

Donalds	Jackson (TX)	Norman
Fallon	Lesko	Ogles
Good (VA)	Loudermilk	Perry
Gosar	Luna	Rosendale
Greene (GA)	Massie	Roy
Hageman	McCormick	Self
Harris	Miller (IL)	Steube
Higgins (LA)	Moore (AL)	Tiffany

NOT VOTING—14

Bishop (NC)	Costa	Leger Fernandez
Blumenauer	Diaz-Balart	Moskowitz
Bucshon	Edwards	Mullin
Castro (TX)	Kaptur	Posey
Cleaver	Kelly (IL)	

□ 1414

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARENTS BILL OF RIGHTS ACT

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 241 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5.

The Chair appoints the gentleman from Nebraska (Mr. FLOOD) to preside over the Committee of the Whole.

□ 1420

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5) to ensure the rights of parents are honored and protected in the Nation's public schools, with Mr. FLOOD in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 2 hours equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce or their respective designees.

The gentlewoman from North Carolina (Ms. FOXX) and the gentleman from Virginia (Mr. SCOTT) each will control 1 hour.

The Chair recognizes the gentleman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today to recognize the profound importance of H.R. 5, the Parents Bill of Rights Act, and what it means for families across the country.

Over the past several years, parents witnessed the consequences of lessons

taught in classrooms firsthand. Math scores declined by the largest margin ever, and reading scores plummeted to the lowest levels in over three decades. These results are devastating.

Teachers' unions and education bureaucrats worked to push progressive politics in classrooms while keeping parents in the dark. The Parents Bill of Rights Act aims to end that and shine a light on what is happening in schools. This bill will reaffirm a parent's right to review course curriculum, meet with the child's teacher, and be heard at school board meetings without fear of reprisal.

My colleagues on the other side of the aisle seem convinced Republicans are using this bill to punish teachers or push an extreme rightwing agenda. This is false.

Our education system is spiraling out of control as parents are pushed further outside the classroom. This bill will restore the role of parents in schools and provide new mechanisms to promote parent-teacher partnerships.

When parents are involved in their child's education, students thrive. That is the guiding principle of this bill. With the Parents Bill of Rights Act, Republicans will help parents steer the education of their children back onto the correct path where they can learn the skills they need for a lifetime of success.

Mr. Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise in opposition to H.R. 5, the politics over parents act.

First, let me be clear. House Democrats believe parental engagement is central to student success. Parental engagement in schools is closely linked to better student behavior, higher academic achievement, and enhanced social skills.

Unfortunately, the politics over parents act does not take meaningful steps to increase or support parental engagement. In fact, it lists so-called rights and then declares that this allows the parents to control what is taught. Let's be clear: There is nothing in the bill to give parents the right to dictate what their children are taught.

Instead, this bill is one of many attempts by Republican politicians to give a vocal minority the power to try to impose their beliefs on all parents and students. This extreme education agenda has real consequences for students and educators.

According to PEN America, over 2,500 books were banned in schools during the school year 2021–2022, and nearly 140 additional book bans have taken effect since July 2022.

Let me just list some of the books that Republican politicians have gotten banned under the guise of parental rights: "Diary of a Young Girl," the stories of a Holocaust survivor, by Anne Frank; "The Kite Runner," a novel on the Soviet invasion of Afghan-

istan, by Khaled Hosseini; "Beloved," a novel about slaves during the Civil War, by Toni Morrison; and on and on. Books like that have been banned because of efforts like what we have before us today.

Let's be clear. These books are taught at age-appropriate levels. If you have a problem with it, you should call the librarian. Yet, Republican politicians are actually having them removed from classrooms and school libraries.

Simply put, the politics over parents act is an educational gag order across the Nation which will prevent students from learning and prevent teachers from teaching. These efforts seek to score political points and scare parents into thinking that schools do not have their best interests at heart. Instead, we should be talking about the support that schools and families actually need to improve parent-teacher engagement.

Mr. Chair, I urge my colleagues to vote "no" on the politics over parents act and join House Democrats in an amendment in the nature of a substitute to deliver real solutions to build partnerships between schools and families.

Mr. Chair, I reserve the balance of my time.

Ms. FOXX. Mr. Chair, I yield 3 minutes to the gentlewoman from Louisiana (Ms. LETLOW).

Ms. LETLOW. Mr. Chair, I rise today to join my voice with millions of American parents as the House considers H.R. 5, the Parents Bill of Rights Act.

H.R. 5 is about one simple and fundamental principle: Parents should always have a seat at the table when it comes to their child's education.

We believe that learning is a partnership between a family and their child's teachers. This bill is the vehicle by which we can put parents and educators together at the same table to have a productive dialogue.

This bill is not complex or complicated, nor should it be partisan or polarizing. Contrary to what you may hear from my colleagues on the other side of the aisle, it is not an attack on our hardworking teachers, who will always be the heroes in my eyes. It is not an attempt to have Congress dictate the curriculum or determine the books in the library. Instead, this bill aims to bring more transparency and accountability to education, allowing parents to be informed and, when they have questions and concerns, to lawfully bring them to their local school boards.

Over the past 2 years, we have seen too many instances where rather than opening their doors to welcome parents in as partners, some schools instead slammed them shut and said that government bureaucrats know what is best for our children.

Parents across this country have overwhelmingly spoken out that they have had enough. They want a seat at the table because, at the end of the day, these are our children, not the government's.

Mr. Chair, I worked in education before I came to Congress, and I am also a mom. I have seen firsthand how when you educate a child, you give them a future.

We know that when parents are involved, it is the students who succeed. We also know that when a family is shut out of their child's education, it will lead to disastrous results.

□ 1430

Mr. Chair, let us give parents that voice in the learning process. Let schools open the doors and welcome them in as partners. Let us work together to build a brighter future for America's children.

Mr. SCOTT of Virginia. Mr. Chair, I yield 2½ minutes to the gentlewoman from Florida (Ms. WILSON), the ranking member on the Higher Education and Workforce Development Subcommittee.

Ms. WILSON of Florida. Mr. Chair, today I rise in opposition to H.R. 5. As an educator, I believe parent voices should be honored in schools. All educators believe this.

We know that this bill is not about that at all. We have always had parents involved in our schools, so stop being foolish and divisive. We always need their input.

This bill is nothing more than a talking point of the extreme MAGA agenda that will hurt children and hurt our schools. Let's face it—there has been a movement to eliminate public education since the 1954 Brown v. Board of Education decision.

With the election of our President 7 years ago, it pulled the scab of a wound that never healed. Now it is an open, gaping wound, and it is out of control. They are throwing everything at public schools but the kitchen sink: vouchers, excessive testing, poorly paid teachers, banning books, and now they are trying to drive a wedge and create an antagonistic relationship between schools and their parents. How pathetic. How dreadful.

Parents love teachers. Everybody loves teachers. Every parent has an "I love and remember a teacher" story. How disgraceful that we want to terrorize the very people who love our children, keep them safe, and educate them for over 8 hours daily. Our teachers are sacrificial lambs.

You will never eliminate public schools. We will fight you as long as it takes. This is all that the little children who look like me have. Public schools are the bedrock of this Nation.

Let me tell you what a parent's bill of rights should include. I will call it the parents' 10 commandments:

Thou shalt restore the Child Tax Credit; provide free, hot breakfast and lunch; provide free pre-K and free community college.

Thou shalt end the school-to-prison pipeline; put a nurse in every school; offer after-school activities; provide intensive counseling services, particularly to address school shootings.

Thou shalt offer parents the right to improve their education and job skills, love and respect every child's individuality, guarantee that every child's teacher will make a minimum of \$60,000 a year.

Ms. FOXX. Mr. Chair, I yield 3 minutes to the gentleman from Florida (Mr. BEAN), chair of the Early Childhood, Elementary, and Secondary Education Subcommittee.

Mr. BEAN of Florida. Mr. Chair, should parents have the right to be involved in their child's education?

That is the question before us. Seventy-two percent of Americans have answered "yes" to that question. Parents should be and want to be involved in their child's education.

According to numerous studies, students who have involved parents have better behavior, better grades, better attendance, and develop a lifelong love of learning, which is the key to long-term success.

Today, American parents are fed up, largely because they have experienced 2 years of school closures, misguided COVID policies, disastrous remote learning, and a curriculum focused on what is woke rather than what is essential academic instruction. They have been branded "domestic terrorists" for speaking out at school boards. Some were even arrested for having the nerve to plead with school boards about the safety of their child at school.

Mr. Chair, it is time to re-welcome parents back into education. It is time for parents to have the right to know what is going on in American education today. That is why I—and I encourage everybody—to support H.R. 5, the Parents Bill of Rights Act, critical legislation that empowers parents and prioritizes the needs of students over entrenched special interest groups.

Today, this body has an extraordinary opportunity to reclaim the moral high ground in America and usher in a newer era of K-12 education that empowers parents, protects kids, and expands educational freedom.

American parents have said they want to be a part of their children's education. It is time for this body to say "yes" and support parents.

Mr. SCOTT of Virginia. Mr. Chair, I yield 3 minutes to the gentlewoman from Oregon (Ms. BONAMICI), the ranking member of the Early Childhood, Elementary, and Secondary Education Subcommittee, which has jurisdiction of the bill.

Ms. BONAMICI. Mr. Chairman, I rise today in strong opposition to H.R. 5, which should be called the politics over parents act.

After spending 15 years as a very involved public school parent, I can say without hesitation that I strongly support parental involvement in education. You won't meet a Member on this side of the aisle that disagrees with that. The bill before us today misses the mark.

This could have been an opportunity to address the real challenges facing

education, to make changes that would involve parents in a constructive way, and also make a positive difference in education. I am disappointed that we aren't doing that.

House Democrats have shown time and time again that we are committed to providing all parents—including those who traditionally face barriers to engagement—with meaningful involvement in their kids' schools. Indeed, it is becoming increasingly clear that the Democratic Party is the party of parental rights and family values.

We have put forward a substantive plan that will actually increase the frequency, quality, and accessibility of parental involvement and engagement in schools; a substantive plan that invests in evidence-based models and support systems that have been shown to increase family engagement and improve student achievement; a substantive plan that encourages parents to be partners, not adversaries, in their children's education; a substantive plan that roots out discrimination based on race, disability, socioeconomic status, sexual orientation, or gender identity in our public schools; a substantive plan that, unlike H.R. 5, doesn't carry dangerous, authoritarian undertones encouraging book bans, discouraging the teaching of scientifically and historically accurate curricula, and leading to the micromanagement of the work of educators.

We welcome a conversation about how to empower parents, and urge our friends and colleagues on the other side of the aisle to abandon their politically motivated attacks on schoolteachers and students. We should instead be working together on these issues in a bipartisan manner. Our Nation's students and families deserve that.

We need more parents, including those from diverse backgrounds, to feel included, supported, engaged, and welcomed at their kids' school. This bill does not even begin to do that.

I am leading more than 45 of our colleagues on a Bill of Rights for Students and Parents, a resolution that is supported by more than 250 education, civil rights, and parents' groups, including the National PTA.

I have heard colleagues on the other side of the aisle say that history will judge us on how we respond to the needs of students and families at this moment, and I agree with them.

Will we succumb to an extremist, discriminatory, narrow-minded, anti-public-education agenda, or will we work together to advance commonsense, meaningful policies that will support parents, students, and educators?

Mr. Chair, I urge all of my colleagues to take the approach that still sees public education as the great equalizer for all students regardless of who they are or where they are from, essential to our communities, the economy, and our democratic Republic.

Please join me in rejecting this bill. Mr. Chair, I include in the RECORD a statement from the National PTA in opposition to H.R. 5.

DEAR REPRESENTATIVE BOBBY SCOTT: National PTA and our network of millions of parents and educators across the country urge you to support adoption of the Bonamici Substitute Amendment and oppose the underlying legislation, H.R. 5, on the House Floor tomorrow.

PTA opposes the underlying bill, H.R. 5, because it has the potential to cause significant harm to children and families. If passed as written, H.R. 5 could:

Prevent mental health support for students in need;

Limit access to learning-enhancing technology and educational materials;

Lead to inappropriate and harmful book bans and curriculum censorship;

Create confusion for school staff and burdensome opt-in requirements for families;

Impair relationships between educators and parents; and

Undermine efforts to create safe, welcoming, supportive, and inclusive learning environments for all students and families.

PTA supports Representative Bonamici's Substitute Amendment to H.R. 5 as the ONLY PATH forward to ensuring supports and services are in place for true family-school partnerships. We stand behind our National Standards for Family-School Partnerships that have been in place for over 20 years. The Substitute Amendment provides the opportunity for meaningful and inclusive family engagement in K-12 education and if adopted would replace the current H.R. 5 and enable our Nation's public schools to:

Create a parent coordinator position in public schools;

Reinforce existing parents' rights under federal law;

Prohibit the federal government from curriculum censorship and banning books; and

Invest in full-service community schools and Statewide Family Engagement Centers Program (the new authorization level of \$60 million would allow all states to participate).

