

HB 2662 School transparency bill

Would have required teachers to maintain an on-line defense of teaching

Approved: February 16, 2022

MINUTES OF THE HOUSE K-12 EDUCATION BUDGET COMMITTEE

The meeting was called to order by Chairperson Kristey Williams at 3:30 pm on Wednesday, February 16, 2022, in room 546-S of the Capitol.

All members were present

Committee staff present:

Amy Deckard, Legislative Research Department
Gabrielle Hull, Legislative Research Department
Holly Broxterman, Committee Assistant
Nick Myers, Office of Revisor of Statutes
Tamera Lawrence, Office of Revisor of Statutes

Conferees appearing before the Committee:

Mike O'Neal, Attorney, Kansas Policy Institute
Brittany Jones, Director of Policy & Engagement, Kansas Family Voice
Matt Beienburg, Director, of Education Policy, Goldwater Institute
Rabbi Moti Rieber, Kansas Interfaith Action
Thomas Witt, Executive Director, Equality Kansas
Mitch Rucker, Early Learning Policy Advisor, Kansas Action for Children
Aileen Berquist, Community Engagement Manager, American Civil Liberties Union of Kansas
Lauren Tice-Miller, Director of Government Relations & Elections, Kansas National Education Association
Kimberly Streit Vogelsberg, General Counsel, Kansas National Education Association
Kelly Sommers, State Director, Kansas State Nurses Association
Sarah Irsik-Good, President & CEO, Immunize Kansas Coalition
Samantha Neill, Public School Education, Buhler USD 313
Mattelyn Swartz, Private Citizen
Joel Addis, Private Citizen
Judith Deedy, Executive Director, Game On for Kansas Schools
Pastor Robert Johnson, Private Citizen

Others in attendance:

No list available

Hearing on: HB2662 — Establishing the parents' bill of rights and academic transparency act, requiring school districts to establish parent transparency portals to provide information on materials that are used or made available in schools, removing the affirmative defense for schools for the crime of promotion to minors of material that is harmful to minors and prohibiting schools from non-renewing a teacher's contract for refusing to teach against certain beliefs or

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There were 135 opponent testimonies. Not a single private Kansas resident testified for the bill. But six lobbying organizations testified for it.

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MINUTES of the Committee on K-12 Education Budget at 3:30 pm on Wednesday, February 16, 2022, in room 546-S of the Capitol.

practices.

Chairperson Williams opened the hearing on **HB 2662**.

Nick Myers, Kansas Office of Revisor of Statutes, reviewed **HB 2662** bill brief with the Committee. ([Attachment 1](#))

Mr. Myers responded to questions from the Committee.

Mike O'Neal, Kansas Policy Institute, provided testimony in support of **HB 2662**. He stated that if schools truly want what is best for students and have nothing to hide with what is being taught and how it is being taught, there should be unanimous support for curriculum and professional development transparency. ([Attachment 2](#))

Mr. O'Neal responded to questions from the Committee.

Brittany Jones, Kansas Family Voice, provided testimony in support of **HB 2662**. She noted that parents are best positioned to know and raise their kids. Educational institutions can be an asset to this relationship. Recognizing and protecting the fundamental relationship between a parent and child is vital to ensuring the stability of our society. ([Attachment 3](#))

Ms. Jones responded to questions from the Committee.

Matt Beienburg, Goldwater Institute, provided testimony in support of **HB 2662**. He noted that transparency provisions are necessary, because in K-12 schools across the country politically charged content is spreading at an extraordinary pace throughout nearly every grade and subject. Mr. Beienburg noted it is essential that parents have the ability to see for themselves what materials are being used in the classroom. ([Attachment 4](#))

Written testimony in support for **HB 2662** was received by:

Elizabeth Patton, State Director, Americans for Prosperity Kansas ([Attachment 5](#))

Libby Sobic, Director of Education Policy, Wisconsin Institute for Law & Liberty ([Attachment 6](#))

Sam Adolphsen, Visiting Fellow, Opportunity Solutions Project ([Attachment 7](#))

Neutral written testimony for **HB 2662** was received by:

