those who have privilege to silence those who don’t by focusing on the tone of what is being said, rather than the actual content. Tone policing doesn’t only have to be spoken out loud publicly. People holding white privilege often tone police BIPOC in their thoughts or behind closed doors.
 - a. Reflection: Where and how does tone policing occur in daily interactions? Why do we need to look at tone policing?
3. In the book, White silence is defined in the way it sounds. It is when people with white privilege stay complicity silent when it comes to issues of race. Tone policing is about how you silence BIPOC. White silence is how YOU stay silent around race.
 - a. Reflection: Where and how does white silence occur in daily interactions? Why do we need to look at white silence?

4. As the author states, "If being seen as a 'good white person' has been your biggest desire, then being called out for your racism is your biggest nightmare. Because of fragility, superiority, exceptionalism and all the topics we've covered so far, if you are not committed to a life-long anti-racist practice then you do not do well when you are called out for causing harm through racism."
 - a. Reflection: What are some common reactions when being "called out"? What have you felt, thought, said or done when called out, or how do you think you would react if it hasn't happened yet?
5. Review White Apathy, White Centering, Tokenism, White Saviorism, White Feminism, and Optical Allyship.
 - a. Reflection: Where might be the biggest work when it comes to anti-racism work? What connections can be made when reflecting on these concepts?
6. According to an article in EducationWeek (July 18, 2019), "For students of color, characteristics of White Supremacy Culture similar to microaggressions hijack the amygdala. Consequently, 'all other cognitive functions such as learning, problem solving, or creative thinking stop,' (Hammond, 2015) activating our fight, flight, or freeze response. This can create power struggles, a learning opportunity gap, and as the scholar Monique Morris writes, students being pushed out of schools. Therefore, unexamined behaviors of White Supremacy Culture are preventing students from being comfortable or supported enough to learn and flourish. For example, pushing students to work independently or write before processing verbally can lead to stress and isolation. Another example might be superficially speeding through content or discouraging interruptions for questions. Due to stereotype threat, this is especially problematic when students of color are a numerical minority in a classroom or school. It is imperative that we examine our actions to see if they are further harming students of color, disempowering them, and creating a psychologically hostile learning environment."
 - a. Reflection: What are some unexamined behaviors that might be preventing ALL students "from being comfortable or supported enough to learn and flourish?"

-Original Message-----

From: Diane <jdschlosser@wi.rr.com>

Sent: Monday, August 09, 2021 5:20 PM

To: Rep.Thiesfeldt <Rep.Thiesfeldt@legis.wisconsin.gov>

Subject: Support for AB 463

Please see attached my testimony and written support for AB 463 and other CRT-related bills. I am unable to attend the hearing. Thank you for supporting this!

John and Diane Schlosser
Brookfield

*Diane Schlosser
18515 St. Andrew Ct.
Brookfield, WI 53045*

Good morning,

I am submitting written testimony for the record in favor of SB 463 for the August 11th joint committee hearing. I am also in favor of the other three bills related to removing Critical Race Theory practices from K-12 public schools, public university student/staff practices, and state employment practices.

We have two granddaughters in the Elmbrook School District – one in 5th grade; the other in sixth grade. The 5th grade teacher assigned the students the **task of creating protest posters as part of English class**. The topics were pre-selected by the teacher: save the whales, ban extreme sports, climate change topics, and other ‘controversial’ issues. It was entitled “Persuasive Poster” but in the description it directs the students to “think of this as a protest poster...include strong, persuasive language or commands.” Had this assignment been part of a curriculum FOIA request, it may not have been flagged because a “Persuasive Poster” seems innocuous enough. It isn’t until you actually read the description and requirements that you discover the underlying agenda.

This same 5th grade **teacher told her students that the Martin Luther King, Jr. marches were just the same as the George Floyd protests**. My granddaughter voiced her disagreement (and her African-American friend agreed) that these two are not even close to being similar. The teacher insisted she was in the right, but my granddaughter held her ground. This kind of repartee with an 11-year old undermines the student/teacher relationship.

Several parents and my granddaughter also informed me that this same 5th grade class was reading a book entitled *The New Kid*. In discussing this story about a black student attending a mostly white school, the teacher said to the students: ***“When you see an individual black person, you automatically think he or she might be a criminal because it is ingrained with you.”***

In the Wisconsin Hills Middle School, my other granddaughter seemed very angry when I picked her up from school one day. She told me her **music teacher** played beautiful excerpts from *The Nutcracker Suite*, but then switched and **required them to listen to the audio of a video about the Jacob Blake riots and police brutality**. She was very upset. A close relative is a police officer so this kind of denouncing of law enforcement caused her a great deal of anxiety.

I have signed affidavits on these testimonies. Moreover, the recent discovery of child sex porn and instructions on how to ‘go around’ the age limit of sex apps to hook up with adults is horrifying! We already have a human trafficking problem in some of these suburbs and the school-sanctioned sex ed grooms our children to be victims of sex predators. What are these people thinking?? It’s disgusting. I’m appalled. Adults are supposed to protect children not victimize them. These ‘schools’ no longer act as the academic institutions they were meant to be, but ugly indoctrination quarters.

This was the last straw and our granddaughters have left the Elmbrook system for good and are now enrolled in another school.

I am so grateful for your critical support for this legislation and others like it. Keep up this good work to restore academic excellence and education.

Sincerely,

John and Diane Schlosser

"You can't be pushing diversity and dehumanize an entire swath of people."
----Asra Nomani
Parents Defending Education

From: Kim Khoury <kkhoury31209@icloud.com>

Sent: Tuesday, August 10, 2021 8:05 AM

To: Rep.Thiesfeldt <Rep.Thiesfeldt@legis.wisconsin.gov>

Subject: Testimony to support SB463/AB488

Rep. Thiesfeldt,

I am not able to make it to the capital today to testify. I am writing to you to in support of SB463.

In the Arrowhead District, through Open Records, we found disturbing content where teachers were asked to rate their whiteness, teachers advocating to students to be activists for BLM, and making them answer questions to racially charged content. The children's questions were then split up by their race and sent to other teacher's. This is only scratching the surface of what is to come if parents do not have transparency of what is being taught in the classroom.

Our children are being taught neo-racist education through a strong Marxist lens. We need to save our youth from the indoctrination in our schools. My children are multi racial - I myself and 1/3 Native American. I do not support CRT.

Thank you,
Kim Khoury

From: Rob Palmer <comyn.grant@gmail.com>
Sent: Sunday, August 08, 2021 5:57 PM
To: Rep.Thiesfeldt <Rep.Thiesfeldt@legis.wisconsin.gov>
Subject: Testimony in favor of SB 463

I am submitting the following written testimony in favor of SB 463 for the August 11th joint committee hearing.

Rep. Thiesfeldt,

I am writing as a private citizen of the State of Wisconsin in support of SB 463/AB 488, bills requiring school boards to make information about learning materials and educational activities used for pupil instruction available to the public.

As a resident of the Oregon School District, I have witnessed firsthand a school district, under the direction of Superintendent Leslie Bergstrom and Oregon School District Board of Education President Krista Flanagan, actively deceive and mislead parents and taxpayers about the content of curriculum and instructional content. At a board meeting on March 8, 2021, current board president Flanagan had the temerity to say, "This school district has never tried to hide anything." Regrettably, her statement was patently untrue.

On February 15, 2021, Oregon School District faculty members Michelle Kretschman and Dawn Donner-Chambers presented a professional development seminar to Oregon teachers and staff entitled, "Best Practices for Supporting Transgender, Non Binary Students, and Their Allies." Ms. Kretschman stated,

...all staff and correspondence and communication to families in regard to a student will reflect the name and gender documented in Infinite Campus unless the student has specifically given permission to do otherwise. So this might involve using the student's affirmed name and pronouns in the school setting and then their legal name and pronouns with family. So, in an event if a student insists on like maintaining privacy from their family, the staff would need to discuss those legal obligations with the student where applicable.