As the Nation's oldest and largest child advocacy association, we know what meaningful family engagement looks like and what parents want from their policymakers. We ask you to join us in supporting the Bonamici Substitute Amendment and opposing the underlying bill, H.R. 5 on the House Floor. We thank you for consideration of this request and if you have any questions, please reach out to our Director of Government Affairs, Kate Clabaugh.

The CHAIR. The gentlewoman's time has expired. The gentlewoman is no longer recognized.

PARLIAMENTARY INQUIRY

Mr. SCOTT of Virginia. Parliamentary inquiry, Mr. Chairman.

The CHAIR. The gentleman will state his parliamentary inquiry.

Mr. SCOTT of Virginia. Was the gentlewoman's request to introduce a statement recognized?

The CHAIR. That request is covered under general leave.

Ms. FOXX. Mr. Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), the chair of the Agriculture Committee.

Mr. THOMPSON of Pennsylvania. Mr. Chair, I rise today in strong support of the Parents Bill of Rights Act. This legislation is just one of many promises we intend to keep in our "Commitment to America."

As a recovering school board member, I know firsthand the importance of hearing from parents and encouraging

them to be engaged in their child's education.

The Parents Bill of Rights Act provides parents an expanded opportunity to engage with their children and the teachers who educate them. This bill implements clear, commonsense protections allowing parents to easily review curriculum information, academic standards, and see how schools are spending our tax dollars.

Parents deserve the right to be heard and should be able to raise concerns and address their school board without fear of harassment or retribution.

This bill includes simple protections to keep our children safe, from protecting their privacy to requiring parents to be notified of violent activity in the school.

As a graduate of the public school system and having raised three sons in the very same school district, I know parental involvement is critical to fostering a successful educational environment.

Mr. Chair, quite simply, this bill is common sense. I urge my colleagues to support this legislation that ensures parents are at the center of their child's educational experience.

Mr. SCOTT of Virginia. Mr. Chair, I yield 2½ minutes to the gentleman from California (Mr. TAKANO), the ranking member of the Committee on Veterans' Affairs.

Mr. TAKANO. Mr. Chair, I rise today in strong opposition to the politics over parents act as a member of the Education and the Workforce Committee, as a member of the LGBTQ community, but above all, as a teacher.

I am an educator and I know how important parental involvement is. All parents, including the parents of LGBTQ kids, have rights. They have rights to send their children to schools where they will be affirmed, protected, and free from harassment, and given the opportunity to thrive. They have a right to be free from bullying and humiliation.

Mr. Chair, I include in the RECORD a letter from a million MomsRising.

[Mar. 21, 2023]

SO-CALLED 'PARENTS BILL OF RIGHTS' IS ALL WRONG FOR AMERICA'S MOMS, FAMILIES—A TOXIC PLAN THAT WILL CREATE MORE DIVISION, DAMAGE TO OUR KIDS AND COMMUNITIES

Statement of Kristin Rowe-Finkbeiner, Executive Director and CEO of MomsRising, the online and on-the-ground organization of more than one million mothers and their families, on the so-called 'Parents Bill of Rights' (H.R. 5) House Republicans are poised to pass this week:

"The badly misnamed 'Parents Bill of Rights' the House GOP plans to vote on this week is all wrong for America's moms, kids, families, and educators. It is a recipe for censorship, bullying and book bans, and for division based on race, sexual orientation, and gender identity, masquerading as a bill of rights. If it were to become law, the Parents Bill of Rights would create more division by pitting educators against parents. It would do enormous damage to our kids, schools and communities.

"America's moms want schools to be safe and inclusive and to value diversity; for par-

ents to be respectful; and for educators to be able to be honest about their identities and allowed to teach our country's truths, good and bad, and the values that got us to where we are today. We want our children to learn about the history and obstacles faced, and overcome, by members of our Black, Brown, AAPI, Native American, immigrant, religious-minority, LGBTQ+, and other communities. We want our students to be able to access unbiased health information. We want all our youth, regardless of income, disability, race, ethnicity, religion, sexual orientation, and gender identity, to be safe and included in schools that prepare them to contribute to and succeed in our society.

"And we want a society that rejects 'us vs. them' and puts in place the caregiving and other supports that will allow all families to succeed. MomsRising has more than a million members and we have been working closely with moms in every state for more than a decade. What this country's moms want from Congress is affordable child, elder and disability care; paid family and medical leave; fair pay; health care and medications we can afford; vastly improved maternal health care for all of us; the ability to make our own decisions about if, when and how many children to have; and laws that will end the scourge of gun violence and keep our children, streets, schools and communities safe.

"Coming soon, we will release the Moms Rising for Freedom Agenda with ten key policies lawmakers should support that moms across the Nation really want, instead of the divisive and harmful policies in the 'Parents Bill of Rights.' That is how we build a society in which we can all flourish and thrive."

Mr. TAKANO. In committee, my Republican colleagues have preached about parents' God-given rights. I will tell you now that children have a God-given right not to be physically or emotionally harmed.

As a teacher, I know of instances where children were outed by staff, and as a consequence those children faced severe punishment at home. One student was viciously beaten by his father and transferred out of a district after his family was informed that he was caught being physically affectionate with another boy.

Imagine the situation in which educators are placed when government requires them to out their student to an unsupportive family. I will tell you what happens to those kids:

73 percent of LGBTQ youth report anxiety.

58 percent of them report depression.

40 percent of homeless youth are LGBTQ, and

46 percent, nearly half of them, have seriously considered suicide.

Good teachers care about their kids. Good teachers know that a relationship with parents is important. But when a home is not safe for LGBTQ kids, school becomes their safe place, and teachers need to be their cheerleaders, not their first bullies.

This bill forces good teachers to do bad things. It alienates students from their parents. It outs kids. It forces kids back into the closet. It is a fundamental invasion of privacy that puts children in danger.

In the first 3 months that this Congress has been in session, this is what

Republicans have chosen to spend our time and taxpayer dollars on. The so-called Parents Bill of Rights Act is the exact type of Big Government overreach my colleagues across the aisle proclaim they are against, and puts the cost of their pursuit of political gain on the backs of students and teachers.

This is worse than simply bad legislation. It is a concerted attack on children, parents, and teachers.

Mr. Chairman, I urge my colleagues to vote “no” on the bill.

□ 1445

Ms. FOXX. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Chairman, I rise today in support of H.R. 5, the Parents Bill of Rights Act. I thank Representative LETLOW and Chair FOXX for their leadership in defending the God-given rights of parents and protecting kids as well.

Parental involvement in their children's education is paramount to a student's success. However, in recent years, we have seen a push by some to exclude parents from their children's education. This is why I recently introduced the PROTECT Kids Act with Senator TIM SCOTT which has been included as an amendment to H.R. 5.

The PROTECT Kids Act would require any Department of Education-funded elementary or middle school to seek and acquire parental consent before changing their child's pronouns or preferred name on any school form.

This provision is straightforward, common sense, and will safeguard the critical relationship between parents, schools, and children.

When a child goes on a field trip or fails a test, their parents are told and are often required to sign an acknowledgment or a permission slip.

Why should relatively small things require notification but something as significant as a child's pronouns or a change in accommodations can be withheld from the people who raise and love them?

Recent polling shows this has the broad support of the American people. Three-quarters of Americans believe schools should be required to obtain consent from parents.

Parents have a fundamental right to raise and educate their children how they choose. We must pass the Parents Bill of Rights Act to help mitigate issues we have seen nationwide and to support parents who need the support to do right by their kids as well.

On this side of the aisle, we believe this is the right way to go, and we believe that in the end it will promote education, family, and individualism as well.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Washington (Ms. JAYAPAL), who is a member of the Committee on Education and the Workforce.

Ms. JAYAPAL. Mr. Chair, Congress should be supporting parents, students,

and teachers, not advancing this politics over parents act which would punish teachers for giving history lessons, ban books, and sow hate and divisiveness against trans kids.

Parents have the utmost confidence in their kids' teachers. When it comes to writing curricula, 76 percent of parents trust their child's school. But when it comes to writing laws, political gimmicks, like this bill, keep them from saying the same thing about this very body.

Instead of manufacturing outrage over curricula and books, why don't we just listen?

Mr. Chairman, 84 percent of parents would rather Congress give free school meals, and 79 percent want support for mental health services. In a survey of parents' top concerns by The Pew Charitable Trusts, 40 percent said they were extremely or very worried about their children struggling with depression, 35 percent said they were concerned about bullying, and 22 percent were worried about their kids being shot.

Not a single one of those issues on the top list of parental concerns is addressed in this bill. So don't tell me this is a parents' bill of rights. This is not addressing gun violence. It is not addressing mental health. It is not addressing childcare, pre-K, and all of the other things that would be a part of a parents' bill of rights.

Instead, we are spending time on a bill that sows doubt about public education and our teachers and also targets our very vulnerable trans kids who are absolutely no threat to anyone in this body.

Please understand that the provisions in this bill that out trans kids are cruel and dangerous. I say that as a mom of a trans kid. I was very embracing to my daughter when she came out, but not every family is. The reality is that 75 percent of trans kids experience discrimination and harassment.

So why do Republicans want schools to require outing LGBTQ students?

That does not make them better students.

Congress has the constitutional authority to write laws. What a mockery and betrayal of that duty it would be to pass this stunt of a bill that doesn't address a single priority of parents, bans books, undermines teachers, and hurts our kids.

Democrats are the party of parents and families. We reject this bill, and we commit to fighting for childcare, for universal pre-K, for a child tax credit, and for the ability of people to be free for who they are and express themselves.

Mr. Chair, I include in the RECORD two letters. One is from the National Education Association, and one is from the American Federation of Teachers.

NATIONAL EDUCATION ASSOCIATION,
Washington, DC, March 23, 2023.
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 3 million members of the National Education

Association, dedicated and trusted professionals who teach and support nearly 50 million students in public schools across America, we urge you to vote NO on H.R. 5. Votes related to this bill, including extreme amendments that would create a national private school voucher program, may be included in the NEA Report Card for the 118th Congress.

H.R. 5 is unnecessary and ignores the partnerships that exist between parents and educators. Parents and guardians already have the right and the opportunity to partner with educators to ensure students have the learning opportunities, resources, and support for success. Across America, parents are strategizing with educators when children face hurdles and celebrating with them when students achieve milestones, volunteering at events, chaperoning field trips, leading PTAs, mentoring students, and actively engaging in many other ways with students and educators.

In a recent Gallup poll, 80 percent of parents with children in public K-12 schools said they were satisfied with their children's education. Instead of building on what exists, H.R. 5 would stoke racial and social animosity. Instead of bringing us together to focus on what will really help students—an inspiring, inclusive, and age-appropriate curriculum that prepares them for the future in schools that are safe from gun violence—H.R. 5 would encourage parents to view educators as the enemy. This us-versus-them mindset hurts students, disregards educators' professionalism, and diverts our attention from a basic American value: All students—no matter their race, ZIP Code, gender orientation, sexual identity, or background—deserve the support, tools, and opportunity to learn and succeed.

H.R. 5 dismisses educators' education, experience, and dedication.

The legislation tells educators that, despite their expertise, they cannot be trusted to determine what materials are appropriate for learning, design curricula that are age-appropriate and meet students' needs, or ascertain students' progress. This will only exacerbate an educator shortage that, from small towns to major cities, is now a five-alarm fire. In an NEA survey last year, 55 percent of educators said they are ready to leave the profession they love earlier than planned. Congress should not pass laws that will accelerate this trend.

H.R. 5 will exacerbate book banning and censorship.

The legislation's library requirements, including the mandate that school libraries maintain online catalogs that are available to parents and students, are redundant; this is already standard practice. The real aim of the legislation is to elevate the voices and power of a few who wish to foist their ideas about what should be read and taught onto other people's children. This is already leading to shocking outcomes.

The PEN America Index of School Book Bans lists more than 2,500 instances of book bans across the country from June 2021–June 2022, affecting more than 1,600 titles. Affected books are most often those that look honestly at history and the difficult events that have shaped America, or tell stories of the struggle for self-acceptance in hostile or oppressive circumstances. The banned or censored books include:

Maus, by Art Spiegelman, a graphic novel depicting the experience of the author's father, a Holocaust survivor;

Walk Two Moons, by Sharon Creech, about a girl of Native-American heritage coping with the disappearance of her mother;

The Bluest Eye, by Nobel Laureate Toni Morrison, about a young African American girl's struggle to appreciate her humanity in a culture that devalues her; and

Separate is Never Equal: Sylvia Mendez and her Family's Fight for Desegregation, by Duncan Tonatiuh, about a family's efforts to desegregate California schools.

We cannot prepare young people to succeed in our diverse Nation and interconnected world by removing books from library shelves and curricula. We prepare them for the future by planting the seeds for lifelong curiosity and growth.

H.R. 5 will impose several unfunded mandates on already overburdened schools and school districts.

Committee-passed amendments to H.R. 5 include one that would require a "review period," occurring at least every three weeks for a minimum of three school days at a time, during which parents could review any materials to be used in the next three weeks, or that had been used in the past. Districts would be required to find the money, and the time, for this mandate within budgets and school days that are already stretched thin.

H.R. 5 suggests the federal government should be a national school board.

