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Chairman Huebert and Members of the Committee,

Thank you for the opportunity to submit written testimony in support of HB 2662.

My name is Libby Sobic and I am an attorney licensed in Wisconsin and Director of Education Policy at the Wisconsin Institute Law & Liberty (WILL).<sup>1</sup> WILL is a non-profit law and policy organization in Milwaukee, Wisconsin. Over the last several years, WILL has represented Wisconsin public school parents as they navigated their public-school administrations while fighting for the best interests of their children. Additionally, WILL worked with Wisconsin state legislators to introduce and pass the nation's first curriculum transparency bill.<sup>2</sup> WILL is also currently advocating for Wisconsin's Parent Bill of Rights legislation.<sup>3</sup>

The massive impact of the pandemic on education is not regional or state specific. Parents in both the Badger and Sunflower states have dealt with unprecedented challenges to their children's education. Additionally, the pandemic provided parents with a peek into the classroom through online learning. These experiences have empowered parents to ask more questions about their children's education and policy decisions by the local public schools.

Furthermore, parents were able to see how their child was learning and get a firsthand experience of their child's needs and potential challenges to their education. For example, in Wisconsin, many parents realized that their child was behind in reading, which wasn't surprising given that only 30% of our students are proficient in reading at grade level.<sup>4</sup> According to the 2019 NAEP scores, Kansas is below the national average of student proficiency in math and reading.<sup>5</sup> Without a doubt, parents in Kansas experienced similar revelations about their child's academic needs.

HB 2662 is an important response to parental concerns in the public school system. The legislation reaffirms some federal rights that parents may not know exist and school districts do not publicize. For example, the federal Pupil Rights Amendment provides parents with the right

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<sup>1</sup> [www.will-law.org](http://www.will-law.org)

<sup>2</sup> Wisconsin Legislation, Curriculum Transparency, Senate Bill 463 (vetoed by Governor 12-6-21), <https://docs.legis.wisconsin.gov/2021/proposals/sb463>

<sup>3</sup> Wisconsin Legislation, Parent Bill of Rights, Assembly Bill 963, <https://docs.legis.wisconsin.gov/2021/proposals/AB963>

<sup>4</sup> WILL Report, November 2021, "Lost Kids: Exploring the missing results in Wisconsin's report card," <https://will-law.org/wp-content/uploads/2021/11/2021-11-01-Lost-Kids.pdf>

<sup>5</sup> Kansas Policy Institute, "No, KSBOE, Kansas doesn't 'lead the world' in education, March 3, 2021, <https://kansaspolicy.org/no-ksboe-kansas-doesnt-lead-the-world-in-education/>



to inspect “any instructional material” used as part of the education curriculum for the student.  
20 U.S.C. 1232(h)

The federal law also protects students from being required to participate in any sort of “survey, analysis, or evaluation” that divulges information concerning, among other things, political affiliations or beliefs of the student or the student’s parent; legally recognized privileged relationships, such as that between a physician and a patient; and religious practices, affiliations, or beliefs of the student or student’s parent.” *20 U.S.C. § 1232h(b)(1), (6), (7)*. Federal law requires that any survey on these otherwise-prohibited subjects require prior parental notice and consent. *20 U.S.C. § 1232h(c)(2)(C)(ii)*

HB 2662 will ensure that these federal rights are enacted by the local school districts and that Kansas parents are aware of these and other statutory rights.

WILL supports legislation that will help local school districts be responsive to parents’ questions and concerns and ultimately change the power dynamic between districts and parents. By empowering parents to know more information about their child and ensuring that the district is treating the parents as an equal partner in the education of their child.

Thank you,

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