Despite the fact their presentation had been approved by the Oregon Superintendent, Dr. Leslie Bergstrom, and the Oregon School District General Counsel, Ms. Jina Jonen, Ms. Kretschman's direction violated two of the Oregon School Board policies:

Section 431.05.2 of District Policy 431: Student Rights and Responsibilities, approved by the OSD Board of Education on October 13, 1997, states, "The parent or guardian of a student under the age of 18 years shall have the right to be informed of all matters affecting the education and discipline of the student."

Section 324.3 of District Policy 324: Establishment of and Changing of Student Names, adopted November 8, 2004 and revised July 23, 2007, "The District will not honor informal, non-judicial changes in student names whether upon the request of the student, a custodial parent or a third party. Specifically, a common law declaration of a name change by a student, his/her parent or custodian will not be honored by the District."

Through various public records requests, I learned that Oregon School District staff and faculty had been working on this professional development seminar and its underlying “Gender Support Plan” since September of 2020. In late October and early November, this group of faculty and staff engaged in an email exchange where they discussed what to call the presentation and underlying policy, and arrived at the term “Best Practices” specifically to avoid calling it a policy.

Even though “Best Practices for Supporting Transgender, Non Binary Students, and Their Allies” and the “Gender Support Plan” nakedly conflict with existing board policies, the Oregon School Board has never approved them in a board meeting. “Best Practices” is closely based on the Human Rights Campaign Foundation’s “Welcoming Schools” curriculum, which appeared on an agenda of the board’s Policy Committee’s meeting on November 2, 2020. A week later, Policy Committee Chair Ahna Bizjak stated at the board meeting on November 9, 2020, “The Policy Committee met last week Monday, and we discussed two new items of business, the first of which was a discussion of the ‘Best Practices Guide for Supporting Student’s Gender Identity.’ It was a great meeting, we learned a lot of really important work that our district is doing in that area and we expect to bring this to the board for your information as a report on an upcoming agenda.”

The matter never appeared on another Policy Committee agenda, nor did the board ever consider or discuss “Welcoming Schools” or “Best Practices” until March 8, 2021, in response to parent outrage at the “Best Practices” presentation on February 15th. School board members tried to cover their tracks by claiming that “Best Practices” was simply part of the implementation of the school’s new Anti-Hate Speech policy. Current board president Krista Flanagan said, “We have a system by which we address these things and we have policies in place. Underneath those policies, these are guidelines...”

To summarize, the Oregon School District ignored its own established policies by trying to slip “Welcoming Schools” curriculum and “Best Practices” by parents, and when district officials were caught, they tried to hide it by claiming it was part of the new Anti-Hate Speech policy. It is unconscionable that elected officials and the superintendent they hand-picked to run the school district would engage in this type of deception and manipulation.

Wisconsin parents and taxpayers need transparency from our school districts. SB 463 and AB 488 are a step in the right direction for guaranteeing transparency and accountability from our school districts.

Sincerely,

Robert P. Palmer
633 Prairie Grass Road
Oregon, WI 53575

431: Student Rights and Responsibilities

431.01 – Preamble

- 431.01.1: Students have the responsibility to respect the rights of teachers, other students and all persons involved in the educational process, and must exercise a high degree of self-discipline in observing and adhering to school rules and regulations. Students have the primary responsibility to inform themselves about these rules and regulations, and to adhere to them to avoid causing any substantial disruption that detracts from the educational opportunities of other students.
- 431.01.2: The following discussion of rights and responsibilities of students shall not be construed to deny or limit any rights retained by students, or responsibilities placed upon students as citizens of this State or of the United States of America. Within this framework, school authorities have broad discretion to enact and enforce student rules and regulations in areas affecting the management of the school in order to insure its proper and efficient operation.

431.02 – Expression

- 431.02.1: Right of Expression: Expression cannot be prohibited because of disagreement with or dislike for its contents. Expression is, however, subject to reasonable and non-discriminatory regulations of time, place and manner. Expression can be limited if it takes the form of action that materially and substantially interferes with the normal activities of the school or substantially detracts from the rights and educational opportunity of others.
- 431.02.2: Dress and Personal Appearance: Students may choose their own dress and personal appearance, as long as such dress or personal appearance does not materially disrupt school operations, present an obscene or vulgar appearance or constitute a danger to health and safety. The School Board may enact and enforce regulations defining modes of dress and appearance.
- 431.02.3: Buttons, Armbands and Other Modes of Symbolic Expression: Students may wear buttons, armbands and other items of symbolic expression in school. However, the item of symbolic expression may not be vulgar or obscene, and the wearing of such button or armband, or any other behavior by the student in relation to such wearing, may not cause disorder or infringe upon the rights of others.
- 431.02.4: Verbal Expression: Students may demonstrate dissent verbally in any lawful manner, including the forming of assemblies. However, students do not have the right to protest, whenever, wherever and however they please. The School Board may establish and enforce regulations to prevent demonstrations from materially disrupting classwork, creating substantial disorder or infringing upon the rights of others.
- 431.02.5: Written Expression
 1. Space on one or more bulletin boards will be provided in each school for students to use to post any literature of a non-commercial nature. Prior approval by the principal or a designated representative is required to ensure that posted literature is not obscene, libelous or of the nature that could cause material disruption of the educational environment. A denial of approval may be appealed as set forth in the due process rights section below.

2. Students have the right to distribute newspapers or other printed material of a non-commercial nature on school grounds, if the building principal has been notified that said distribution is to take place. The building principal or designee is authorized to limit the time, place and manner of distribution as it relates to possible substantial interference with educational activities. The name and address of the person or organization distributing the literature must be printed on the literature. The principal, or a designee, shall curtail distribution of material he or she considers obscene, libelous or materially disruptive to the educational environment. The decision of the principal or a designee may be appealed as set forth below.
 1. (The term "non-commercial" as used in subparagraphs 8.17.02 (E) (1) and (2) above includes announcements and notices of a commercial nature by or on behalf of local non-profit, charitable or service organizations.
3. Any and all student publications shall be produced only by students, not to preclude the right of the principal or other administrator to control the use of school equipment and the use of the school building. Editing shall be done by student editors chosen by the publications staff. The principal or a designated representative shall be accorded the opportunity to review material to be printed prior to printing and may suspend the printing of material he or she considers obscene, libelous or materially disruptive of the educational environment. The decision of the principal or a designee may be appealed as set forth below.
 4. Students have the right to present to school authorities written petitions, grievances or complaints regarding any rights set forth herein and the right to receive prompt and timely written replies regarding the disposition of their petitions, grievances or complaints. These timely replies will be given within fifteen (15) days.

431.03 – Right to Due Process of Law

- 431.03.1: Students shall be afforded the right to due process of law.
- 431.03.2: Notice of rules and regulations - (Student Handbook):
 1. At least annually upon entering or enrolling in school, every student shall receive a handbook that includes, with reasonable specificity, a list of school rules, procedural rights and penalties for violations. Students have the responsibility to inform themselves of these rules. Physical force or restraint may be used by school personnel only to prevent a breach of discipline or to stop a continuing breach of discipline.
- 431.03.3: Appeal of decisions denying dissemination of written expression or denial of petitions, complaints, or grievances
 1. The reasons for denial of petition, complaint or grievance shall be furnished in writing. The decision of the principal or a designee may be appealed to the District Administrator. The decision of the District Administrator may be appealed to the School Board.
- 431.03.4: Right to due process of law in disciplinary procedures
 1. *Suspension*: The school district administrator, or a principal or a designee may suspend a pupil for violation of the rules or for conduct by the pupil while at school or while under the supervision of a school authority which endangers the property, health or safety of others. The required elements of the suspension

procedure also are set forth in section 120.12 (b) of the Wisconsin Statutes and Section 434 of Oregon School Board policy.