Patty Jurich, President, Kansas Parent Teacher Association ([Attachment 8](#))

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Rabbi Moti Rieber from Kansas Interfaith Action provided testimony in opposition of **HB 2662**. He noted the requirement that all pedagogical material be posted online is the imposition of an enormous burden on schools and teachers. ([Attachment 9](#))

Thomas Witt from Equality Kansas provided testimony in opposition of **HB 2662**. He noted that Equality Kansas opposes two sections of the bill, Section 4 and 5. He testified that this bill is a bill to criminalize teaching in this state. ([Attachment 10](#))

Mitch Rucker from the Kansas Action for Children provided testimony in opposition of **HB 2662**. He noted that bills like this weaken our public school system, seed distrust in education professionals, and set a bad example for our students as they learn how to solve real problems in their daily lives. ([Attachment 11](#))

Aileen Berquist from the American Civil Liberties Union of Kansas provided testimony in opposition of **HB 2662**. She noted that this bill infringes on the rights of students to receive an education that reflects the realities of our history and modern world. It infringes on the rights of students to access books and information that are essential for them to become informed and thoughtful citizens. Ms. Berquist stated that students have a right to learn the truth, to access information, and make up their own minds. ([Attachment 12](#))

Lauren Tice-Miller from Kansas National Education Association provided testimony in opposition of **HB 2662**. She testified that we should be ensuring that teaching is the most attractive job in the state, and we should be working actively to recruit quality professionals, nurturing the joy of teaching, and trusting these professionals to do their jobs just as we do with so many other professions. ([Attachment 13](#))

Kimberly Vogelsberg from the Kansas National Education Association provided testimony in opposition of **HB 2662**. She stated the bill is wrought with uncertainties and unintended consequences, all of which serve only to increase costs to taxpayers and deter schools from their constitutional duty of educating Kansas students. ([Attachment 14](#))

Kelly Sommers from the Kansas State Nurses Association (KSNA) provided testimony in opposition of **HB 2662**. She noted the KSNA opposes any language that refers to amending requirements for childhood vaccines. KSNA supports all required childhood vaccines to attend schools to prevent outbreaks that can cause illness, permanent disability, and death of a child. ([Attachment 15](#))

Sarah Irsik-Good from Immunize Kansas Coalition provided testimony in opposition of **HB 2662**. She testified that it is vitally important to maintain the status quo as it relates to required wellness vaccines for childcare and K-12 schools. ([Attachment 16](#))

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Samantha Neill, a teacher from Buhler USD 313, provided testimony in opposition of **HB 2662**. She noted that we cannot tie the hands of our educators. We must join hands and work together. We must trust the expertise of our community teachers and leaders. She testified that this bill drives a harmful wedge into our schools and communities. ([Attachment 17](#))

Mattelyn Swartz, a student from Chaparral High School, provided testimony in opposition of **HB 2662**. She stated that this bill limits educational opportunities and ties the hands of an educator to provide a learning environment that is engaging and individualized. Ms. Swartz noted that this bill diminishes the value of being a teacher, which adds to the teacher shortage through the additional limitations to the art and creativity of teaching and learning. ([Attachment 18](#))

Joel Addis, private citizen, provided testimony in opposition of **HB 2662**. He stated that the impact of putting restrictions on professional educators' ability to adapt is to limit students access to responsive, personalized instruction. ([Attachment 19](#))

Judith Deedy from Game On for Kansas Schools provided testimony in opposition of **HB 2662**. She noted that this bill will not increase the quality of our children's education and is an unnecessary diversion of resources at a time when we need focus on the real work of educating our children. ([Attachment 20](#))

Pastor Robert Johnson provided testimony in opposition of **HB 2662**. He testified that the job of history education is to teach the truth. ([Attachment 21](#))

The conferees responded to questions.

