



School Administrators Alliance

Representing the Interests of Wisconsin School Children

TO: Assembly Committee on Education, Senate Committee on Education
FROM: John Forester, Executive Director
DATE: August 11, 2021
RE: Opposition to AB 411/SB 411

Chairpersons Thiesfeldt and Darling and members of the Assembly and Senate Education Committees, thank you very much for the opportunity to submit testimony on this important legislation. My name is John Forester. I'm the Executive Director of the Wisconsin School Administrators Alliance (SAA). In that capacity, I represent the combined memberships of five professional associations of public school administrators: the Association of Wisconsin School Administrators (AWSA), the Wisconsin Association of School Business Officials (WASBO), the Wisconsin Association of School District Administrators (WASDA), the Wisconsin Association of School Personnel Administrators (WASPA), and the Wisconsin Council for Administrators of Special Services (WCASS). The SAA also represents the 10,000 members of the Wisconsin Retired Educators Association (WREA).

The SAA, and WREA, opposes Assembly Bill 411/Senate Bill 411, relating to prohibiting the teaching of certain academic content related to sex and race. If adopted, this legislation would:

- Prohibit race or sex stereotyping in 1) instruction provided to pupils in school districts and independent charter schools; and 2) training provided to employees of school boards and independent charter schools. The bill prohibits the teaching of certain academic content related to sex and race.
- Provide that the State Superintendent of Public Instruction must withhold 10 percent of state aid distributions from a school board or operator that violates these prohibitions.
- Provides that a parent/guardian of a student may bring a claim against a school district or operator for violation of the prohibitions.
- Requires each school board and independent charter school operator to post all curricula used in the schools on the district/operator Internet site.
- Upon request and at no cost, a school board or operator must provide a printed copy of any curriculum that it is required to post on its Internet site.

The SAA, and WREA, has the following concerns, reservations, or questions about the proposed legislation:

- The language prohibiting the teaching of certain academic content in the bill is overly broad and ambiguous. The bill, if adopted, would create tremendous uncertainty for social studies teachers on how to teach about human relations, race or sex discrimination, or historical events or movements involving minority populations.
- For many years in Wisconsin, under policymakers of both political stripes, education policy has been developed based on ideology; not on what research says will move the needle for kids. In an attempt to address Wisconsin's stubborn achievement gaps, many school districts have worked for years to make public school curricula more accessible and relevant for students of all races, cultures and socio-economic backgrounds. AB 411/SB 411 threatens to undo this important work by authorizing and encouraging public judgement (based on ideology, not evidence) on instructional content.
- It appears that the proposed 10 percent aid penalty in the bill would impact different school districts in wildly varying degrees, with low property value, highly aided districts suffering a far greater financial penalty than high property value, low aided districts for the same violation under the bill.
- We believe the bill provisions allowing for parents and guardians to sue school boards without following the notice of claims statutes, and without the limitations on the amount recoverable from school boards would clearly promote lawsuits. Therefore, the bill, if adopted, will siphon financial resources away from educational opportunities for children to pay court costs and attorney fees.
- State law requires that school districts "as part of the social studies curriculum, include instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state at least twice in the elementary grades and at least once in the high school grades." In what ways will the ambiguous language coupled with the invitation for litigation in this bill, if adopted, impact the teaching of these requirements?
- 2021 Wisconsin Act 30 requires the State Superintendent of Public Instruction to incorporate the Holocaust and other genocides into the model academic standards for social studies, and to develop a model curricula and instructional materials for students in grades 5-8 and grades 9-12. Act 30 also requires all public schools, independent charter schools, and private schools participating in the voucher program to provide instruction on the Holocaust and other genocides at least once in grades 5-8, and at least once in grades 9-12. In what ways will AB 411/SB 411, if adopted, impact the curriculum development and instructional requirements in Act 30?
- Please note above that Act 30 applies to private schools participating in the voucher program, but AB 411/SB 411 does not. Why the glaring inconsistency?

- Numerous SAA members, especially superintendents in small school districts, have expressed concerns about the fiscal and administrative burden the curriculum-posting requirements will place on districts. Many smaller school districts do not have an employee devoted full-time to managing the district web site, not to mention the additional administrative burden the bill will place on teaching staff and the need for employee training on the requirements.
- Finally, the SAA and WREA are proud to join the many other organizations that have registered their opposition to AB 411/SB 411 including: Kids Forward, Milwaukee Public Schools, the Southeastern Wisconsin Schools Alliance (SWSA), the Wisconsin Rural Schools Alliance (WiRSA), the Wisconsin Association of School Boards (WASB), the Wisconsin Coalition Against Sexual Assault, the Wisconsin Council of Churches, the Wisconsin Democracy Campaign, the Wisconsin Education Association Council (WEAC), and the Wisconsin School Social Workers Association.

Thank you for your consideration of our views. If you should have any questions regarding our thoughts on AB 411/SB 411, please call me at 608-242-1370.