2. *Expulsion*: The School Board may expel a pupil from school whenever it finds him/her guilty of repeated refusal or neglect to obey the rules, or finds that he/she engaged in conduct while at school or while under the supervision of a school authority which endangers the property, health or safety of others, and is satisfied that the interest of the school demands his/her expulsion. The procedural elements of due process including the right to notice of charges, hearing representation, record and appeal are set forth in section 120.13 (c) of the Wisconsin Statutes and Section 434 of Oregon School Board policy.

431.04 – Right of Privacy and Freedom from Unwarranted Search or Seizure of Property

- 431.04.1: School officials shall investigate any suspicion that conduct or materials dangerous or harmful to the health and welfare of students, school personnel or property are present within the school. If warranted, school officials shall involve and cooperate with law enforcement personnel in any such investigation.
- 431.04.2: Cooperation with law enforcement agencies
 1. If law enforcement personnel seek permission from school authorities to search a student or the student's property or locker to obtain evidence related to criminal activities, the school officials shall require the police to obtain a valid search warrant unless: (1) there is un-coerced consent by the person whose interests are involved, (2) there is probable cause and circumstances are such that taking the time to obtain a warrant would frustrate the purpose of the search or, (3) a valid arrest has been made and the search is incident to the arrest.
- 431.04.3: Search of Students
 1. In the interest of the welfare of the students and the school community, it may be necessary to search a student or the student's property. The search may be conducted if the school official or his/her designee has a reasonable suspicion that the student has obtained, or has in his/her possession, items in violation of school regulation, local ordinance, state, or federal law.
 2. No school official may conduct such search unless he/she suspects from reliable information or personal observation, which a student is in violation of school rule, local ordinance, federal law or state statute.
 3. In such cases the following procedure will be used:
 1. Inform the student of the reason for conducting the search.
 2. Request the permission of the student to conduct the search.
 - Procedure if the student consents: The school official or his/her designee who is conducting this search may request the student to empty pockets, purses, backpacks, or other articles used to carry personal effects; to remove hats, shoes, and/or to roll socks down. The school official or his/her designee can also request a student to remove outer garments, such as sweatshirts, sweaters, jackets or vests if worn over blouses, shirts or t-shirts. No school official or school employee has the right to request the removal of any other clothing or to conduct a strip search as defined under Section 431.04.3(3)(2)(2)*.

If the student cooperates, the school official or his/her designee shall notify the student's parent or guardian of the reason for such search.

- Procedure if the student refuses to cooperate: If the student refuses to cooperate, the school official or his/her designee has the authority to conduct a search as described below:
 1. The school official or his/her designee has the right to involve a parent or to turn matter over to law enforcement officials. The student's parent may be requested to encourage the student's cooperation. If the school official turns the matter over to law enforcement officials, the student shall be detained until the law enforcement official arrives. The school official or his/her designee will notify the parent or guardian as soon as possible of the search and the reason for the search by law enforcement officials.
 2. Danger to Students and Other Individuals (K-12) – If a school official or his/her designee has reason to suspect that a student is carrying a dangerous or illegal item or substance and if a school official or his/her designee believes that an immediate search is necessary, he or she may search a student's pockets or belongings and conduct a pat-down search. The student shall be detained until such time as a law enforcement official arrives.

At no time will a strip search be conducted by a school official or his/her designee. A strip search is defined in Wisconsin statutes 948.50.

- Involvement of Law Officials – Any school official or his/her designee has the right to contact a law enforcement official to take appropriate action.
- 431.04.4: Search of Lockers: The Board has provided school lockers for the purpose of providing students with a convenient receptacle for clothing, books, and other articles necessary or convenient for a student's use during the school day. The student has no property interest in any locker. Lockers are subject to search by the administration to protect the health and welfare of the school community. A search will be conducted only when there is reason to suspect violation of school rules, regulations, local, state, or federal law or in the presence of the student concerned. Authorization to search a locker will be given only by the school administrator or a designee. The search will be made in the presence of two school officials and, if practical, the student. A record will be kept for one year by the school of all lockers searched, including the reason for the search and the findings. All lockers may be opened and/or inspected for housekeeping and repair purposes.
- 431.04.5: Search by School Authorities:
 1. Who may conduct a search
 1. A school administrator or his/her designee and one additional person may conduct a search. At least one of these two people must be of the same sex as the student being searched.
 2. On a field trip, during an extra-curricular activity, or on a school bus, any school official or his/her designee, male or female, may conduct a search

without an additional person if no other adult is available. Any search must be conducted within the guidelines of the policy covered under C.3.

- 431.04.6: Documentation: For all searches, the individual doing the search shall maintain a written record of all actions leading up to and including the search. This document will be kept in a secure place in the school where the student attends.

431.05 – Other Rights and Responsibilities

- 431.05.1: Jurisdiction Over Non-School* Activities: School officials may regulate out-of-school behavior if it affects the in-school behavior of the student or the welfare of others in the school. The school administration is specifically authorized to control the drinking of intoxicants, use of controlled substances or smoking while the student is at school, while under the supervision of a school authority or while engaged in a school activity. School officials may remove or cause to be removed individuals whose behavior indicates they may be under the influence of alcohol or controlled substances.

*This is not meant to supersede any additional rules and/or regulations concerning a standard of conduct, in or out of school, to which a student may agree to adhere as a part of a voluntary membership in a school activity and/or organization.

- 431.05.2: Parental Participation: The parent or guardian of a student under the age of 18 years shall have the right to be informed of all matters affecting the education and discipline of the student.
- 431.05.3: Personal Behavior: Personal behavior shall not be used as a method of evaluation of academic performance.

431.06 – The general standards set forth in this document are not intended to constitute the whole body of rights and responsibilities. The importance of the continued clear verbalization of the rights and responsibilities to the educational process renders necessary and continued review of the document on a regular basis.

Legal Reference: 118.32 / 948.50 / 120.13(1)

Adopted: October 13, 1997

324: Establishment of and Changing of Student Names

- 324.1** – In order to promote the confidentiality of student records, to prevent record keeping errors and to facilitate orderly changes in student names, the District will honor only those name changes which have been authorized by court order upon proper notice of that order being provided to the District.
- 324.2** – Individual student records shall only be in the legal name of a student, which shall be taken from the student’s birth certificate or from a circuit court order. In the absence of either of these original sources, the District may accept, as evidence of the student’s legal name, a baptismal certificate or other religious document, a social security card or another verifiable form of governmental identification.
- 324.3** – The District will not honor informal, non-judicial changes in student names whether upon the request of the student, a custodial parent or a third party. Specifically, a common law declaration of a name change by a student, his/her parent or custodian will not be honored by the District.

Adopted: November 8, 2004

Revised: July 23, 2007

From: Joshua King <squash5422@gmail.com>

Date: Monday, August 9, 2021 at 8:17 AM

To: "Rep.Thiesfeldt@legis.wisconsin.gov" <Rep.Thiesfeldt@legis.wisconsin.gov> ,

Subject: Testimony in favor of SB 463

I am submitting the following testimony in favor of SB 463 and will be read at the August 11th joint committee hearing.

Rep. Thiesfeldt

I am submitting written testimony for the record in favor of SB 463 for the August 11th joint committee hearing.

I am a resident of Oregon, WI., now going on 7 years, with children enrolled in the Oregon School District. I am the child of two educators, one a 33-year career teacher and another who found the calling to educate learning disabled children later in life. Additionally, I am the proud brother of the Dean of Students at a school located in the outskirts of Houston, TX.