Written testimony in opposition of **HB 2662** was received by:

Deena Horst and Ben Jones, Legislative Liaisons, Kansas State Board of Education ([Attachment 22](#))

Mark Tallman, Associate Executive Director, Kansas Association of School Boards ([Attachment 23](#))

Martha Pint, Co-President, League of Women Voters of Kansas ([Attachment 24](#))

Stephen Linkous, Chief of Staff, Kansas City, Kansas Public Schools ([Attachment 25](#))

Ali Hilton, Program Director, Mid America Immunization Coalition ([Attachment 26](#))

Tony Helfrich, Superintendent, Pratt Schools USD 382 ([Attachment 27](#))

Michael Poppa, Executive Director, Mainstream Coalition ([Attachment 28](#))

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MINUTES of the Committee on K-12 Education Budget at 3:30 pm on Wednesday, February 16, 2022, in room 546-S of the Capitol.

Dr. Glenda Overstreet Vaughan, President, Kansas People of Color Action Coalition ([Attachment 29](#))

Carlie Houchen, Chair, Immunize Kansas Coalition ([Attachment 30](#))

Amy Voelker, Private Citizen ([Attachment 31](#))

Andy Marso, Private Citizen ([Attachment 32](#))

April Cremer, Teacher ([Attachment 33](#))

Ashley Razak, School Board Member, Bonner Springs / Edwardsville USD 204 ([Attachment 34](#))

Bernadette Roche, Teacher ([Attachment 35](#))

Brooke Waters, Teacher ([Attachment 36](#))

Cheryl Kucharik, Director of Curriculum and Instruction, Scott City USD 466 ([Attachment 37](#))

Chloe Chaffin, Student ([Attachment 38](#))

Chris Bauer, School Board President, Smoky Valley / Lindsborg USD 400 ([Attachment 39](#))

Christopher Hansen, Private Citizen ([Attachment 40](#))

Claire Adamyk, Teacher ([Attachment 41](#))

Curt Kornhaus, Teacher ([Attachment 42](#))

Erica Shook, Chair, Kansas Educators Support Foundation ([Attachment 43](#))

Jana Graham, Teacher ([Attachment 44](#))

Jawanda Mast, Private Citizen ([Attachment 45](#))

Jean Hendricks, Private Citizen ([Attachment 46](#))

Jenna Gorton, Student ([Attachment 47](#))

Jennifer Stark Fry, Private Citizen ([Attachment 48](#))

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MINUTES of the Committee on K-12 Education Budget at 3:30 pm on Wednesday, February 16, 2022, in room 546-S of the Capitol.

John Sturn, Board of Education Member, Ellinwood USD 355 ([Attachment 49](#))

Karen Burrows, Principal, Satanta Grade School ([Attachment 50](#))

Karen Osborn, Teacher ([Attachment 51](#))

Kendra Stoppel, Teacher ([Attachment 52](#))

Kim Panzer, Principal, Lakin Grade School USD 215 ([Attachment 53](#))

Kim Stanley, Teacher ([Attachment 54](#))

Linda See, Teacher ([Attachment 55](#))

Lisa Huesers, Private Citizen ([Attachment 56](#))

Logan Hernandez, Teacher ([Attachment 57](#))

Mandy Merando, Teacher ([Attachment 58](#))

Melinda Holmes, Teacher ([Attachment 59](#))

Mindi Blokzyl, Teacher ([Attachment 60](#))

Paige Marett, Private Citizen ([Attachment 61](#))

Pam Kraus, Private Citizen ([Attachment 62](#))

Penny Guy and Lynda Crawl, Retired Teachers ([Attachment 63](#))

Richard Martinez, Private Citizen ([Attachment 64](#))

Ryan Hahn, Teacher ([Attachment 65](#))

Sara Devine, Teacher ([Attachment 66](#))

Sara Krug, Private Citizen ([Attachment 67](#))

Dr. Shane Kirchner, Teacher ([Attachment 68](#))

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Shannon Kimball, Private Citizen ([Attachment 69](#))

Shannon Wedel, Teacher ([Attachment 70](#))

Dr. Shawn Roberts, Principal, Scott City Elementary School USD 466 ([Attachment 71](#))

Taylor Bohannon, Student ([Attachment 72](#))

Tim Collins, Student ([Attachment 73](#))

Tina McIver, Teacher ([Attachment 74](#))

Zachary Dickerson, Teacher ([Attachment 75](#))

Last Names A - F ([Attachment 76](#))

Last Names G - O ([Attachment 77](#))

Last Names P - Z ([Attachment 78](#))

There being no further conferees, Chairperson Williams closed the hearing on **HB 2690**.