The bill would undermine local control and educators' autonomy to do their jobs by inserting the federal government as a national school board. In fact, the legislation actually undermines the stated goal of H.R. 5. By utilizing the federal government to pave the way for influencing what books should be part of the curriculum and in libraries, H.R. 5 suppresses the voices of many parents and local communities that want their children to receive an honest and accurate education.

While we urge a NO vote on H.R. 5, we support any amendments that highlight the many real needs schools face, including those that: provide more resources for school counselors and parent engagement; ensure books remain available for any student who wants to read them; highlight H.R. 5's true costs to local schools and ensure those costs are not passed on to already resource-deprived schools; and remove extraneous requirements.

We ask you to vote YES on the following amendments:

No. 1 by Rep. Bacon (No. 52 in Rules): Requires Local Education Agencies to provide parents of a student in elementary or secondary school with the number of school counselors in the school;

No. 5 by Rep. Bonamici (No. 40 in Rules): Replaces H.R. 5 with new language regarding: public education and parents' rights to access to public schools; creation of a parent coordinator position in public schools; increased funding authorization for Full-Service Community Schools; increased funding authorization for Statewide Family Engagement Centers; and establishing rules that prohibit bans on books and curricular materials.

No. 8 by Rep. Fitzpatrick (No. 2 in Rules): Requires a GAO report on the cost of H.R. 5's requirements to State Education Agencies, Local Education Agencies, and schools.

No. 9 by Reps. Garbarino and D'Esposito (No. 37 in Rules): Provides that nothing in H.R. 5 or its amendments be construed as authorizing parents to deny any student who is not their own child from accessing any books or other reading materials otherwise available in the school library.

No. 12 by Rep. Jacobs (No. 4 in Rules): Strikes "at no cost" in the bill to ensure that some requirements in H.R. 5 do not fall on overburdened schools that already lack sufficient resources to meet the needs of students.

No. 13 by Rep. Jacobs (No. 6 in Rules): Strikes the provisions relating to reviewing professional development materials in sections 104 and 202.

We oppose amendments that target transgender youth, eradicate inclusive cur-

ricula, potentially open our public schools to frivolous lawsuits, create a national private school voucher program, and eliminate the U.S. Department of Education.

We ask you to vote NO on the following amendments:

No. 2 by Rep. Foxx (No. 45 in Rules): Manager's amendment to the bill that also directs courts to use the strict scrutiny test to evaluate laws involving parents' rights.

No. 3 by Rep. Boebert (No. 46 in Rules): Targets already vulnerable transgender youth by amending Section 104 to include Parent's Right to Know if their child's school operates, sponsors, or facilitates athletic programs or activities to permit a person whose biological sex is male to participate in an athletic program or activity that is designated for women or girls.

No. 4 by Rep. Boebert (No. 47 in Rules): Targets already vulnerable transgender youth by amending Section 104 to include Parent's Right to Know if their child's school allows a person whose biological sex is male to use restrooms or changing rooms designated for women or girls.

No. 6 by Rep. Crane (No. 54 in Rules): Adds a private right of action for parents beyond current law that may lead to more frequent lawsuits, costing taxpayers more.

No. 11 by Rep. Hunt (No. 44 in Rules): Adds a provision that targets diversity, equity, and inclusion initiatives in schools.

No. 15 by Reps. Massie, Boebert, Gaetz, and Self (No. 7 in Rules): Adds a sense of Congress that the authority of the Department of Education and the Secretary of Education to operate or administer any office or program related to elementary or secondary education should be terminated on or before December 31, 2023.

No. 19 by Rep. Roy (No. 57 in Rules): Creates a national private school voucher program, decimating Title I and taking public funds out of public schools to boost private schools that are not held to any of the requirements included in the underlying bill.

No. 20 by Rep. Roy (No. 61 in Rules): Makes all funds available under the Elementary and Secondary Education Act of 1965 block grants, which will lead to cuts to key programs serving students.

Educators are devoted to partnering with parents to discover students' interests and unlock their potential. We urge Congress to avoid spending time on divisive issues that do not contribute to student success. Instead, please focus on getting students the individualized support they need, keeping guns out of schools, and addressing educator shortages. If Congress joins with parents and educators, we can support learning by ensuring that students across our great Nation—no matter their race, background, sexual orientation, or gender identity—have the resources, one-on-one attention, and well-rounded curricula they need and deserve. Please vote NO on H.R. 5.

Sincerely,

MARC EGAN,

*Director of Government Relations,
National Education Association.*

AMERICAN FEDERATION OF TEACHERS,
Washington, DC, March 23, 2023.
*House of Representatives,
Washington, DC.*

DEAR REPRESENTATIVE: On behalf of the 1.7 million members of the American Federation of Teachers, I write to express our views on H.R. 5, the Parents Bill of Rights Act.

Educators know that involving parents in their children's education is essential to student success. We need parent and family engagement, and we welcome Republicans' desire to be engaged in strengthening parents' involvement in schools. We have fought for parental engagement for generations, mostly

on a classroom, school and district level, where the connection between parents and educators—the most important adults in students' lives—is real. But we must do it right; we can't make this work conditional on measures that will hurt kids, hurt parents who disagree with these conditions, or heap unnecessary burdens on educators' already-overflowing plates. We must listen when teachers and parents tell us what will actually help them, but we must also ensure we don't make it harder for teachers to teach and students to learn.

The Parents Bill of Rights Act gets an A for branding, but some of its provisions are genuinely concerning. The bill fails to acknowledge what is already widespread practice in schools—teachers collaborating with parents and families every day to meet the needs of kids and their communities. While it is great to reaffirm current law and practice encouraging parental involvement in schools, why not build on what Congress has already enacted, on a mostly bipartisan basis, by considering what families need and what educators need to support families. We embrace the desire of both Democrats and Republicans to strengthen parental engagement. And we encourage our representatives to spend more time in the classroom with our members to see all the ways we engage parents and where we could use support in helping our kids succeed.

We are concerned about aspects of H.R. 5 that would require schools to divert their limited resources from teaching kids and open avenues for bad actors to censor education, ban books and harm children who are just trying to be themselves and live their lives in peace. That is why we support Rep. Suzanne Bonamici's substitute amendment (No. 40) and urge its adoption by the full House. This amendment keeps some of the positive aspects of H.R. 5, and it amends the parts that would hurt our most vulnerable students and make educators' jobs harder, replacing them with measures that would invest in and support student learning, a goal Democrats and Republicans can all get behind.

The Bonamici amendment proposes a real pathway to improving parental engagement by calling for parent coordinators and increasing funding for family engagement centers and community schools. It also removes parts of the bill that would harm kids, eliminating measures that would target trans kids and restrict the teaching of Black history; Latino history; Asian American, Native Hawaiian and Pacific Islander history; LGBTQIA+ history; women's history; Native American history; and the history of the Holocaust or antisemitism. And it would ban book bans, putting decisions about who is allowed to read certain books in the hands of parents, not the government. This would ensure that parents who want their children to have access to books have the same rights as parents who don't want their children reading particular books.

While we are pleased that the Rules Committee provides for consideration of the Bonamici substitute, it is disappointing that the final rule does not allow for consideration of other important amendments to H.R. 5 focusing on what our students need, such as:

Providing parents with more leave so they can attend parent-teacher conferences and school events;

Increasing students' access to mental health professionals;

Enacting gun safety measures that keep our kids safe and protect parents from the unimaginable;

Supporting increasing starting teachers' pay to \$60,000 a year, so we can start addressing the teacher shortage;

Increasing funding to support our most vulnerable schools and students;

Helping school districts recruit and train diverse teachers to alleviate the teacher shortage; and

Increasing students' access to healthy meals.

We will outline our positions on the amendments made in order in a subsequent message to the full House later today.

We want to ensure any action Congress takes supports, not undermines, the capacity of schools and educators to fulfill their responsibilities. And that is what parents and voters want too. Our recent polling demonstrates clearly that voters overwhelmingly reject the increasing polarization and division in schools. Instead, voters favor solutions like investing in public schools and providing educators with the resources they need to create safe and welcoming environments; boosting academic skills; and paving pathways to career, college and beyond.

We are glad Republicans are thinking about parents and want to address the issues keeping them up at night, but H.R. 5 fails to deliver on what parents want and kids need to succeed. Our students and their families face new and emerging challenges that the House should be focusing on today, working to advance solutions that protect our Nation's students, value our parents and support our educators. Unfortunately, H.R. 5 does not meet that standard, and, at a minimum, it must be amended to include the Bonamici substitute.

Thank you for considering our views on these issues.

Sincerely,

RANDI WEINGARTEN,

President, American Federation of Teachers.

Ms. FOXX. Mr. Chair, I yield 2 minutes to the gentlewoman from Illinois (Mrs. MILLER), who is the vice chair of the Education and Workforce Committee.

Mrs. MILLER of Illinois. Mr. Chair, I thank Chairwoman FOXX for yielding, and I thank my Republican colleagues for taking up this very important bill.

Mr. Chair, there has been a push by powerful teachers' unions, leftwing politicians, and, most concerning, the Biden Justice Department to silence parents throughout our country. The Biden administration used the FBI—the most powerful law enforcement agency in the world—to intimidate parents for showing up to school board meetings to oppose Biden's radical agenda.

Parents' rights are nonnegotiable. Parents are the decisionmakers for their child's education, which includes their child's curriculum. Parents want schools focused on reading, writing, and math, not woke politics.

The radical left in our country seeks to silence parents and use public schools and colleges to indoctrinate our youth. They don't want to teach children how to think. They want to teach them what to think.

I am grateful that several of my bills are included in the Parents Bill of Rights Act to protect children from radical gender ideology and to ensure parents are informed when information is being collected about their children through surveys or documents.

Parents have the right to know what is being taught to their child, and they

have the right to opt their child out of any discussion about sexual orientation and gender ideology.

Mr. Chair, I am proud House Republicans are keeping our commitment to fight for parental rights, and I urge my colleagues to vote "yes."

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2½ minutes to the gentleman from Florida, (Mr. FROST).

Mr. FROST. Mr. Chair, I rise today in opposition to H.R. 5. I rise in opposition as someone who has actually been a student in our public school system within the last decade. I rise as someone who is the son of a public school educator, special education teacher of 37 years—love you, Mom. I also rise as someone who sat on my local school board for 2 years as a student representative.

This bill is modeled after one that I know very well—Florida's Parental Rights in Education law. Most of us know it as "Don't Say Gay." "Don't Say Gay" infringes on parents' rights, including LGBTQ+ and supportive parents.

Bills like this make schools more hostile, and make no mistake, it results in hate, bigotry, and, yes, sometimes death of our students in schools.

Republican lawmakers won't even allow my amendment to be considered that protects the First Amendment rights of parents. We want to talk about parental rights. What about their First Amendment right to fight for their children, LGBTQ+ children, who are fighting for gender-affirming and life-saving care?

One of my colleagues brought this up, but this bill focuses on parents' rights, but what about the rights of our students? What about the rights of our young people? Why are my Republican colleagues not advocating for our students? Is it because they know that the majority of young people despise legislation like this and do not support legislation like this that is bigoted?

Is it because this generation is the most progressive generation this country has ever seen because they want a world where everybody can succeed, where we see the world through the eyes of the most vulnerable?

See, the party is branded on freedom and liberty, but what about the freedom and liberties of young people and students who actually sit in the classroom?

I mean, if Republican lawmakers cared so much about what is happening in our schools, they would focus on feeding kids so we can ensure that everyone can learn on a full stomach.

If Republican lawmakers cared so much about what is happening in our schools, they would make sure that students have updated technology, teachers have the resources they need so students can actually learn.

If Republican lawmakers cared so much about what is happening in schools, what about the kids who are gunned down in their classrooms? The leading cause of death for young people in this country is gun violence.

None of that is in this bill. This bill is just a vehicle for hate and political nonsense, pushing a chosen wedge issue. It is not about policy; it is about politics. It is not about freedom and liberty. It is about the fear of a problem that doesn't exist.

Ms. FOXX. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. MILLS).

Mr. MILLS. Mr. Chairman, I rise today to state the obvious: There is no room for woke ideologies, sexualization of our children, and CRT in our classrooms.

The legislation before us makes a few things clear, but the main point is this: Parents' rights matter. American citizens rose up and demanded a seat at the table when it comes to their child's education and curriculum, and they did that by electing a GOP majority in the House.

I thank our leadership for bringing this legislation to the floor, and as a father, I want to make it a priority that we state that parents can and should protect their children. This bill ensures parents have a voice. It is time to show the American people we stand with parents, not educational bureaucrats who want to restrict our understanding and visibility of the issues.

These parents are not to be labeled as domestic terrorists. They are proud parents who want their children to succeed and not to be indoctrinated.

Mr. Chair, I stand in great support of H.R. 5.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 5 minutes to the gentlewoman from Massachusetts (Ms. CLARK), the Democratic whip.

Ms. CLARK of Massachusetts. Mr. Chair, I thank the gentleman from Virginia for yielding, and I include in the RECORD a letter from the Leadership Conference on Civil and Human Rights.

THE LEADERSHIP CONFERENCE
ON CIVIL AND HUMAN RIGHTS,
Washington, DC, March 23, 2023.