I share those facts about me in the hopes that I can convey my understanding and gratitude for the profession of education and the rigors in which our teachers toil. It is with great frustration and now shock that I am compelled to speak here to today as my school district, once one with a reputation for academic rigor, now has regressed into a secretive, ideologically motivated collection of what can only be accurately called radical activists. I assure you I don't use those words lightly and I will provide evidence of runaway agendas hidden by our school administrators. In just the past 2 years, we have learned that our non-elected superintendent of schools Leslie Bergstrom, the General Counsel for our 4000-student school district Jina Jonen, and even non-education related groups within our district have developed, delivered and trained, out of view of the school board and any parents, content that virtually no parent could consider appropriate without proper review and consent. An example, with video evidence I'm willing to share with any of you, is of a "social-emotional-learning instructors" Michelle Kretschman, guiding her elementary level educators on when and how to purposefully prevent parents of K-5 children from knowing that their children have expressed signs or indications of mental struggles, specifically gender confusion. I ask you all with children, in what ethical or legal scenario is it acceptable to purposefully hide such a significant mental health discovery from parents who only want to care for the most valuable blessings in our lives? Important to note here that a third-party group of activists were included in developing this content without parent knowledge. And if it could not be more unbelievable, this training guided on using alternative gender names for those children at school but insisted on maintaining the use of children's parental given names, the legal names of record, when conferring during parent teacher conferences or other engagements so as to keep them "happy" and ideally ignorant of what their child may be going through. This actually goes directly against approved OSD policy and was only shuttled through our superintendent, legal counsel and HR by calling it "best practices" so as to avoid any opportunity for it to come up in school board meetings. Separately but just as shocking, our high school librarian just last year

disseminated an instructional 60+ page PDF to all teachers for consideration of use for their classes. This tool was a product of the Zinn Education Project, a self-described socialist and Marxist group, which in part included instructions on how to execute a military style tribunal on who to hold guilty for the Covid-19 pandemic. This piece was geared to 8th graders and again, I am willing to share this piece with you all, directing its main culpability to white supremacy amongst other groups of society that it targets as enemies.

I have to limit these experiences to the time allotted today, however there are many more examples of purposeful deceit from our unelected administrators and elected school board members. However, if a family like mine and so many others who want to collaborate and share the great responsibility of educating our children can't trust the curricula development and implementation then we have reached an absolute impasse. This impasse is one born of violated trust, unexpected secrecy and stolen responsibility and may never be mended again in the government school system. We have exhausted ourselves in attempts to partner with our school district leaders only to face contempt and more secrecy. This is a runaway train in my little town and there is no end in sight unless you act to make public education curricula, best practices, and other programs transparent to all parents and guardians. What is it that we can't handle? What topics should we not have visibility to see and understand? What is it about our pride and joy, our children, that only teachers should convey? What have we devolved into when a parent's kindergartner has secrets with their teachers involving sexual, physical, mental, or other issues that can't be shared with those who bear the responsibility for raising them? This is not a theoretical debate; this is reality, and it is now confrontational. You are the peoples' elected rule makers and are responsible for protecting parents such that they have access to ALL curricula and content that is presented in a taxpayer funded government school setting. The only solution here is to reintroduce the parent into the decision-making process for ALL curricula, "best-practices" and material delivered. I urge you to not only pass SB 463, but to make it your agenda to investigate how local education is conducted in Wisconsin. The parents in Oregon will stop at nothing for the right to raise our children in the manner that we see fit as that is both God given and legally demanded. Thank you.

Josh King

US Navy Lieutenant (Former)

--

Respectfully,

Josh King
608.332.8124

August 11, 2021

Co-Chairs Darling and Thiesfeldt and members of the Senate and Assembly Committees on Education

My name is Terri Phillips and I am the Executive Director for the Southeastern Wisconsin Schools Alliance (SWSA). Our membership includes over 30 public school districts and we educate roughly 25% of Wisconsin's public school children.

I am writing on behalf of the SWSA in opposition to SB411/AB411 and SB463/AB488.

Our school leaders focus on maximizing student learning and student achievement. We do this by creating learning environments that provide opportunities for ALL children. Students receive what they need, when they need it in order to set them up for success. We value and recognize differences among students and personalize educational opportunities to meet their needs.

We oppose these bills for the following reasons:

- **Local Control:** Wisconsin describes itself as a local control state. This bill is yet another mandate to impose restrictions and/or opinions upon local school districts and school boards. School leaders and their communities should determine how information should be taught to students.
- **Penalties to School Districts:**
 - Withholding 10% of state aid distributions as a penalty to school districts is incredulous. How is this possibly going to be monitored at a state level?
 - Any parent or guardian of a student may bring a claim against a district. Now districts will be dealing with legal issues constantly as each parent may have a different lens as to how curriculum should be taught. How might these be validated?
- **Posting District Curricular on the Internet:**
 - **SB411/AB411:** Most districts already post their curriculum on their websites. Curriculum is shared with parents and community on a regular basis and discussed at school board meetings. This bill is trying to solve a problem that doesn't exist.
 - **SB463/AB488:** The requirements of this bill place an incredible burden and responsibility on the school board to list all information related to learning materials and educational activities on the district website. As mentioned in the bullet above, the curriculum is shared with parents/guardians & community members via the website.
 - Educators are constantly modifying and improving opportunities for kids. The cost associated with trying to upload all of this information and maintain the content would be incredible.
 - Public schools are already taxed with multiple unfunded mandates. Will this proposed unfunded mandate improve student achievement outcomes or further place undue burden on our education leaders? How does this bill support kids?

- **Conflicting requirements between state statutes:**
 - Holocaust Statute- signed into law April 2021
 - This law requires Wisconsin middle and high school social studies classes to teach about the Holocaust and other genocides.
 - How are social studies educators possibly going to teach about the Holocaust without a discussion about racism and anti semitism? The schools (educators) would be penalized as a result. This is contrary to current law.
 - Other bills circulating that arguably contradict this bill include:
 - AB381/SB379 relating to the school board to provide instruction on Hmong Americans and Asian Pacific Islander Desi Americans.
 - AB273 relating to required instruction in African American history in the elementary and high school grades and making an appropriation. (FE)
- **Historical Educational Content:** How can history teachers possibly discuss and teach some of historical events that have occurred without being in violation of this bill? Students will be unable to learn and discuss events such as
 - The U.S. Civil War
 - World War II and the atrocities of the Holocaust
 - The 15th Amendment; right to vote shall not be denied on account of race, color or previous condition of servitude
 - The 19th Amendment; Women's Right to vote; Women's Suffrage Movement
 - Native American History
 - And the list goes on...

These proposed bills make it very difficult for our educators to teach many key events in world and US History. In addition, these bills inhibit the ability to hear multiple and diverse perspectives so our children can make informed choices and decisions. Ultimately, these bills eliminate the opportunity for civil discourse on critical historical conversations without fear of repercussions.

We ask that you step back and review the language in these bills and consider the negative impact these bills will have on future generations. We ask the committees to oppose these bills.

Respectfully,

Theresa A. Phillips

Terri Phillips
SWSA Executive Director
swsaexecdirector@gmail.com
www.schoolsalliance.com

From: Leah Deml <leahdeml@gmail.com>

Sent: Tuesday, August 10, 2021 12:14 AM

To: Rep.Wichgers <Rep.Wichgers@legis.wisconsin.gov>; Rep.Thiesfeldt <Rep.Thiesfeldt@legis.wisconsin.gov>

Subject: Supportive of SB463

Hello,

I would like to advise you of my support for SB463, SB411, AB411, and AB414. I have been fighting tirelessly to have my children receive a nonpartisan and wholesome education free of controversial biased political issues, left wing activism, critical race theory, and identity politics.

It is a constant battle as keeping my children's public education free of these elements requires the correct school board members being elected, curriculum surveillance, advocating for curriculum transparency, school board meeting attendance etc. This takes up a lot of my time and energy. It would be wonderful if these bills were passed so I would not have to constantly worry about these issues. Thank you and please support these bills. Lots of parents need these bills.

Thank you,

Leah Deml
SDNB
414-507-3470

From: Ellen Goltry <ellentylman3@aol.com>
Sent: Thursday, August 05, 2021 4:00 PM
To: Rep.Thiesfeldt <Rep.Thiesfeldt@legis.wisconsin.gov>
Subject: Testimony in favor of SB 463

Good afternoon,

I am submitting written testimony for the record in favor of SB 463 for the August 11th joint committee hearing. Also attached are examples with my testimony for the hearing on August 11th.