Possible action on previously heard bills

Chairperson Williams asked for motion on **HB 2649**.

*Representative Hoffman moved, Representative Estes seconded to pass **HB 2649** favorably.*

Representative Hoye stated she had an amendment and discussed the proposed changes. ([Attachment 1](#))

Discussion ensued.

Mr. Myers, Revisor, responded to questions regarding the amendments.

*Representative Hoye moved to amend **HB 2649** with the balloon amendment. Motion failed.*

Chairperson Williams stated the Committee will revisit **HB 2649** later in the meeting.

Chairperson Williams turned to **HB 2602**.

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Representative Hoffman moved, Representative Johnson seconded to pass **HB 2602** favorably.

Discussion ensued.

Chairperson Williams stated the Committee will revisit **HB 2602** later in the meeting.

Chairperson Williams turned to **HB 2512**.

Representative Hoffman moved, Representative Thomas seconded to pass **HB2512** favorably.

Representative Hoffman stated he had an amendment and discussed the proposed changes. ([Attachment 2](#))

Mr. Myers, Revisor, responded to questions regarding the amendments.

Discussion ensued.

Representative Hoffman moved to amend **HB 2512** with the balloon amendment. Motion carried.

Representative Hoffman moved to add contents of **HB 2649**, and contents of **HB 2602**, to the contents of **HB 2512** as amended to pass **House Substitute for HB 2512**. Representative Thomas seconded the motion.

Motion carried.

Meeting adjourned 5:35 pm.

The committee recommended the bill be approved. On February 23, it was withdrawn from the House calendar.

My testimony against the bill

**Written Opponent testimony before
House Committee on K-12 Education Budget
On
HB 2662 - the parents' bill of rights and academic transparency act
By John Sturn Ellinwood Public Schools USD 355 Board of Education Member
February 15, 2022**

Madam Chair and Members of the Committee,

My name is John Sturn and I live in Ellinwood. I am a board of education member of Ellinwood Public Schools USD 355. Thank you for the opportunity to testify on HB 2662.

I oppose HB 2662 for the same reasons that I suspect many who have responsibility for educating our children will describe to you:

- Our teachers and their instructional support staff would be forced to spend time satisfying the demands of this bill instead of helping our kids.
- Nothing in this bill would encourage our teachers to continue teaching or for anyone to enter teaching. It would require our teachers to maintain a lawsuit-ready online defense of their teaching.
- Our schools welcome parent involvement. For many years our teacher-parent online portal has included the actual lesson materials.
- The decisions that the members of our community make about the education and upbringing of our children better serve our students than the dictates and mandates in this bill.

In nine years of service on the Ellinwood school board, the number of patron complaints that I have had about academic transparency is zero. The number of complaints that I have had about the moral or religious training of our students is zero. The number of complaints about accessing their child's records, about being informed of and inspecting curriculum, about being able to address the board during public comment periods, about teachers distorting education with bias or personal prejudice, about violating professional integrity and constitutional rights is zero.

Probably no statute is totally void of benefit or totally filled with harm, but for our community, this bill is close.

I ask that all education bills be developed with the direct input of the Kansas Association of School Boards. In publicly available records, all Kansans elect all local school board members who approve all KASB committee members who oversee the hiring of all KASB staff who implement policy directions approved by all local school board delegates. When a KASB representative sits in front of your committee, that representative has a validity from Kansans that no one in the political lobbying world could imagine having in their wildest dreams.

The theoretical drivers for this bill are not unknowable. The Department of Education can survey through our local school districts and quantify any deficiencies in the areas that this bill describes. Districts with actual problems can address them. The true need or lack of need for this bill can be determined. I see this as a much better reflection of our Kansas heritage of common sense than to take any action favorable to this bill. I urge the committee to give the subject of this bill the study it merits.

Thank you for your consideration of these comments.