SUPPORT THE RIGHTS OF ALL STUDENTS AND PARENTS SUPPORT H. RES. 219, OPPOSE H.R. 5

DEAR MEMBER OF CONGRESS: On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 230 national organizations to promote and protect the civil and human rights of all persons in the United States, and the 228 undersigned organizations, we urge you to support the rights and inclusion of all students and parents in our public school system by supporting H.Res. 219, the Bill of Rights for Students and Parents, and opposing H.R. 5, the Parents Bill of Rights Act. As the civil and human rights community, we have fought for more than 100 years for the rights of all students and parents to attend and be fully included in well-resourced public schools that prepare them for their futures. The Bill of Rights for Students and Parents sets forth a vision respecting and honoring the dignity and worth of every child—a vision supported by the overwhelming majority of parents in the country. In contrast, H.R. 5 seeks to undermine the relationship between parents and teachers, to facilitate book banning, and to make our most marginalized children less safe.

During this time in which proponents of discrimination and exclusion are creating

policies and legislation to harm students and undermine the learning environment for everyone, support for developing supportive, inclusive, safe, and responsive public schools could not be more important. In a recent national survey, 80 percent or more of parents said that it was very or extremely important that their child be honest, ethical, hardworking, helpful to those in need, and accepting of people who are different from them. It is these parental values that are reflected in H.Res. 219. No matter our color, background, or zip code, we want our kids to have an education that imparts honesty about who we are, integrity in how we treat others, and courage to do what's right.

Similarly, 80 percent of parents want to protect the ability of young people to have access to books from which they can learn about and understand different perspectives and help them grow into adults who can think for themselves. H.Res. 219 recognizes this near-universal view that censorship and book banning “undermine the education of all students, take choices away from all students and their families, and limit the opportunities of parents, families, and children to access an education and think critically about the world around them.”

H.R. 5 seeks to create detrimental harm to our most marginalized children, erase the complicated and difficult history of our Nation, and damage parent and teacher relationships. Instead of promoting the values and priorities that the overwhelming majority of parents from all backgrounds and neighborhoods share, the bill would undermine important public health and child well-being data by effectively eliminating anonymous surveys of students; would harm those most vulnerable LGBTQ+ youth who are unable to come out to even their own parents by forcibly outing them, would embolden a small group of activists who are using book bans to selectively stamp out the perspectives of Black people, LGBTQ+ people, and other historically marginalized groups, and would bog schools down with reporting and commenting requirements that bear no relationship to proven parent and family engagement practices.

We ask that you strongly support H.Res. 219, strongly oppose H.R. 5, and reject attacks on the rights of all students and parents to attend and be fully included in well-resourced public schools that prepare them for their futures. If you have any questions, please reach out to Liz King, senior program director at The Leadership Conference on Civil and Human Rights.

Sincerely,

National (133): The Leadership Conference on Civil and Human Rights; A Way Home America; AACTE (American Association of Colleges for Teacher Education); Act To Change; Advocacy Institute; Advocates for Youth; All4Ed; American Association of University Women; American Atheists; American Civil Liberties Union; American Humanist Association; American School Counselor Association; Apiary for Practical Support; Arab American Institute (AAI); Asian Americans Advancing Justice I AAJC; Athlete Ally; Autistic Self Advocacy Network; Bazelon Center for Mental Health Law; Bend the Arc; Jewish Action.

Campaign for Our Shared Future; Campus Pride; Care in Action; Catholics for Choice; Center for American Progress; Center for Applied Transgender Studies; Center for Law and Social Policy (CLASP); Center for LGBTQ Economic Advancement & Research (CLEAR); CenterLink: The Community of LGBT Centers; Collective Power for Reproductive Justice; Council of Parent Attorneys and Advocates; Disability Rights Education & Defense Fund; EducateUS; SIECUS In Action; Education Leaders of Color (EdLoC);

Education Reform Now; Empowering Pacific Islander Communities; End Rape On Campus; Equal Rights Advocates.

Equality Federation; Equity Forward; Evaluation, Data Integration, and Technical Assistance (EDIT) Program; Family Equality; Feminist Campus; Fenway Institute; First Focus Campaign for Children; FORGE, Inc.; Girls Inc.; GLAAD; GLBTQ Legal Advocates and Defenders (GLAD); GLSEN; Grandmothers for Reproductive Rights; Hindu American Foundation; Hispanic Federation; Houston Area Urban League; Human Rights Campaign; Human Rights First; If/When/How: Lawyering for Reproductive Justice; Impact Fund.

In Our Own Voice: National Black Women's Reproductive Justice Agenda; Indivisible; interACT: Advocates for Intersex Youth; Interfaith Alliance; Japanese American Citizens League; Juvenile Law Center; KIPP Public Schools; Labor Council for Latin American Advancement; Lambda Legal; LatinoJustice PRLDEF; Lawyers' Committee for Civil Rights Under Law; Lawyers for Good Government; League of United Latin American Citizens (LULAC); Matthew Shepard Foundation; MomsRising; Movement Advancement Project; NARAL Pro-Choice America; National Association of School Psychologists; National Black Justice Coalition; National Center for Learning Disabilities.

National Center for Lesbian Rights; National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE); National Center for Transgender Equality; National Center for Youth Law; National Council of Asian Pacific Americans; National Disability Rights Network (NDRN); National Domestic Workers Alliance; National Education Association; National Employment Law Project; National Hispanic Media Coalition; National LGBT Cancer Network; National Organization for Women; National Urban League; National Women's Law Center; New American Leaders Action Fund; New Generation Equity; Oregonizers; People For the American Way; PFLAG National; Physicians for Reproductive Health.

Planned Parenthood Federation of America; Plume Health; Public Advocacy for Kids (PAK); Public Citizen; Public Justice; Red Wine & Blue; Reproductive Rights Coalition; School Board Partners; Sexual Violence Prevention Association (SVPA); SIECUS: Sex Ed for Social Change; Sikh American Legal Defense and Education Fund (SALDEF); SPAN Parent Advocacy Network; SPLC Action Fund; Stand for Children; Tahirih Justice Center; The Advocates for Human Rights; The Arc of the United States; The Education Trust; The Personal Stories Project; The Sikh Coalition.

The Workers Circle; TransAthlete; True Colors United; Trust Women; UnidosUS; Unitarian Universalist Association; United State of Women (USOW); URGE: Unite for Reproductive & Gender Equity; VoteProChoice; Voto Latino; Wayfinder Foundation; We Testify; Whole Woman's Health; Whole Woman's Health Alliance; Woodhull Freedom Foundation; YWCA USA.

State/Local (96): A Woman's Choice of Charlotte; A Woman's Choice of Greensboro; A Woman's Choice of Jacksonville; A Woman's Choice of Raleigh; Acadiana Queer Collective; Aces NYC; Action Together New Jersey; African American Office of Gay Concerns; AIDS Foundation Chicago; Alliance for Quality Education; Arkansas Black Gay Men's Forum; Avow Texas; Bans Off Miami; Black Californians United for Early Care and Education; Carolina for All; Central Florida Jobs with Justice; Chicago Abortion Fund; Chicago Lawyers' Committee for Civil Rights; Cobalt.

Democrats for Education Reform DC (DFER DC); Democrats for Education Reform Massachusetts; Democrats for Education Reform New York; Detroit Disability Power; DFER Colorado; Disability Law Center; Donald Patton; Dutchess County Progressive Action Alliance; Education Reform Now; Education Reform Now CT; Education Reform Now Texas; Equality California; Equality Illinois; Equality South Dakota; Equality Virginia; Equality Maine; Faces of Fallen Fathers; FL National Organization for Women; Florida Council of Churches; Florida Health Justice Project.

Forever Caring Evonné; Gender Justice; GLSEN New Mexico; Greater Milwaukee Urban League; Greater Orlando National Organization for Women; Illinois Families for Public Schools; Independent Voters of Illinois-Independent Precinct Organization; Indivisible DuPage; Indivisible Georgia Coalition; Indivisible Miami; Jane's Due Process; JASMYN, Inc.; Lafayette Citizens Against Censorship; Latino Memphis; Learning Rights Law Center; Los Angeles LGBT Center; Louisiana Citizens Against Censorship; Louisiana Coalition for Reproductive Freedom; Louisiana Progress; Louisiana Trans Advocates.

Maine Parent Federation; Massachusetts Transgender Political Coalition; Mazzoni Center; Memphis Urban League; Michigan Alliance for Special Education; Michigan Education Justice Coalition; Missouri Health Care for All; NASD; National Council of Jewish Women St. Louis; NJ Community Schools Coalition; North Carolina Justice Center; OutFront Minnesota; OutNebraska; Parent Education Organizing Council; Paterson Alliance; Paterson Education Foundation; PAVE (Parents Amplifying Voices in Education); Pride Action Tank; Pro Choice Missouri; Pro-Choice North Carolina.

Progress Florida; Queer Northshore; Rad Family, a project of North Jersey Pride; Reproductive Freedom Acadiana; Save Our Schools NJ; SHERo Mississippi; Silver State Equality-Nevada; Solid Foundation Youth Outreach; Southern Echo Inc.; St. Tammany Library Alliance; The Ezekiel Project; The Parents' Place of MD; The Urban League of Philadelphia; The Womxn Project; Urban League of Greater Pittsburgh; Urban League of Middle Tennessee; Virginia Coalition of Latino Organizations.

Ms. CLARK of Massachusetts. Mr. Chairman, I am the proud mom of three. Altogether, I have 36 cumulative school years under my belt, and I served on a school board for 6 of those fighting for parents and for kids.

I speak from experience when I call on this Chamber to oppose the GOP's politics over parents act. Once again, the majority is showing us how out of touch they are with American families. They are obsessed with wokeism, even as they struggle to define what that even means, but let me tell you, parents in this country are wide awake.

They wake up every day and do the best they can to provide for their families. They wake up and they want great schools where every single child can learn and excel. Parents want affordable childcare. They know that is the beginning of a great education. Right now parents are spending nearly a quarter of their family budget on childcare and that is when they can find it at all.

Congress had a chance to cut those costs for families. Every single House

Republican voted no. That is politics over parents. Parents know that building a better future means teaching our country's history. They know we have to address our teacher shortage, but demonizing educators, banning books like "To Kill a Mockingbird," that is politics over parents.

Parents know that taking care of a sick child shouldn't cost them their paychecks. They should not have to send that child to school sick because they don't have paid leave. The United States remains one of the only developed countries in the world without paid family leave. Every single House Republican voted against this basic benefit. That is politics over parents.

Moms and dads want schools and communities to be safe. They do not want their children shot while they are in school. Just yesterday, Denver families faced the horror of yet another school shooting. House Republicans refuse to enact commonsense reforms. Why? Politics over parents.

How about something as basic as feeding our children? Nope. House Republicans voted against the child tax credit. They voted to slash food stamps and eliminate free school lunches. Once again, politics over parents.

Then there is the shameless hypocrisy of talking about parents' rights as the GOP strips away American's rights to decide if and when they are going to have children.

At every turn, House Republicans have undermined the rights, freedom, and well-being of our Nation's families. Let's say "yes" to parents and "no" to this shameful bill.

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Ms. FOXX. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Chair, it is interesting what we hear from the other side of the aisle. I will have to depart from my prepared text to comment on what we are hearing.

I always come back to what was once put on the Black Lives Matter website, that they wanted to get rid of the Western-prescribed nuclear family.

There is this hostility to traditional values that is seeping into the public schools today. We recently read a poll showing that over 60 percent of people in the baby boom generation are proud to be American, whereas people under 25 are no longer proud to be American.

Where do they get this? They get this because some members of the schools—too many; and you can hear it from that side of the aisle—are obsessed with racism. This in such an open country. People are coming here from all over the world. You would have to be blind to think that racism is a huge problem here.

Their obsession over racism, the obsession over LGBTQ, their hostility to guns are all things that are pounding, pounding, pounding out of that side of the aisle, and we don't like our kids having to pick up on that.

When parents do show up, we have now found out that the FBI may become involved. They are so scared to death of parents sticking their noses into their own children's business.

Our country was made for a moral and religious people. Instead, the other side wants us to become a progressive group of people, whatever progressive stands for. I would have to say it is hostility to religion and an ever-growing government where the government is more and more responsible for everything in society.

Particularly in an age in which elected officials apparently side with the FBI getting involved with parents who stick their noses in their children's lives, it is vital that we pass a bill today clarifying that parents do have the right to get involved in their children's education, and it doesn't matter what the President orders or allows his FBI to do.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2½ minutes to the gentlewoman from New York (Ms. OCASIO-CORTEZ).

Ms. OCASIO-CORTEZ. Mr. Chair, I think what we are seeing here today is the Republican Party's attempt to take some of the most heinous legislation that we are seeing passed on the State level to attack our trans and LGBT, as well as people from marginalized communities' right to exist in schools.

This flowery language of "parental rights and freedom" hides the sinister fact of this legislative text. If you notice in these arguments, they are not really discussing what is actually in this legislation.

It includes two provisions that require schools to out trans, nonbinary, and LGBT youth even if it would put said youth in harm's way.

One of the highest rates of youth homelessness is in the LGBT community, from parents who want to kick their children out in households that may be unstable or abusive. For so many children of abuse, school is their only safe place to be.