Sincerely,

Ellen Goltry

Chairman Thisfeldt,

I am submitting testimony in support of SB 463 for more curriculum transparency in our schools. Unfortunately, I have navigated several issues with my School District in Germantown, particularly with our School Superintendent (Brett Stousland) and our Director of Teaching and Learning (Brenda O'Brien). They both deny that critical race theory (CRT) is taught in our schools.. As a first-generation immigrant to the United States, I know the struggle that all communities, regardless of skin color or nationality, have endured to build a better life for their children. The terminology used in the critical race theory application does an injustice to families like mine – stereotyping and discriminating against individuals merely based on the color of our skin.

Below and attached to my testimony are just a few examples that other parents and I have uncovered that proves CRT is being pushed in our schools:

- On 10/20/20, Brenda sent an email to the entire Germantown Teaching staff promoting social justice books in elementary, middle school, and high-school classrooms. The email is attached below:

From: Brenda OBrien <bbobrien@gsdwi.org>
Date: October 29, 2020 at 11:21:22 AM CDT
To: MA Teaching Staff <mateachingstaff@gsdwi.org>, RF Teaching Staff <rfteachingstaff@gsdwi.org>, CL Teaching Staff <clteachingstaff@gsdwi.org>, AB Teaching Staff <abteachingstaff@gsdwi.org>, KMS Teaching Staff <kmsteachingstaff@gsdwi.org>, GHS Teaching Staff <ghsteachingstaff@gsdwi.org>, Andy Eisenbach <aeisenbach@gsdwi.org>, Dana Croatt <dcroatt@gsdwi.org>, Joel Farren <jfarren@gsdwi.org>, Katie Kohe! <kkohel@gsdwi.org>, Susan Climer <sclimer@gsdwi.org>, Steven Williams <swilliams@gsdwi.org>, Jennifer Johanssen <jjohanssen@gsdwi.org>, Marc Lehnerer <mlehnerer@gsdwi.org>
Subject: Social Justice books

In reading the latest issue of *Educational Leadership*, I found this link to children's books on social justice. While the main focus is for elementary, this website includes titles for middle and high school as well as professional reading around these topics.

<https://socialjusticebooks.org/booklists/>

As we continue to grow resources so we can better represent ALL students in texts, please let me know if you would want to add titles to align with your curricular topics.

Additionally, when teaching around social justice and using articles/texts/books as resources and teaching multiple perspectives, ask the students' "Who's story isn't being told?" at the end of the reading. This will prompt discussion around other perspectives that might not be revealed in one text.

Happy Thursday!
Brenda

A link to these books is also provided by Brenda in the body of her email. A few titles include Activism and Organizing, Black Lives Matter at School, and White Identity just to name a few.

Here is a link to the entire booklist:

<https://socialjusticebooks.org/booklists/>

- At a recent Teacher's Inservice held on 3/12/21, Brenda O'Brien invited all of the Germantown School District teachers to participate in a book study entitled "Me and My White Supremacy" written by Layla

----- Forwarded message -----

From: **Brenda OBrien** <bobrien@gsdwi.org>
Date: Mon, Oct 26, 2020 at 10:18 AM
Subject: Book Study and Professional Goals
To: GSD All Staff <gsdallstaff@gsdwi.org>

Happy Monday!

Just wanting to update everyone on the status of the book studies for *Why Do All The Black Kids Sit Together in the Cafeteria* and *Me and My White Supremacy*.

I am working with Linetta Davis, a consultant from the UBUNTA Research and Evaluation - "a learning organization led by Black women to facilitate organizational development, strategic leadership coaching and capacity building for those in public health, education, and non profit sectors." I've asked Linetta to help facilitate conversations around social justice.

I'm in the process of securing March 12 as a date to have Linetta and her team facilitate a workshop designed to 1) identify and learn about multiple identities and how they intersect 2) become aware of who may be left out of advocacy work in schools 3) challenge barriers and create solutions using an intersectional framework. There would be an hour long lab where staff will review school documents, handbooks, and data through the lens of intersectionality. This would be a total of a three hour workshop.

For those who are using this book study as their professional goal, please review the following statement sent on September 18. There will need to be additional meeting times (outside of the March 12 proposed date) and "evidence of progress" to consider this a goal. *Some staff asked if the district-wide book study could be considered a cohort group. Based on the criteria found on the second page of the document, if someone is ONLY reading the book and coming to the established meeting times, the answer is "no." In order for it to be a cohort group, there needs to be additional meeting times (at least monthly), a facilitator of the group taking notes, and "evidence of progress" in between the meetings - learning and actions teachers are implementing in the classroom as a result of the reading and discussions - that are shared at the monthly meetings. If that happens, the book study is a cohort group.*

I will continue to update staff as I work with Linetta and her team to secure a date, time, and location for the three-hour workshop.

Thank you!
Brenda

Me and White Supremacy
Discussion Guide

School:

Number of Participants in the Discussion:

The self-reflection questions and group discussion questions are taken from me and white supremacy: a guided journal, an official companion to the book by Layla F. Saad.

Self-Reflection: Each participant is encouraged to write down their thoughts and reflections regarding the following questions. The group may choose to discuss these questions or begin with the “Group Discussion” questions in the next section.

1. In what ways do you hold white privilege? Study the list from Peggy McIntosh on page 37 and reflect on your own daily life. Make a list of the different ways you hold white privilege in your personal life.
2. What have you learned about your white privilege that makes for positive experiences? Might have caused harm to others? Makes you uncomfortable?
3. Author Robin DiAngelo defines white fragility as “a state in which even a minimum amount of racial stress becomes intolerable, triggering a range of defensive moves.” How does your white fragility show up during conversations about race? Do you fight, freeze, or flee?
4. Think back across your life, from childhood to where you are in your life now. In what ways have you consciously or subconsciously believed that you are better than BIPOC? According to the author - “Don’t hide from this. This is the crux of white supremacy. Own it.”

Group Discussion: The whole group is invited to discuss the following questions. The recorder should summarize the discussion.

1. ‘White Fragility’ is a phrase coined by author Dr. Robin DiAngelo and is defined as “a state in which even a minimum amount of racial stress becomes intolerable, triggering a range of defensive moves.” When the author began directly writing and talking about race, she realised how deeply white fragility runs in the vast majority of white people. So many of the white people who were interacting with her work had so little experience talking about race that any racial discussion lead to them having a total meltdown.
 - a. Reflection: Where and how does white fragility show up? Why do we need to look at white fragility?
2. Tone policing is a tactic used by those who have privilege to silence those who don’t by focusing on the tone of what is being said, rather than the actual content. Tone policing doesn’t only have to be spoken out loud publicly. People holding white privilege often tone police BIPOC in their thoughts or behind closed doors.
 - a. Reflection: Where and how does tone policing occur in daily interactions? Why do we need to look at tone policing?
3. In the book, White silence is defined in the way it sounds. It is when people with white privilege stay complicity silent when it comes to issues of race. Tone policing is about how you silence BIPOC. White silence is how YOU stay silent around race.
 - a. Reflection: Where and how does white silence occur in daily interactions? Why do we need to look at white silence?