Before they claim that this is not about banning books and not about harming the LGBT community, let's just look at the impacts of similar Republican legislation that has already passed on the State level.

Look at these books that have already been banned due to Republican measures: "The Life of Rosa Parks"; this apparently is too woke by the Republican Party. "Song of Solomon" is unacceptable to Republican politics. Forty percent of banned books reported are significantly addressing and specifically addressing LGBT issues.

To say and talk about government reach and freedom, this Republican bill is asking the government to force the outing of LGBT people before they are ready.

Talking about the rights of parents, the National Parents Union is here in this gallery today saying: Don't do this.

Mr. Chair, I include in the RECORD a letter where the National Parents Union is asking the Republican Party to: "Keep culture wars out of classrooms. Our children need urgent and aggressive educational solutions. . . ."

THE NATIONAL PARENTS UNION ISSUES STATEMENT CONCERNING THE INTRODUCTION OF THE PARENTS BILL OF RIGHTS BY CHAIR FOXX, SPEAKER MCCARTHY, AND HOUSE GOP

March 1, 2023—Boston, MA—The National Parents Union, released a statement following a press conference spearheaded by the Workforce Committee Chair Virginia Foxx, Speaker Kevin McCarthy, and members of the House Republican Conference:

Today, Chairwoman Foxx, of the House of Representatives Education and Workforce Committee, released a new bill that claims to be a Parents Bill of Rights. A true Parents Bill of Rights can only be developed following an extensive process that includes bringing together a broad spectrum of parents representing every intersectionality of the modern American family.

Nowhere in this Parents Bill of Rights does it guarantee parents that their student will have access to a high quality education that prepares them for a life of opportunity. In fact, this faux Bill of Rights glosses over the issues identified as the most important issues facing our children: school safety, the mental health crisis impacting students, and aggressively focusing on addressing the academic challenges that have the potential to hinder our children from achieving economic mobility and competing for the jobs of the future.

This bill has nothing to do with parent rights and everything to do with the radical culture wars that serve as a distraction from what our students' really need to recover from the pandemic. This bill would lead to more education bans, which takes books off classroom shelves and will therefore limit access to education for millions of kids across the country. From national polling we know that the top priorities identified by the vast majority of families are the safety of their children while at school and the urgent need for mental health supports. This bill fails to address either issue and therefore is clearly not intended for the millions of families who have been demanding leadership from federal, state and local lawmakers.

There are ways to write a Parents Bill of Rights in a way that guarantees student progress and addresses the crises that our schools and families face across the country. This is not that.

Ms. OCASIO-CORTEZ. Mr. Chair, I also include in the RECORD a letter from the American Library Association coming out against this Republican proposal.

AMERICAN LIBRARY ASSOCIATION,

March 16, 2023.

Re H.R. 5, "Parents Bill of Rights Act"—OP-POSE.

Hon. KEVIN MCCARTHY,
Speaker, House of Representatives,
Washington, DC.

Hon. HAKEEM JEFFRIES,
Democratic Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER MCCARTHY AND LEADER JEFFRIES: The American Library Association ("ALA") writes to express our opposition to certain provisions of H.R. 5 ("Parents Bill of Rights Act") and to urge a NO vote on H.R. 5.

Unquestionably, parents should have a voice in their child's education. However, we must oppose H.R. 5's school library provisions, which ironically would lead to more

government interference in family decisions regarding voluntary reading. These provisions:

- Are unnecessary and unwarranted;
- Would create a catalyst for more book banning and censorship; and
- Would create unfunded federal mandates and regulation where none are needed, at the cost of educating students.

This letter explains each of these concerns below and provides background information about school libraries and an analysis of the bill's school library provisions.

SCHOOL LIBRARIES ARE ESSENTIAL TO EDUCATIONAL ACHIEVEMENT

According to the National Center for Education Statistics, 88 percent of all public schools had a school library in 2020-21. School libraries and librarians play essential roles in promoting educational achievement, including by fostering a love of reading which encourages students' development of key literacy skills. School libraries offer a variety of age-appropriate materials for voluntary reading, which is central to helping students discover the joy of reading. School library collections are typically overseen by school librarians who hold a Master's in Library Science or comparable degree from an ALA-accredited graduate program, and who in many states are required to hold a state certification. Library collections are developed in accordance with professional standards, the school's collection development and reconsideration policies, and the requirements of applicable law, including the U.S. Constitution.

ANALYSIS OF H.R. 5'S SCHOOL LIBRARY PROVISIONS

The following provisions, as contained in Rules Committee Print 118-2, would impose new federal requirements on local school libraries.

Section 104 would require local educational agencies that receive funding under federal Education Department programs to notify parents that they have the right to a "list of the books and other reading materials contained in the library of their child's school" and to "inspect such books or other reading materials," and to provide parents with such list and opportunity to inspect such materials at the beginning of each school year.

Section 202 would require local educational agencies that receive funding under federal Education Department programs to make available for inspection by parents "any books or other reading materials made available to students in such school or through the school library of such school," and to adopt a policy providing for such inspection upon the request of the parent.

Section 202 also contains reporting provisions, which would require:

Local educational agencies that receive funding under federal Education Department programs to annually "report to the State educational agency any enforcement actions or investigations carried out for the preceding school year to ensure compliance with this section" and to "publish such information on its website;"

State educational agencies, in turn, to annually report information received from local educational agencies to the federal Education Department, as well as "a description of the enforcement actions the State educational agency took to ensure parents' rights were protected;" and

The federal Secretary of Education to annually report information received from states to Congress, along with "a description of the enforcement actions taken by the Secretary [. . .] to ensure full compliance."

Finally, Section 202 directs the Secretary to "take such action as the Secretary determines appropriate to enforce this section;"

including the authority to terminate federal funding "if the Secretary determines that there has been a failure to comply with such section, and compliance with such section cannot be secured by voluntary means."

The bill would not provide funding to implement these requirements.

THE BILL'S SCHOOL LIBRARY PROVISIONS ARE UNNECESSARY AND UNWARRANTED

The bill's school library provisions appear to be a solution in search of a problem. We are not aware of any situations where parents were not allowed access to the school library's catalog or materials. It is standard practice in today's school libraries to maintain online catalogs of their library materials and make such catalogs available to parents and students. School librarians welcome the opportunity to engage with parents in support of the student's education and fostering a love of reading. That is precisely why school libraries exist, and why school librarians have chosen their profession.

Furthermore, these provisions are unwarranted. As described above, school libraries provide access to a variety of age-appropriate materials. Notably, these are not mandatory instructional materials, but voluntary choices for student-directed reading. If a student isn't interested in a particular book, they can simply choose another book.

THE BILL'S SCHOOL LIBRARY PROVISIONS WOULD CREATE A CATALYST FOR MORE BOOK BANNING AND CENSORSHIP

We are very concerned about the potential negative unintended consequences of book banning and censorship of viewpoints if these federal requirements are imposed on local schools.

The federal government should not dictate which materials local school libraries can or cannot offer. Indeed, current federal law prohibits the Education Department from exercising "any direction, supervision, or control [. . .] over the selection or content of library resources" by local schools (20 U.S.C. 3403(b)). However, the school library provisions of H.R. 5 would expand federal involvement in that quintessentially local decision and invite more attempts to censor information and ban books.

Imposing new federal regulation—including a federal mandate for local schools to adopt new policies—would be weaponized by a small minority who seek to censor what other parents' children can read. The sad reality is that an increasing number of state and local politicians in recent years have acquiesced to extreme demands to censor reading choices, and we fear that censorship may become even more prevalent if these provisions are enacted.

We have already seen how destructive censorship can be with the banning of books in many communities. Book bans now include many shocking examples, including the banning of children's books regarding the contributions to society by individuals like Condoleezza Rice, Rosa Parks, and Malala Yousafzai. We cannot support provisions that will, even if unintentionally, lead to greater censorship and the banning of children's books that contain subjects such as the contributions of these historic figures.

THE BILL'S SCHOOL LIBRARY PROVISIONS WOULD CREATE UNFUNDED FEDERAL MANDATES AND REGULATION WHERE NONE ARE NEEDED, AT THE COST OF EDUCATING STUDENTS

As described above, the bill's requirements for school libraries are essentially duplicative of standard local practice. Nonetheless, by imposing new federal regulation on local schools, the bill would create new paperwork requirements, compliance burdens, and administrative costs, including for rural and small schools that can least afford them.

These unfunded mandates would be another distraction from schools' fundamental work to educate students. These same provisions would hand the federal Education Department new, broad authority to defund schools deemed to have inadequately complied with these new federal regulations. If enacted, these provisions would take dollars that should be used to pay for books, librarians, and teachers, and require that they instead be spent on administrators, bureaucrats, and paperwork—to the detriment of the students our schools should be focused on serving.

CONCLUSION

We believe that parents should be partners in their children's education. However, H.R. 5's school library provisions do nothing to advance that goal. Instead, they would create unnecessary and unfunded federal mandates on local school libraries that likely would result in more government censorship of reading choices.

Congress should support freedom for parents and students to choose what they want to read. Inspired by the wisdom of our country's Founders, the First Amendment must be our guide star. If anyone is to tell a child that they can't read a book, it should be the child's parent, not a politician. Congress should support students by strengthening school libraries and protecting the freedom to read—not imposing more bureaucratic burdens and invitations to censorship.

We are confident that parents want more books, not fewer, in their children's school libraries.

Thank you for your consideration. If we can provide more information, please contact Gavin Baker.

Sincerely,

ALAN S. INOUE, Ph.D.,
Senior Director, Public
Policy & Govern-
ment Relations and
Interim Associate
Executive Director
American Library
Association.

Ms. OCASIO-CORTEZ. Mr. Chair, when we talk about progressive values, I can say what my progressive value is, and that is freedom over fascism.

Ms. FOXX. Mr. Chair, I yield 4 minutes to the gentleman from Texas (Mr. MORAN).

Mr. MORAN. Mr. Chairman, first I thank Congresswoman LETLOW for introducing this important piece of legislation and Chairwoman FOXX for her steady and unwavering leadership, guiding the Education and the Workforce Committee through a 16-hour debate, ending in a 2:23 a.m. vote a few weeks ago to pass this out of committee.

This bill ensures that parents stay at the center of educating their children, regardless of whether that education occurs at home or in a public school system or anywhere in between. Until we can get the Federal Government completely out of K-12 education, Federal legislation shoring up the rights of parents is absolutely necessary.

H.R. 5, known as the Parental Bill of Rights Act, will keep parents and families at the forefront of their child's educational journey. It will also strengthen those critical partnerships between engaged parents and willing educators. The beneficiary of such partnerships will undoubtedly be the schoolchildren nationwide.

For generations, our classrooms have been a sacred place, a place where children dig in to understand this world and how it works, where they discover their passions and the reason for their creation, and where they prepare for a lifetime of pursuing those passions.

I know this firsthand because before I entered my legal career, I worked in a public school system for multiple years. I married a public educator. About 9 years ago, I helped to start and run an education foundation that supports the fabulous teachers in my local public school district who teach with innovation and passion. Currently, I have four children donning the doors of that very school system, a choice my wife and I proudly make.

However, public classrooms should not be a place for advancing personal agendas or political propaganda. The role of our public educators is to educate, not to indoctrinate. Although the overwhelming majority of educators that I represent in east Texas thankfully understand this, it seems to me that in so many other corners of this country, many others have forgotten this or perhaps they have just simply forsaken this on purpose. In either case, it requires action by this Congress to stand firmly with parents in their partnership with educators.

Neither parents nor educators are the enemy. The enemy here is an unchecked system and political agenda that excludes one of those two essential parties necessary for the proper education of students; namely, the parents.

In 1925, the Supreme Court unanimously held that “the parental right to guide one’s child intellectually and religiously is a most substantial part of the liberty and freedom of a parent.”

This concept is nothing new. We are talking about the fundamental rights of parents. Parents should be at the center of the education of their children, not the Federal Government.

As a member of the House Committee on Education and the Workforce, I will continue to fight to keep the Federal Government out of our children’s educational journey while working to increase the voice of our parents and families.

As a member of that committee, I will also continue to applaud the dedicated work of so many educators in this country who have been doing the right thing by both parents and students for decades. For those educators and school districts, this legislation changes little; but for those who see parents as the enemy, this legislation changes much.

Under this legislation, young and impressionable students will be safeguarded from propaganda and undue influence from those who should be educating but who have instead chosen to deviate from this responsibility to pursue a political agenda.

Nearly a century later after the Supreme Court weighed in on this issue, I am proud to stand here in support of

the Parental Bill of Rights Act, which will reinforce the fundamental rights of parents and guardians to make the decision that is best for their families and their children’s academic career.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. JEFFRIES), the Democratic leader.

Mr. JEFFRIES. Mr. Chair, I thank the distinguished gentleman from the great Commonwealth of Virginia for yielding and for his leadership.

Mr. Chair, I rise today in strong opposition to H.R. 5, legislation brought to us by the extreme MAGA Republicans that will put politics over parents.

This legislation has nothing to do with parental involvement, parental engagement, or parental empowerment. It has everything to do with jamming the extreme MAGA Republican ideology down the throats of the children and the parents of the United States of America.

Now, House Democrats believe that every single child should have access to a high-quality, first-rate education.

House Democrats believe that every single child throughout America should learn reading, writing, and arithmetic at the highest level possible.

House Democrats believe that every single child should be exposed to science, technology, engineering, and mathematics so that they have the skills to succeed in the 21st century economy.

House Democrats believe that every single child in this great Nation should have the opportunity to robustly pursue the American Dream.

House Democrats believe that the parents of this great country should have the opportunity to be involved intimately and engaged intimately in the education of their children.

We take a back seat to no one on this issue. In fact, we put resources into making sure that parents have the opportunity to be fully involved and engaged in the education of their children.

The other side of the aisle—the extreme MAGA Republicans—have, in fact, voted against legislative efforts to empower parents in our schools.

It is a deeply personal issue for all of us. I am the father of two sons who were in public school every step of the way—kindergarten, elementary school, middle school, high school—and parental involvement and parental engagement is critically important. It was for their journey, for their success, and we want that for every single parent in America.

What we don’t want is the extreme MAGA Republicans trying to tell the parents of America how to educate their children, how to raise their children, what books their children can or cannot be exposed to on their educational journey. That is what the politics over parents bill is all about.

Their educational agenda is pretty simple. They want to ban books. They

want to bully the LGBTQ+ community. They want to bring guns into classrooms, kindergarten and above. That is their educational agenda. They want to ban books about history, ban books about the American journey, ban books about the Holocaust, ban books about slavery, ban books about the civil rights movement, ban books about the LGBTQ+ experience, ban books about the Native American experience, ban books about the Latino experience, ban books about the Asian-American experience, ban books about our collective journey as a great country, a gorgeous mosaic of people from all over the world who come here to pursue the American Dream. That is what makes American exceptionalism so phenomenally important to our collective success as a country, and they want to take that away from the parents of America.

Because of what has happened in several States, they have already banned more than 2,500 books in America, the highest number in recorded history.

What kind of books have they banned? Are these books dangerous to the education of our children? They are too numerous for any of us to go through during the time that we have allotted for this debate, but let’s go through a few of them.

□ 1515

They want to ban a book called “Maus.” It is about the horrors of the Holocaust, an egregious crime against humanity that we should never ever forget—6 million Jews exterminated.

They want to ban “Maus,” a book about the Holocaust. What is so offensive in that book? Let me read a passage. “They took from us our papers, our clothes, and our hair. We were cold, and we were afraid.”

Extreme MAGA Republicans don’t want the children of America to learn about the Holocaust.

What else do they want to ban? They want to ban the book called “I am Martin Luther King, Jr.” There is a Federal holiday in honor of Martin Luther King, Jr., what he meant to the country, the civil rights movement, the march toward a more perfect Union, liberty and justice for all, equal protection under the law, and free and fair elections.

They want to ban the book “I am Martin Luther King, Jr.” What is so offensive about this book? Let me read a passage. “In my life, people tried to tell me I wasn’t as good as they were, just because of the color of my skin. When someone hurts you like that, it can be tempting to hurt them back. You must refuse. When someone shows you hate, show them love. When someone shows you violence, show them kindness.”

That is the book that they want to ban, “I am Martin Luther King, Jr.”

What else do they want to ban? They want to ban a book called “Melissa,” a book describing, in very personal terms, the experience of a trans girl beginning to understand her identity.

What is so dangerous about that? I was taught in my religion, growing up in the Cornerstone Baptist Church, that we are all God's children. Shouldn't we learn about all of God's children? That is what my religion teaches me. What is so offensive about "Melissa"? What is so offensive about this book?

Let me read a passage. "Her heart sank. She had genuinely started to believe that if people could see her onstage as Charlotte, maybe they would see that she was a girl offstage, too."

Extreme MAGA Republicans don't want your child to learn about the LGBTQ+ experience in America. That is not a decision that extreme MAGA Republicans here in Congress should make. The parents of America should be able to make that determination.

What else do the extreme MAGA Republicans want to ban? Now, I grew up in America, where we were taught that whenever you were trying to identify something with this great country, well, there is nothing more American than baseball and apple pie. I am sure if we searched hard enough, they want to ban something about apple pie, but today, we know they definitively have tried to ban a book about baseball, about Roberto Clemente, the first Latino baseball player to make it into the Hall of Fame.

Why do they want to ban a book about Roberto Clemente? What are they trying to hide from you? Let me read a passage from this book. "He had no money for a baseball bat, so he made one from a guava tree branch. His first glove he also made, from the cloth of a coffee bean sack. His first baseball field was muddy and crowded with palm trees."

Isn't that part of what makes America such a great country, that you can aspire to be part of what you see in front of you? In this case, it was baseball for a young kid growing up in Puerto Rico—by the way, part of America—who decides that he wants to be part of this great American pastime.

The extreme MAGA Republicans want to stop your children from learning about the Latino experience in America, even when it relates to baseball and Roberto Clemente.

One last example—I could be up here all day. What else do they want to ban? They want to ban a book called "The Absolutely True Diary of a Part-Time Indian," which is about a Native teenager's high school experience.

What is more American than Native Americans? They don't want your children to learn about Native American history and experience in this country.

What is so dangerous about this particular book? Let's see. It says: "We Indians have lost everything. We lost our Native land; we lost our languages; we lost our songs and dances. We lost each other. We only know how to lose and be lost."

That is part of the Native American experience in this country. That is part of reality. That is part of our journey.

Extreme MAGA Republicans don't want the parents of this country to have the opportunity to decide for themselves whether the children of America should have an opportunity to learn about the Native American experience. They want to jam their extreme MAGA Republican ideology down the throats of the children and parents in America.

That is unacceptable; that is unconscionable; and that is un-American. That is one of the reasons why we strongly oppose this legislation.

We will fight against this legislation. We will fight against the banning of books and fight against the bullying of children from any community and certainly from the LGBTQ+ community.

We are going to fight against your extreme MAGA Republican agenda that has no interest in dealing with the education of our children, empowering them, and offers up solutions like bringing guns into the classroom.

We will fight against their efforts at banning books, bullying children, and taking away the freedom of parents to make decisions on their own today. We will fight against it tomorrow. We will fight against it forever and always stand with the parents and children of our great country.

Vote "no" against H.R. 5.

Ms. FOXX. Mr. Chairman, here is the truth about this bill. This bill will not ban any books. I repeat: This bill will not ban any books.

What is dangerous right now is when people misrepresent what is in legislation before us.

Mr. Chairman, I yield 4 minutes to the gentleman from Utah (Mr. OWENS), my distinguished colleague, the chair of the Subcommittee on Higher Education and Workforce Development.

Mr. OWENS. Mr. Chair, I rise in support of H.R. 5, the Parents Bill of Rights Act.

I am the father of 6 children and the grandfather of 16 grandchildren. I am also the son of two educators. I know from experience that students succeed when parents and educators work together.

Between crippling learning loss, school closures, and now teacher strikes, our kids have been through enough. They don't stand a chance if parents are kicked out of the driver's seat. Moms and dads are the primary stakeholders in a child's education, not the government, period. They have a God-given right to be involved in their child's education and development, especially in the classroom.

Under the one-party Democratic rule in Washington, parents have been left behind, kept out of the classroom, and even labeled and targeted as domestic terrorists by the Biden DOJ. In Biden's America, parents come last.

Under the House Republican majority, we are supporting parents and fulfilling our commitment to America by making sure moms and dads have a seat at the table.

The Parents Bill of Rights Act is just good, old-fashioned common sense, and

here is the truth of the Parents Bill of Rights Act. Parents have a right to know what is being taught in schools and to see the reading materials. Parents have a right to be heard. Parents have a right to see the school budget and spending. Parents have a right to protect their child's privacy. Parents have a right to be updated on any violent activity at school.

Unfortunately, in committee, 17 Democrats opposed protecting these God-given parental rights. Just remember: Parental rights are nonnegotiable.

Mr. Chair, I am proud to vote "yes" on the Parents Bill of Rights Act, and I urge my colleagues to do the same.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I want to adhere to the protocols of the floor. If I did not, I would shout from the rooftops as a mother and a happy grandmother that I champion parental rights and parents. I am happy to have been one and to continue to be one, and I view parenthood and parents' rights as cherished rights.

Not one Democrat here would argue against that principle. In fact, there is no doubt that we, as Democrats, have fought for parents and their rights.

Child tax credits should now be made permanent, taking care of additional childcare for those parents who are burdened, and for those who need housing, investing more so that children have roofs over their heads, as well as ensuring that no one is left alone looking for housing.

Why I cannot support H.R. 5 is not because of my championing parents' rights. Before I came here from Houston, I was with parents, fighting against the devastating takeover by a Republican Governor and State education commissioner of a school district that has a rating of B.

I am against undermining nutrition in schools. That is in this bill. I am against undermining vulnerable children, such as transgender children. I am against banning books, such as a book about a Black astrologist, a scientist, Neil deGrasse Tyson, or the story of a man ultimately of peace who brought South Africa together, Nelson Mandela.

Banned books, I am against that. I am against it because I want to make sure that parents want to have involvement in what their children learn.

I am against not wanting to hear the words of Elie Wiesel about the Holocaust. He said: "I swore never to be silent whenever wherever human beings endure suffering and humiliation."

Don't we want our children to be kind?

Don't we want our children to know that slavery was wrong, as I fight against slavery today that still exists?

Don't we want our children to understand the basis of all of our history, the mosaic of this Nation and African-American history?

Don't we want teachers to get the salaries that they deserve?

Don't we want to make sure that it is important, if you will, to ensure that our school buildings are repaired?

That is why I include in the RECORD the First Focus letter.

FIRST FOCUS
CAMPAIGN FOR CHILDREN,
Washington, DC, March 20, 2023.

Hon. JULIA LETLOW,
Member, Committee on Education & the Workforce,
House of Representatives, Washington, DC.

Hon. KEVIN MCCARTHY,
Speaker, House of Representatives, Washington, DC.

Hon. HAKEEM JEFFRIES,
Democratic Leader, House of Representatives,
Washington, DC.

Hon. VIRGINIA FOXX,
Chair, Committee on Education & the Workforce,
House of Representatives, Washington, DC.

Hon. BOBBY SCOTT,
Ranking Member, Committee on Education & the Workforce,
House of Representatives, Washington, DC.

DEAR CONGRESSWOMAN LETLOW, SPEAKER MCCARTHY, LEADER JEFFRIES, CHAIRWOMAN FOXX, AND RANKING MEMBER SCOTT: I am writing on behalf of First Focus Campaign for Children, a bipartisan children's advocacy organization dedicated to making children and families a priority in federal budget and policy decisions, to express opposition to H.R. 5, the Parents Bill of Rights Act. We do not believe this bill strikes the right balance between the duties of schools, the rights and responsibilities of parents, and the oft-ignored but important rights of children.

PARENTAL ENGAGEMENT IS CRITICAL

First, let's be clear: Parents are fundamental to the upbringing of children and absolutely should be engaged and involved in the education of their children. In fact, children have better outcomes when their parents are involved. As a parent of four children myself, I have engaged with my children's schools by voting in school board elections, attending all parent-teacher conferences, volunteering in my children's classrooms, scheduling time to meet with teachers and administrators when important issues arise, serving on the PTAs at my children's schools, serving on athletic booster clubs, and volunteering as an assistant boys and girls basketball coach for two county schools.

In addition to my personal experiences, I have learned a great deal over the years from both of my parents, my step-mother, step-brother, my uncle, and several cousins, who are all educators. Consequently, I have immense respect for the work, talent, dedication, and concern that the vast majority of teachers and educators bring to their profession on a daily basis—all with the goal of educating our nation's children to best achieve their hopes and dreams while also trying to provide a place of safety and compassion for each and every one of their students.

Again, we strongly support parental engagement in education, but parents should not control all curriculum and educational decisions. Doing so is unworkable.

For example, imagine an elementary school of 500 students where 12 parents oppose the teaching of evolution, 8 parents believe the early is flat, 21 are Holocaust deniers, 14 oppose learning about slavery, 7 believe in racial segregation, 17 believe in the concept of schools without walls, 27 believe in corporal punishment, 12 want Harry Potter books to be banned, 25 want books banned that mention the Trail of Tears, 31 believe parents should be allowed to overrule

a physician's decision that a child with a concussion should refrain from participating in sports, 39 oppose keeping kids out of school when they have the flu, 4 believe that a child with cancer might be contagious, 34 believe students should be "tracked" in all subject areas, 12 believe students should not be taught how to spell the words "sinal tap", "quarantine", or "isolation" because they are too "scary of words," 41 don't like the bus routes, 45 want a vegan-only lunchroom, 4 demand same-sex classrooms, etc. Even though most parents oppose these demands by some parents and many of them are completely false, undermine the purpose of education, threaten the safety of children, or promote discrimination, H.R. 5 would seek to push their accommodation in some form.

Ms. JACKSON LEE. Mr. Chair, I also include in the RECORD a March 7, 2023 letter to President Biden and Secretary Miguel Cardona.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 7, 2023.

Hon. JOSEPH R. BIDEN,
President of the United States,
The White House, Washington, DC.