4. As the author states, "If being seen as a 'good white person' has been your biggest desire, then being called out for your racism is your biggest nightmare. Because of fragility, superiority, exceptionalism and all the topics we've covered so far, if you are not committed to a life-long anti-racist practice then you do not do well when you are called out for causing harm through racism."
 - a. Reflection: What are some common reactions when being "called out"? What have you felt, thought, said or done when called out, or how do you think you would react if it hasn't happened yet?
5. Review White Apathy, White Centering, Tokenism, White Saviorism, White Feminism, and Optical Allyship.
 - a. Reflection: Where might be the biggest work when it comes to anti-racism work? What connections can be made when reflecting on these concepts?
6. According to an article in EducationWeek (July 18, 2019), "For students of color, characteristics of White Supremacy Culture similar to microaggressions hijack the amygdala. Consequently, 'all other cognitive functions such as learning, problem solving, or creative thinking stop,' (Hammond, 2015) activating our fight, flight, or freeze response. This can create power struggles, a learning opportunity gap, and as the scholar Monique Morris writes, students being pushed out of schools. Therefore, unexamined behaviors of White Supremacy Culture are preventing students from being comfortable or supported enough to learn and flourish. For example, pushing students to work independently or write before processing verbally can lead to stress and isolation. Another example might be superficially speeding through content or discouraging interruptions for questions. Due to stereotype threat, this is especially problematic when students of color are a numerical minority in a classroom or school. It is imperative that we examine our actions to see if they are further harming students of color, disempowering them, and creating a psychologically hostile learning environment."
 - a. Reflection: What are some unexamined behaviors that might be preventing ALL students "from being comfortable or supported enough to learn and flourish?"

-Original Message-----

From: Diane <idschlosser@wi.rr.com>

Sent: Monday, August 09, 2021 5:20 PM

To: Rep.Thiesfeldt <Rep.Thiesfeldt@legis.wisconsin.gov>

Subject: Support for AB 463

Please see attached my testimony and written support for AB 463 and other CRT-related bills. I am unable to attend the hearing. Thank you for supporting this!

John and Diane Schlosser
Brookfield

*Diane Schlosser
18515 St. Andrew Ct.
Brookfield, WI 53045*

Good morning,

I am submitting written testimony for the record in favor of SB 463 for the August 11th joint committee hearing. I am also in favor of the other three bills related to removing Critical Race Theory practices from K-12 public schools, public university student/staff practices, and state employment practices.

We have two granddaughters in the Elmbrook School District – one in 5th grade; the other in sixth grade. The 5th grade teacher assigned the students the **task of creating protest posters as part of English class**. The topics were pre-selected by the teacher: save the whales, ban extreme sports, climate change topics, and other ‘controversial’ issues. It was entitled “Persuasive Poster” but in the description it directs the students to “think of this as a protest poster...include strong, persuasive language or commands.” Had this assignment been part of a curriculum FOIA request, it may not have been flagged because a “Persuasive Poster” seems innocuous enough. It isn’t until you actually read the description and requirements that you discover the underlying agenda.

This same 5th grade **teacher told her students that the Martin Luther King, Jr. marches were just the same as the George Floyd protests**. My granddaughter voiced her disagreement (and her African-American friend agreed) that these two are not even close to being similar. The teacher insisted she was in the right, but my granddaughter held her ground. This kind of repartee with an 11-year old undermines the student/teacher relationship.

Several parents and my granddaughter also informed me that this same 5th grade class was reading a book entitled *The New Kid*. In discussing this story about a black student attending a mostly white school, the teacher said to the students: ***“When you see an individual black person, you automatically think he or she might be a criminal because it is ingrained with you.”***

In the Wisconsin Hills Middle School, my other granddaughter seemed very angry when I picked her up from school one day. She told me her **music teacher** played beautiful excerpts from *The Nutcracker Suite*, but then switched and **required them to listen to the audio of a video about the Jacob Blake riots and police brutality**. She was very upset. A close relative is a police officer so this kind of denouncing of law enforcement caused her a great deal of anxiety.

I have signed affidavits on these testimonies. Moreover, the recent discovery of child sex porn and instructions on how to ‘go around’ the age limit of sex apps to hook up with adults is horrifying! We already have a human trafficking problem in some of these suburbs and the school-sanctioned sex ed grooms our children to be victims of sex predators. What are these people thinking?? It’s disgusting. I’m appalled. Adults are supposed to protect children not victimize them. These ‘schools’ no longer act as the academic institutions they were meant to be, but ugly indoctrination quarters.

This was the last straw and our granddaughters have left the Elmbrook system for good and are now enrolled in another school.

I am so grateful for your critical support for this legislation and others like it. Keep up this good work to restore academic excellence and education.

Sincerely,

John and Diane Schlosser

"You can't be pushing diversity and dehumanize an entire swath of people."
----Asra Nomani
Parents Defending Education

To Whom it may concern,

I am submitting written testimony to Libby. My name is Debora and I worked as a Paraprofessional for the Green Bay School System for several years.

It is important to the future success of our children to educate on the history of our country, constitution and the Republic. We are a Free country.

We need to know what is being taught in the classroom. Get the SB 463 Bill Passed EVERYONE needs to be accountable.

Debora L.E.
Paraprofessional Green Bay Schools
920 265-9587

10/10/2010
10/10/2010
10/10/2010

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10/10/2010

To Whom It May Concern,

I am writing in favor of the Senate Bill 463. I am a teacher for the Pulaski School District. I have noticed for decades but, more pronounced within the last few years that we have some important issues that need change: 1-CRT, 2-Marxism, and 3-Virtual Teaching. It's becoming an epidemic that many school boards and educators are teaching the children to focus on these issues which is causing division, anti-Americanism, and becoming weak-minded/idiocracy. This is interfering with our children's growth and intelligence and contributes to psychological issues. The school boards pushing this agenda should lose funding.

These issues have no place in the public education system:

1-Critical Race Theory (CRT)

This is about teaching students to feel guilty and privileged about specific races.

2-CRT/Marxism/Socialism-

Is teaching students to hate their U.S. country and god as well as trying to erase important events and statues of our precious history.

3-Virtual Method and structure being taught-

Students are experiencing very low levels learning (academics) because: of boredom, emotional issues, confusion, and poverty.

As a teacher I feel that we need transparency from all Wisconsin school boards for the parents, teachers, students, and community. We have the right to know (ahead of time) what is being taught in the school system. School boards NEED to make information about learning materials (photos, videos, lesson plans, and educational activities) available to the public. This also, applies to salaries, policies and procedures and should update the community with any and all changes throughout the year.

Sincerely,

J.

54155

I am in favor of the SB463 bill which allows parents to see what is being taught to their children on a publicly accessed website. It will also me as a grandparent to see what they are learning. Right now in public education children are being fed disgusting garbage especially Critical Race Theory. This is so wrong!! With this bill hopefully we can hold educators accountable to what they are teaching our children. We need to stop them from poisoning their minds.

Chris
Green Bay School District
54304

Thank you Chairman Thiesfeldt and Chairwoman Darling for today's hearing. My name is Alyssa Pollow. I am a resident of the Germantown school district, mother to two young children and I am testifying in support of SB 463 and 411. Many parents are learning that some of our educators are not focused on objective academics, but instead are using classroom time and school resources to push harmful political agendas. Superintendents and directors of education have failed to provide appropriate oversight or notification of politically charged curriculum and in-service training for our teachers. We need transparency in our schools.

Obtaining detailed information about these issues has not been easy. We have been told by district leaders that our requests for information are too vague and broad, that we need to define our terms better, despite the constantly shifting language in certain ideologies. We have been told that we need to directly contact the principal of the school for in-service materials because the district administration couldn't provide them. We experience superintendents playing games of semantics and pretending to not know what we are asking for, in efforts to delay disclosing the information to parents who are concerned about their children's education.

In my district the director of education held a teacher in-service focused around Culturally Responsive Frameworks and encouraged teachers to read *Me and White Supremacy*. The discussion guide for this in-service referenced work from Peggy McIntosh and Robin DiAngelo. The goals of this in-service were 1). Identify and learn about the multiple identities and how they intersect (which is Kimberle Crenshaw's Intersectionality theory), 2). Become aware of who may be left out of advocacy work in schools; and 3). Challenge barriers and create solutions using an intersectional framework (again, referencing Crenshaw's work on intersectionality). Our director of education attempted to hire the Ubuntu Research and Evaluation group to conduct this in-service, and has encouraged staff to buy books from SocialJusticeBooks.org. These books teach students to become activists and agitators. Additional emails have shown encouragement for Ibram X Kendi's books, *Stamped from the Beginning* and *How to Be An Anti-Racist*.