DR. MIGUEL CARDONA,
Secretary of Education, U.S. Department of Education,
Lyndon Baines Johnson Building,
Washington, DC.

CC: CATHERINE E. LHAMON,
Assistant Secretary for Civil Rights, Office for Civil Rights, U.S. Department of Education,
Lyndon Baines Johnson Building,
Washington, DC.

DEAR PRESIDENT BIDEN AND SECRETARY CARDONA: Public school education around the country is under attack and the actions of the Texas Education Agency (TEA) in taking over one the largest school districts in the nation, despite a B+ rating overall and intense work with schools needing additional help the state has underfunded, HISD is further evidence we must support schools, parents and teachers.

We the undersigned Members of Congress are writing to request that the Department of Education take immediate action to investigate systemic and discriminatory state takeovers of public schools receiving federal funds from the U.S. Department of Education throughout the State of Texas. It is imperative that there be some form of federal intervention immediately to prevent a takeover of the Houston Independent School District (HISD) because of the detrimental impact on a predominantly minority school district that is a recipient of major federal funding.

State officials in Texas are actively working to eliminate public education and erode federal protections in educational institutions throughout the State of Texas, causing racially disparate and harmful outcomes for children and families in Black and Hispanic communities in Texas.

The recent actions taken by the Texas Education Agency (TEA) and the state of Texas are an absolute outrage and a threat to all Texans. There is no justifiable reason for the TEA to take over HISD. Rather, the continued intermeddling and overstepping into our educational systems by Texas state officials is causing further harm and damage to our communities—and it must stop.

Taking over a school district such as HISD makes absolutely no sense at all. HISD is the largest school district in Texas, with 274 schools and a student population of approximately 200,000 students. HISD is rated B+, and 94 percent of HISD schools now earn a grade of A, B or C, up from 82 percent in 2019. Yet, TEA is basing its decision to take over HISD on one school. As of today, Phyllis Wheatley High School is no longer low per-

forming and there are new members on the board. The conditions that existed when the takeover was first proposed no longer exist. Moreover, Wheatley would've passed under the rules that were in place at the time, but TEA changed the rules, and made them fail. Given Wheatley's improvement to a C and the district's overall B rating, the TEA's reason for initiating a takeover bid in 2019 is no longer valid.

TEA has no experience managing a district of this magnitude and should not be engaging in such drastic efforts without any viable justification. The structure that will be used to govern this huge school district will be a board of managers solely selected by the TEA—with no input by voters, teachers, students and/or administrators. There is a question of whether the TEA is operating correctly under Texas State education law and the Texas State Education Code. Pursuant to Senate bill 1365, Section 39.0546 (c) and Texas State Education Code. Section 39.0546(c)(1) and (2) it is unclear that the TEA commissioner even has the authority to takeover HISD because the school in question, Wheatley High School, has maintained a C performance rating at this time. This action is confusion to the constituents of HISD, and the state has no answer as to why they think they have the right to do this—particularly when Wheatley High School is performing, other schools are performing, and the school district is performing, even though there are schools with challenges that the school is focusing on.

While the TEA Commissioner's stated reasoning for pursuing a state takeover of HISD, namely one single underperforming school in Houston ISD, this rationalization further highlights the latest confusing and contradictory actions taken by Texas state officials in their larger efforts to justify stripping locally elected school boards of their authority, and effectively stripping Texans of their federally protected rights.

Despite the long-evidenced fact that state takeovers have targeted low income and Black and Hispanic communities, resulting in lower graduation rates and higher student suspensions, Governor Abbott has made no secret of his support for privately run charter schools—of which do not have to provide a free, appropriate public education under federal law—and his discontent for public schooling for all children in Texas, of which is subject to federal law and oversight. Seizing HISD, the eighth-largest school district in the country is a clear overreach by Texas government officials and their pursuit and intent to turn over state run schools to privately run charter schools.

A state takeover would not only lead to school closures, layoffs and no improvements in test scores, it would also absolutely harm the HISD scholars. All you have to do is look around to see any urban schools that TEA has taken over and you will see that TEA did not make them better. The vast majority of school districts that have been taken over by state agencies (TEA included) have not improved but declined.

There are 15 such instances over the course of three decades, according to state records. None likely offer a case study that would compare to a takeover of the diverse student body of HISD, the largest school district in the state and the eighth largest in the nation—which also serves predominantly Black and Hispanic children and families considered to be "economically disadvantaged". According to the recent article in the Houston Chronicle reporting on this concern of prior Texas state school takeovers, it is pertinent to quote the following information:

Seven of those districts were predominantly Black, including multiple districts with schools significant to Texas' African

American history. Another seven of the districts taught mostly Hispanic student bodies. Only one district—Shepherd ISD—was predominantly white. Around 66 percent of students in that district are economically disadvantaged.

Of HISD's 187,000 students, 62 percent are Hispanic and 22 percent are Black. Nearly 80 percent of its students are economically disadvantaged.

None of the districts previously taken over by TEA come close to comparing in size to HISD. The smallest of those districts, Kendleton ISD, had less than 100 students and the largest, El Paso ISD, has 50,709. Beaumont ISD has around 17,000."

While there are real schools struggling throughout Texas and despite an overall increase in public school performances, TEA is choosing to target only those schools with predominantly Black and Hispanic children over other school districts with far greater rates of performance decline. In fact, TEA released a report for its 2022 A-F accountability ratings for districts and campuses, which showed that of the 1,195 districts and 8,451 campuses rated in 2022, 25% of districts and 33% of campuses improved their letter grade from 2019, and 18% of high-poverty campuses in Texas were rated an A.

It is also important to highlight that Texas is behind the national average in how much it spends per student in the classroom. More specifically, data from the U.S. Census Bureau shows that Texas spends \$3,000 less than the national average. Overall, Texas spent a little over \$10,000 per student in 2020; as the largest school district in the state, HISD spent even less, averaging \$9,380 per student. Given the complete lack of funding infused into school districts like HISD, it should be incumbent upon the State of Texas to reprioritize and shift its focus to allocating more appropriate and equitable funding across shamefully underfunded and underserved communities and school districts.

In fact, it is well known that a critical factor impacting students' academic outcomes is investing even more money into low-income students. Low-income students perform worse in states with larger spending gaps—states whose actual spending is furthest from the amount needed. With data ranging back to the late 1980s, researchers found that most state takeovers don't translate to academic improvements. And in states with no spending gaps, poor students perform at or above the national average for all U.S. students—which shows that states can improve the academic performance of even our poorest students by investing more—not by discriminately targeting schools for state takeovers.

As your agency is aware, Texas is plagued with 154 open and pending cases of reported discrimination currently under investigation at elementary, secondary and post-secondary schools throughout the state. Between 2015 and 2023, there have been at least 51 cases opened at such institutions and are currently pending investigation for racial discrimination and harassment, as well as at least 28 cases for retaliatory discrimination at various educational institutions across Texas. And yet, these numbers do not even begin to account for the countless documented and undocumented cases of current and historical discriminatory practices, of which no state in this nation is immune to.

The Department of Education's Office for Civil Rights serves to enforce several federal civil rights laws that prohibit discrimination in programs or activities that receive federal financial assistance from the Department of Education. Whereby, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin; Title IX of the Education Amendments

of 1972 prohibits sex discrimination; Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability; and the Age Discrimination Act of 1975 prohibits age discrimination, the primary role of OCR is to assist student populations facing these areas of discrimination, and to resolve their complaints, as well as to provide guidance and assistance to advocates and institutions promoting systemic solutions to civil rights problems.

These civil rights laws enforced by OCR extend to all state education agencies, elementary and secondary school systems, colleges and universities, vocational schools, proprietary schools, state vocational rehabilitation agencies, libraries, and museums that receive U.S. Department of Education funds, including but not limited to: admissions, recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, housing, and employment. An additional critically important part of OCR's responsibilities is to foster partnerships and initiatives designed to develop creative approaches to preventing and addressing discrimination.

Unfortunately, Texas educational school systems and their controlling governmental officials are no stranger to running afoul of federal laws your agency is tasked with enforcing and protecting.

In 2018, the Department of Education found the entire state of Texas to be in violation of the Individuals with Disabilities Education Act. By setting an enrollment target for special education, the Texas Educational Agency (TEA) denied tens of thousands of children their federally protected right to free and appropriate public education supports and services. Governor Abbott has long sought to restrict access to free public education to all children in Texas and takeover control of all Texas educational systems in order to implement harmful and discriminatory policies and agendas.

Most recently, Governor Abbott has been pushing for additional voucher programs across Texas—namely an \$8,000 initiative for individuals in rural communities. While some may say that school choice efforts are critical to ensuring that families can decide the best educational settings for their children, such programs are not going to help public school systems. Instead of providing critical funding for underfunded school programs, money and resources simply get diverted away from the public schools that serve the majority of children in Texas.

Now, with the recent Texas Supreme Court ruling to lift the temporary injunction, that kept the TEA Commissioner, Governor Abbott and other state officials from taking over the HISD, the plight of schools and the educational future in Houston, as well as throughout the entire state of Texas, is particularly dire and in need of federal oversight and intervention.

A TEA takeover would have a significant and negative impact on HISD and other Independent School Districts in Texas because a board of managers is not elected, and they don't have to answer to the constituents, including children, parents and teachers, in those districts. This is particularly relevant given the day before the TEA Commissioner announced the state takeover of HISD, voters had democratically elected new members to the school board—raising many unsettling questions about the state's true agenda.

Additionally, we must not lose sight of the fact that teachers and support staff within the education system are some of the most important people in our society. The dedicated public service they provide represents the heart of our nation—as the work they do

is vital to fabric of our communities. They shape generations of our future leaders and hold the key to our children's potential. As we know, however, teachers are underpaid and often go unappreciated in their efforts to make our world a better place. The TEA takeover of HISD would not only result in school closures and job cuts, but the actions of the TEA would also eliminate all of their rights on how to be heard on how they can proceed in the face of such attacks on their livelihoods and service to our communities. Well-meaning and extremely qualified teachers would lose their jobs and their voice.

That is why we are writing to request that the Department of Education, pursuant to its duty and authority under law, investigate and take immediate action to address the recent systematic and dangerous efforts underway by state and local officials in Texas seeking to undermine and undo decades of civil rights protections and advancements in educational institutions and student populations. I am confident that the Department of Education will do all that is necessary to ensure that the rights of Texans and all those impacted by the heightened discriminatory actions by Texas officials are protected and safeguarded.

Thank you very much for your consideration and assistance in this matter. If you have questions or need additional information, please contact Congresswoman Sheila Jackson Lee at (202) 225-3816, the Representative for the 18th Congressional District of Texas, the jurisdiction where HISD is located.

Ms. JACKSON LEE. Mr. Chair, I want us to know that, in supporting parents' rights, we must support not destroying public school education, and we must support the Houston Independent School District to not allow—

The CHAIR. The gentlewoman's time has expired, and the gentlewoman is no longer recognized.

□ 1530

Ms. FOXX. Mr. Chair, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Chair, I thank the gentlewoman for yielding.

Mr. Chairman, I rise today in support of H.R. 5, the Parents Bill of Rights Act. This legislation reinforces parents' indisputable rights to the protection and education of their children.

We have seen a push towards centralizing education by the government, a mentality seen too often with the left taking away those decisions from parents. This bill returns choice to the caretakers of our most precious resource: The next generation.

Why do we need this bill?

We had a Democrat politician running for Governor in Virginia who lost, who said: "I don't think parents should be telling schools what they should teach."

Can you believe that?

I don't think parents should be telling schools what they should teach.

Republicans believe in education, especially when parents are in control. It is ironic that the leftwing has censored or banned books. Harry Potter books have been burned because leftists don't like the author.

Leftwing school districts in California have banned "Of Mice and Men" and "To Kill a Mockingbird."

Mr. Chair, this bill puts parents in control. Everyone who cares about the welfare of our youngest citizens should support this bill.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2½ minutes to the gentleman from Maryland (Mr. RASKIN), the ranking member of the Committee on Oversight and Accountability.

Mr. RASKIN. Mr. Chairman, we oppose H.R. 5 because we stand with the school boards and the PTAs, the parents and the teachers, the students, and 13,000 school superintendents whose letter opposing this legislation I would ask to be included in the RECORD.

Mr. Chair, I include in the RECORD a letter from The School Superintendents Association.

MARCH 22, 2023.

Hon. KEVIN MCCARTHY,
Speaker, House of Representatives,
Washington, DC.

Hon. HAKEEM JEFFRIES,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER MCCARTHY AND MINORITY LEADER JEFFRIES: AASA, The School Superintendents Association, representing 13,000 school district leaders across the United States, writes to share our view of H.R. 5, the Parents Bill of Rights.

Superintendents know that parents are their children's first and most important educators, which is why effective family engagement at the state and local level is one of the key determinants of student and school success. As superintendents who serve at the pleasure of school boards selected by parents, families and community members, it is critical that every child and family who walks through our doors on a daily basis feels welcome and supported in our buildings and classrooms. We know an educational environment that connects and engages families will ensure greater success for all students. We believe that every family should have the opportunity to be an active participant in their child's educational experience and connect directly with their child's professional educators, while working in concert with school staff and administrators to maximize their child's success.