A principal at one of our elementary schools spent time at multiple teacher in-services to focus on explicitly political agendas including: Gender and Privilege, Disability and Privilege, Privilege and Legal Structures, Identity and Personality, Socioeconomic Status and Privilege, Culturally Responsive Classrooms, and Privilege, Intersectionality and Positionality. Is privilege really the most pressing issue facing this elementary school and our district? Mind you, this is happening in the midst of a pandemic, when the psychological and emotional well-being of students and teachers is fragile, and the academic achievements of many were falling behind. In additional emails we have found discussions about incorporating culturally relevant problem solving in math, and further references to materials such as *Courageous Conversations About Race*, *Integrated Comprehensive Systems*, *Teaching Tolerance*, *Anti-racist Teaching*, *Culturally Responsive Pedagogy*, and *Abolitionist Teaching*.

If this is the material that is being leveraged against our teachers and staff to change the way they teach, there is no doubt it will change the way curriculum is delivered and interpreted by

our students, our children. Transparency is needed in all facets of our K-12 education: classroom textbooks and supplemental materials, homework assignments, reading lists, library content, and teacher in-services. The faith and trust that parents have put into their school districts is broken, and we feel our students have been taken advantage of, and a quality education has been stolen from them. We should be teaching our children to elevate gratitude over grievance, optimism over pessimism, forgiveness over resentment, understanding over ignorance and honest diversity over conformity.

Thank you for your time and concern.

Alyssa Pollow
W156N9812 Pilgrim Road
Germantown, WI 53022
262-424-7614
aspollow@gmail.com

August 11, 2021

Thank you, Chairman Thiesfeldt and Chairman Darling, for allowing us to testify today.

We are Julia and Joseph Zaccaria. We live in Brookfield Wisconsin. We have two children in the Elmbrook School District.

We are in support of Senate Bill 463, proposed by Senator Stroebel and Representative Behnke.

A current problem in our schools is content within school curriculum which shouldn't be there, that is being hidden from both parents and the public, with no controls for governance or accountability.

There are Policies and Laws, but they are largely unenforced and obscured from the public.

One of many first hand examples we can give, happened this past year in our 10th grade child's Human Growth and Development lessons.

Our child's teacher created a "sex survey" on a public internet-based survey application called "Poll Anywhere". To be clear, it was not the Youth Risk Assessment Survey.

Our daughter was coerced via peer pressure to participate in taking the survey. The teacher openly stated it was a completely risk free survey and the students' choice to participate. She stated this without telling the class anything about the content of the survey.

The survey was not preceded with any relevant discussion about the content or information within the survey. Additionally, none of the content was used in a follow-up lesson, deeming the survey useless.

The survey data was collected. It was posted on a big screen at the front of the classroom where the students were to view the accumulated percentages of their peer's answers.

The 10-question survey asked personal questions about sexual habits including whether the students had participated in anal sex or in group sex. Our child was lied to, misguided and not informed about the risks associated with sharing this type of information as well as about sharing information electronically.

Had we had access to know this survey was in the curriculum, it would have given us the opportunity to provide our child guidance and proper instruction regarding:

- Her right to privacy

- The reality of internet security and anonymity
- The many risks of publicly sharing this type of information
- How easily sexual predators obtain and use this information
- How often sexual predators are a trusted adult or authority figure in a victims life

We would have had the opportunity to address the thoughts and mental images it would and did place in our daughter's mind.

In actuality, we would have just opted her out of the survey. Some of the more sensitive content is in direct conflict with our beliefs and values, and that content was normalized by the event. The unnecessary thoughts and mental images it produced in our daughter's mind are now bothersome distractions to her learning, to her relationships, and to her emotional well being.

I was very lucky to take a photo of this survey, which I was only able to do because I picked my daughter up from school early, just before it was deleted from view.

When the picture was brought to the schools attention, the principal of the school sent an email to his student's parents that acknowledged it was unapproved and that although their policy is "crystal clear", this seasoned teacher whom he had told us "has just about every student in the school run through her class", didn't follow it.

There was no thorough investigation to look into why this survey was administered. There was no attempt to address the students that this survey harmed, or correct the misinformation and confusion it created in their minds. There was no communication on the steps that would be taken to make sure this survey, or anything like it, didn't happen again to other students.

Over the course of both our children's education in Elmbrook Schools, there have been numerous times that we have asked for specific curriculum content, assignment instructions, or access to sanctioned resources for an assignment, and have been denied. We have even been denied access to graded assignments.

Additionally, there have been numerous times that we have found inappropriate, controversial content that we had no opportunity to discuss with our children in order to provide them context of the topics in real world application.

Bill 463, will at least provide our kids, the chance of having some parental protection from the overwhelming harm our schools subject on them. It will also provide vital access that has been denied about our children's education.

Thank you again for your time.

Only Those Who Feel Threatened Hate Teaching about Race

The Republicans' latest wedge issue is being disguised in two bills brought forward by Sen. Darling and Rep. Thiesfledt—SB 141 and SB 463. These bills may seem to be endorsing non-discrimination on the basis of race or sex, but they do more and are built on two baseless beliefs.

The first is that learning how our laws, governmental policies and allocation of society's resources have allowed, if not promoted, barriers to the progress of non-whites will make students feel "discomfort, guilt, anguish or any other psychological distress." The second? Learning about our country's history of achievements while also facing up to its centuries of dehumanizing minorities will cause white students to feel ashamed of their race and country and become less patriotic.

Essentially, SB 141 prohibits our districts' faculties from teaching history and government based on facts rather than legends. It also disallows districts offering faculty programs dealing with systemic roadblocks to racial equity that still exist. Think about this for a minute. We have our legislature editing (revising?) history and mandating that teachers do the same.

SB 463 looks OK at first. Districts must make their curricula public via the Internet. But then it takes micro-management to a new level. In addition to posting courses of study, all textbooks, resource materials, bibliographies and teaching methods are to be included and the whole plan must be updated at least twice a year.

Let's mark both of these bills with a red F.

August 6, 2021

Senate Bill 411 and Senate Bill 463 Testimony

This bill attempts to ban teaching systemic racism and critical race theory. Let's be honest about it: the term, critical race theory only means including the true history of African Americans in our country as part of American History. Teachers ought to be able to teach the truth of our history both as a state and a country. I speak in opposition to Senate Bill 411 because it attempts to obliterate and whitewash our history in a way that is inaccurate and which no sensible educator would teach to students. Self examination is the path to improvement. Teaching the truth of our history does not demean our children. It lifts them up and breeds mutual respect.

There is no evidence that any teaching in Wisconsin teaches "students race or sex stereotyping" or that "one race or gender is inherently superior to another, or that by virtue of an individual's race or sex that that student bears responsibility for acts committed in the past by other individuals of the same race or sex." Senate Bill 411 presumes all of these myths which are not fact-based in the schools in Wisconsin. It is a misguided attempt to make it seem that by teaching the actual history of our country, white students will be blamed for slavery and other tragic aspects of our history. That's not the purpose of education at all, nor what Wisconsin teachers actually do.

Wouldn't it be refreshing for the Legislature to enact a bill that actually teaches American history with all of its complexity and the actual facts instead of trying to ban the true facts? Teaching accurate history of a pluralistic society is not open for debate.

Such a bill was introduced in the State Legislature in March, sponsored by State Representative Lakeshia Myers and State Senator Lena Taylor, partnering with the African American/Jewish Friendship Group Education Committee, of which we are all members.

That bill is LRB 0402, also known as Assembly Bill 273. Instead of working to ban actual history, which is the point of the Senate Bill 411, Assembly Bill 273, co-sponsored by 41 Democrats, would include African American history as an integral part of American history, which is long overdue.

What are the sponsors of Senate Bills 411 & 463 so very scared of, namely, that the facts will be taught on 4000 lynchings of African Americans in the South for which there is a Memorial for Peace and Justice in Montgomery, Alabama, the Tulsa Race Massacre in 1921, slavery, Reconstruction and Jim Crow? And also, that African Americans

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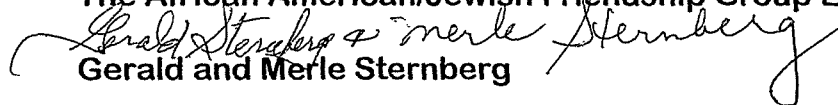
built the White House, they contributed mightily to medical advances, such as the Moderna vaccine to prevent Covid, many critical inventions, and so much else that is good in our country.

The sponsors of Senate Bills 411 & 463 are so worried that our bill, Assembly Bill 273, otherwise known as LRB 0402, could be adopted for students K-12 that they won't even give it a public hearing.

Let the sunshine in and let us eliminate bans that keep our children from an honest and accurate rendition of American history. Most Wisconsinites are not afraid of the truth. Vote down this short-sighted ideological effort that the sponsors of Senate bills 411 and 463 are promoting. The sponsors of these bills are the real cancel culture advocates.

Let the people of Wisconsin be heard in every community in the State, asking for a public hearing for Assembly Bill 273 and ultimately, its adoption.

The African American/Jewish Friendship Group Education Committee


Gerald and Merle Sternberg



August 11, 2021

To: The Senate Committee on Education and Assembly Committee on Education
Re: Opposition to SB 411 and SB 463

Wisconsin Faith Voices for Justice is an interfaith education and advocacy organization. We work with clergy, congregations, and people of faith across the state on issues of social and economic justice.

We are writing in opposition to SB 411 and SB 463. SB 411/AB 411 prohibit schools from teaching students about racism or sexism or that anyone by virtue of their race or sex bear responsibility for acts committed in our history by individuals of their race or sex. SB 463 requires school boards to post online twice a year all instructional materials – curricula, lesson plans, handouts, videos, books, etc. that are used in pupil instruction.

On the surface, these bills may seem sensible and uncontroversial. But they set us on a dangerous path to stifle the teaching of any difficult or sensitive topics and make it impossible for our schools to teach honestly and openly about the true history of discrimination against Native Americans, the institution of slavery, and ongoing racism that pervades our society.

Further, these bills are based on the false premise that our schools currently teach students, particularly white students, to feel guilty or personally responsible for the racist actions of their ancestors. This is not true.

What is true is that we built this country on land stolen from the indigenous population and built it largely through slave labor. The legacy of these activities permeates our society today and perpetuates racist and discriminatory policies and systems against Black, brown, and indigenous populations.

Our students can handle this truth. Not only can they handle it, but they must learn it.

It is necessary to teach that history in order to understand and address the ongoing impact it continues to have on the systemic inequalities in our society.

The protests after the killing of George Floyd, and the health and economic impact of the pandemic, have thrown into stark relief the reality of racial inequality in our country. We have

seen how the unequal access to health care has led to greater rates of infection, hospitalization, and death in communities of color. The economic fallout of the pandemic has had a disproportionate effect on communities of color. The harsh reality of police violence against people of color confronts us on the news almost daily. None of us can escape awareness of these injustices.

Our children see what is happening, and they ask questions. Our schools need to be able to address these questions honestly and openly. By teaching our children the truth of our history and how it still affects us today, we build trust between our students and their teachers. Our students need to be equipped to live in a multicultural society, to think critically about what they read and hear on the news and on social media, and to analyze and understand the systems and policies that underpin our society.

We cannot build a more equitable society for future generations without understanding our past.

The Bible says, in Leviticus 19: 14 “do not place a stumbling block before the blind”. We cannot allow these bills to be a stumbling block before our students, keeping them blind to our past or to the realities of how that past brought us to today.

Therefore, Wisconsin Faith Voices for Justice urges you to vote against these bills.

Statement re: Senate Bills 411 and 463

Senate Bill 411 Relating to: anti-racism and anti-sexism pupil instruction and anti-racism and anti-sexism training for employees of school districts and independent charter schools. By Senators Jacque, Darling and Nass; cosponsored by Representatives Wichgers, Ramthun, Allen, Behnke, Brandtjen, Dittrich, Gundrum, Horlacher, Knodl, Kuglitsch, Murphy, Neylon, Rozar, Sortwell, Armstrong and Tusler.

Senate Bill 463 Relating to: requiring school boards to make information about learning materials and educational activities used for pupil instruction available to the public. By Senators Stroebe, Darling, Felzkowski, Bradley, Nass, Testin, Wanggaard and Wimberger; cosponsored by Representatives Behnke, Thiesfeldt, Dittrich, Armstrong, Born, Brandtjen, Cabral-Guevara, Callahan, Gundrum, Knodl, Kuglitsch, Magnafici, Ramthun, Sortwell, Tauchen, Tittl, VanderMeer, Wichgers, Zimmerman and Schraa.

I stand opposed to these two Senate bills. There has been confusion and misinformation in the public domain about Critical Race theory and the teaching of the history of the United States.

Critical Race Theory is a paradigm for looking at and studying history with a focus on the impact of the social construct of "race." There are many paradigms from academic disciplines that look at history from those various academic viewpoints, i.e. the free market theory of Adam Smith, struggles of capitalism vs labor posited by Karl Marx, historical critical approaches to religious studies, educational instruction theories, etc. These paradigms do not teach facts and are approaches used to study and critique historical events and approaches to policy. They are academic disciplines in higher education. That is where Critical Race Theory lies: it looks at the impact of that social construct of race and how that construct has impacted social policies, public discourse, cultural values and social relationships.

Teaching history in elementary, middle, and high schools is a different enterprise. Teaching history is intended to create an educated and aware citizenship. As we all have become increasingly aware, our teaching of history in our educational system has not been complete and has often omitted telling of the stories of the indigenous peoples who originally inhabited this land and the stories of free African Americans in the years from 1619 to the Civil War. Our education systems have also often omitted the teaching of the impact of the Jim Crow era and the extent of lynchings, the policies of the New Deal and Post WWII G.I. bill, the removal of Native Americans from their homelands, and the treatment of Chinese and Asian Americans. While avoiding teaching about the impact of diseases brought from Europe on the indigenous of the land and the slaughtering of the native peoples who lived here with the coming of the Europeans and about the horrors of slavery and the treatment of peoples of color, the teaching of history has also not taught about the numerous peoples of European descent who stood for the principles of liberty and equality for all. There were many European descent individuals and groups before and after the Revolutionary War who stood for the Constitutional principles of liberty and equality. The Northwest Ordinance which included the territory of Wisconsin originally prohibited the practice of slavery in the territory.

Teachers need to teach history that includes all peoples of this country and the history of the founding and establishment of this country. Teaching about the genocide of Native Americans and the building of this country on slavery does not necessarily mean that European descent children will feel guilty. Learning history can be uncomfortable, but it also can be empowering in that “when we know better, we do better.” Our children are not responsible for the actions of generations that have come before them and do not need to hold guilt for those actions of the past. But they will be responsible for their actions in the future as an informed electorate. We have an obligation to teach our children complete unbiased, as much as possible, history of our country that includes the contributions of all the citizens of this land. The contributions of peoples from throughout the world have indeed been the strength of this country.

There is a complicated history of inequality and of systemic racism and there has likewise, always been a tension between those truths and the history of individuals and groups that have pursued equality and justice. That is the history we want to teach our children. In the past year, I have heard numerous people say “why weren’t we taught this in school?” as they have learned new information through reading and educational events and programs. We need to indeed teach a more complete history and encourage curiosity. We, as a state, want to develop a creative diverse citizenship, building on the Wisconsin idea that is a leader in education and creates an economy that utilizes the talents of all its citizens.

I hope you will thoughtfully reconsider the current bills and instead encourage the teaching of all of our history as a history to be proud of as our country has struggled to rise to the challenges enshrined in our Constitution. Encouraging the training of teachers to learn and teach all of U.S. history is a more important endeavor for the legislature.

Sincerely,

Mary Z. Nervig

6310 Sighting Road

McFarland, WI 53558