As a national organization representing the CEOs of school systems, our view has always been that local control in K-12 education is not only what is best, but what is most appropriate. It is for this reason that we must oppose H.R. 5. As champions of local control, AASA has long opposed topdown, prescriptive federal education policies that dictate how districts utilize limited federal funding, pressure districts to adopt specific standards or curriculum or create national teacher or educator standards and requirements.

Parents are the locus of local control in education as they provide input on local policies and practices created at school board meetings, connect directly with superintendents, principals and teachers in class and school-wide events, and have access to any and all educational materials, platforms and curriculum their children are utilizing inside and outside of school.

The Parents Bill of Rights is full of district mandates without any funding for these new and burdensome requirements that will be a place a disproportionate hardship on small and rural schools. Provisions that would require a district to print out the curriculum for parental review and comment, send notices about every guest speaker that may address a class, require mental health per-

sonnel to contact parents if a student discloses any mental health concern and share a list of every professional development opportunity the district provides to educators and staff are just a few examples of extreme federal overreach in local education policy.

Aside from AASA's federalism concerns and the many new unfunded mandates that H.R. 5 creates, there are also practical implementation concerns with how the legislation would disrupt learning in classrooms and make it incredibly challenging for educators to meet the significant educational needs of students. For example, giving parents the ability to opt out of the collection, disclosure, or use of personal information collected from students and commonly used education technology in the classroom would make it nearly impossible for schools to meet the educational needs of students and use a host of online diagnostic, differentiated and adaptive assessments and tools to measure a student's understanding, proficiency and growth academically. This change would leave teachers not only ill-equipped to address learning loss in a post-pandemic educational environment thereby exacerbating educational inequities, but forced to find and make use of resources, curriculum, and assessments from several decades ago.

H.R. 5 would make it more challenging to ensure our schools are safe and welcoming environments for every student. The legislation would make it more challenging to direct students to appropriate mental health supports in schools thereby risking the safety of all students and educators. As an example, a counselor who suspects a child may be abused would be required to notify parents and get a signed parental opt-in before the counselor can assess the child's health, safety and well-being at home. The bill would also undermine districts' ability to collect anonymized survey data to gauge student safety and well-being in school and it would make our transgender and nonbinary students more likely to disengage or drop out of school.

While we appreciate the robust discussion about student privacy and support a reauthorization of Family Educational Rights and Privacy Act and Protection of Pupil Rights Amendment that will clarify critical issues and update the law to appropriately respond to the twenty-first century learning environments in our schools, the changes to FERPA and PPRA proposed by H.R. 5 are not those AASA can support. Similarly, we welcome a conversation on how to reauthorize the Elementary and Secondary Education Act, but we do not support piecemeal changes to critical provisions in Title I of the law and urge Republicans and Democrats to come together—as they always have—to craft comprehensive ESEA policies to better our nations' schools, increase student achievement and ensure our schools are welcoming places for every child and family.

Thank you for considering our views and it is our hope that we can work with both sides of the dais to find common ground this Congress on the policy and funding issues of greatest importance to school district leaders.

Sincerely,

SASHA PUDELSKI,
Director of Advocacy, AASA, THE
SCHOOL SUPERINTENDENTS ASSOCIATION.

Mr. RASKIN. Mr. Chair, we stand with local governments against this outrageous power grab by MAGA Republicans in Washington who are supporting book banning, suppression of historical facts about slavery, Jim Crow segregation, racial violence, and favoring top-down micromanagement of our local schools across America.

Is there really a problem for parents like us with finding out what is in our public school libraries?

Well, before you pass a massive new Federal law and a massive new unfunded mandate for our local governments, why don't you take the time to make a phone call?

That is what I did. I called up the person who runs the school libraries for Montgomery County, Maryland, which has more than a million people there. I learned from Andrea Christman, who oversees all the media centers for our county, that the entire catalogue of 2.2 million books is online, freely available, and current as of today. Anybody can go online and find it right now.

If all the info is out there, as local governments want it to be, then what is this about?

Well, it is about book banning, of course.

Mr. Chair, 2 years ago, more than 1,600 books were banned in the United States of America.

Here are three of the key books that the rightwingers have been going after.

Khaled Hosseini's "The Kite Runner," about the dangerous fanaticism, authoritarianism, and abuse of the Taliban, a rightwing religious fundamentalist movement all about censorship and repressing women's control over their own bodies and their own fertility.

"The Handmaid's Tale," Margaret Atwood's extraordinary dystopian novel about a rightwing misogynist movement which uses high technology and depraved religious ideology to control not only the minds of their followers, but their private and public lives and the fertility of women.

Of course, George Orwell's, "1984," because they have no sense of irony. They are always trying to censor this one.

The CHAIR. The time of the gentleman has expired.

Mr. SCOTT of Virginia. Mr. Chair, I yield the gentleman from Maryland an additional 30 seconds.

Mr. RASKIN. Mr. Chairman, I thank the gentleman.

Mr. Chair, we need more politicians reading books and fewer politicians trying to censor books in America.

It is amazing to me to see politicians who oppose a universal violent criminal background check and who defend assault weapons after the massacres at Columbine; after Parkland, Florida; at Sandy Hook in Newtown, Connecticut; after Uvalde; after Santa Fe, Texas, that they are now going to keep America's children safe by banning "The Handmaid's Tale" and "1984."

Mr. Chair, we can do better for the children of America.

Ms. FOXX. Mr. Chair, I yield such time as he may consume to the gentleman from New York (Mr. LAWLER) for purposes of a colloquy.

Mr. LAWLER. Mr. Chair, I appreciate the opportunity to address a technical issue I have on the bill.

First, let me say I have been a strong supporter of the Parents Bill of Rights

Act, and I believe this bill gives much-needed certainty to parents that they will have transparency in their child's education.

Simply put, this bill guarantees all parents a voice in the decisions that affect their children and a seat at the table. It makes clear that you do not relinquish your rights as a parent simply by sending your child to a public school.

Now, among the bill's main components, parents have the right to know what their children are being taught. Parents have the right to be heard. Parents have a right to see the school budget and spending. Parents have a right to protect their child's privacy. Parents have a right to keep their children safe.

Some say this is already the case, and that this is just codifying. Well, if that is the case, then great. We are codifying into law the ability and the rights of parents.

Now, these are important safeguards that not only ensure parents' rights, but they also respect State and local control of our schools. It does not get into what is taught in schools, what books or materials are used, or how a school should address a given issue. Those decisions are still left to the State and local school districts.

In addition, when it comes to their child's health and well-being, parents have a right to know if a school employee acts to treat, advise, or address issues of cyberbullying, bullying, hazing, mental health, suicidal ideation or self-harm, possession or use of drugs, an eating disorder, or if a child brings a gun to school.

Now, there are also protections included in this bill that require parents to be informed if their school takes action to change their child's gender markers, pronouns, preferred name, or make sex-based accommodations for locker rooms or bathrooms.

Mr. Chair, I recently met with constituents from the LGBTQ+ community in my district, including trans youth and parents. They raised several concerns about this language, concerns primarily focused on the safety and well-being of these youth, especially trans youth.

So Dr. Foxx, I am hoping that you can clarify some of this for me and for the RECORD.

Does the bill require teachers or school officials to disclose the sexual orientation of a student or statements made by the student about his or her gender identity?

Second, will students still have the ability to speak with teachers, advisers, or school officials without fear that those conversations will be subject to disclosure?

And finally, will States and local school districts still be able to come up with their own policies and best practices for informing parents about these issues so as to ensure the well-being and safety of their child?

Ms. FOXX. Mr. Chair, I thank the gentleman from New York for his questions.

Mr. Chair, I can confirm that the bill does not require a teacher to disclose any of the information that the gentleman described.

The bill does not address a student's identity or statements but is solely focused on notifying parents about actions taken by school personnel to act on a gender transition, such as changing pronouns or switching locker rooms.

I would add, despite the claims from my friends on the other side of the aisle, even The New York Times acknowledged that this is not a partisan issue, writing in January that, "Parents of all political persuasions have found themselves unsettled by what schools know and don't reveal."

Our bill enshrines commonsense transparency for parents of children to reflect these concerns but it does not force any teacher to reveal private conversations or any information about sexual orientation.

The legislation is also clear that education is largely the responsibility of the States and any State or local school district would work with the Department to ensure their compliance with these provisions without violating student privacy. I yield to the gentleman.

Mr. LAWLER. Mr. Chair, I thank the gentleman for her clarification.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, on Page 8 of the bill, it says that parents have "the right to know if a school employee or contractor acts to:

"Change a minor child's gender markers, pronouns, or preferred name; or

"Allow a child to change the child's sex-based accommodations, including locker rooms or bathrooms;

"The right to know if a school employee or contractor acts to treat, advise, or address the cyberbullying of a student;

"Treat, advise, or address the bullying. . . ."

This says, "a child." It doesn't say their own child. It says a child, so I am not sure what the answer was.

Mr. Chairman, I yield 1½ minutes to the gentleman from Minnesota (Ms. CRAIG).

Ms. CRAIG. Mr. Chairman, I support parents' rights, and I am proud to live in the State of Minnesota where parents have a right to remove their child from a class assignment if they are not comfortable with the subject matter. That is State law today in Minnesota.

I hear from parents across Minnesota's Second District every day who are worried about their children. And I hear from teachers every day who need more support and resources for their students.

Mr. Chair, there are more than 800,000 public school students in Minnesota.

I don't think Washington politicians, the people standing here on the House floor today, should mandate which books are in their school libraries.

I don't think Washington politicians should mandate their parent-teacher conference schedules.

I don't think Washington politicians should mandate whether these 800,000 kids get the mental health support they need.

Let's be real about what this bill is actually about.

This is about MAGA Republicans who want to start a fake culture war targeting some of the most vulnerable kids in America in our kids' classrooms. Shame on you.

If you want to support parents, let's fully fund our public schools and sharpen our focus on special education programs. Let's figure out how we recruit and retain talented teachers. Let's get our kids and educators the mental health resources they desperately need.

The CHAIR. The time of the gentleman has expired.

Mr. SCOTT of Virginia. Mr. Chair, I yield the gentleman from Minnesota an additional 30 seconds.

Ms. CRAIG. Mr. Chair, let's leave the power to decide what is best for students at the local level.

Mr. Chair, I support parents' rights, but this bill has nothing to do with that.

Mr. Chair, I include in the RECORD a letter from the National Association of School Psychologists expressing serious concern with this legislation.

NATIONAL ASSOCIATION OF
SCHOOL PSYCHOLOGISTS,
Bethesda, MD, March 7, 2023.

Hon. VIRGINIA FOXX,
Chair, House Committee Education and the Workforce.

Hon. BOBBY SCOTT,
Ranking Member, House Committee Education and the Workforce.

Re: Markup of Parents Bill of Rights and Protection of Women and Girls in Sports Act of 2023

DEAR CHAIRWOMAN FOXX AND RANKING MEMBER SCOTT: On behalf of the National Association of School Psychologists (NASP), and our 25,000+ members, I write to express significant concerns regarding the harmful impact of the Parents Bill of Rights Act (H.R. 5) and the Protection of Women and Girls in Sports Act of 2023 (H.R. 734). School psychologists work with families, educators, administrators, and community members to collectively meet the academic, social emotional, and mental and behavioral health needs of students. We are committed to ensuring that every child: has access to well-rounded, comprehensive, and inclusive curricula; receives the comprehensive learning supports they need to be successful and; attends a school with a safe, supportive learning environment free of bullying, harassment, and discrimination for all students. Importantly, we work to foster effective partnerships between families and educators, who share equally the responsibility for the learning and success of all students. School psychologists work with school leaders to create equitable and accessible family engagement systems in which the diverse perspectives of all families are actively sought out, acknowledged, and valued. Collectively, elements of H.R. 5 and H.R. 734 undermine these commitments by: prioritizing the voices and perspectives of a small subset of families; condoning discrimination; limiting curricula; and preventing schools from ensuring physical and psychological safety.

Further, elements of these bills will significantly exacerbate the current youth mental health crisis, particularly for LGBTQ+ and other marginalized youth.

PARENTS BILL OF RIGHTS (H.R. 5)

Title I—Amendments to the Elementary and Secondary Education Act of 1965

Sec 101 and Sec 103. State and Local Educational Agency Plan Assurances

NASP supports efforts to increase transparency and access to information about school curricula. Existing provisions in FERPA and PPRA clearly articulate the rights of parents to review school curricula and materials as well as opt their child out of specific lessons or survey administration. It is critical that parents and families know what is happening in their child's classroom so that they may engage with their children about what they are learning, and even offer differing viewpoints and helping their children think critically. Requirements to make this information publicly available to all creates an unnecessary burden on the SEA and LEA which is unattainable and will further impede already strained local and state education systems. Despite our belief that Sec 101 and Sec 103 are redundant, we offer the following edits to ensure that all information is accessible to all families: families and other persons with disabilities and those who speak a language other than English:

Sec 101 State Plan Assurances

(O)(i)(I) "posts on a publicly accessible website of the agency, in a manner that is accessible to persons with disabilities and those who speak a language other than English, such curriculum;

(O)(i)(II) if such agency does not operate a website, widely disseminates to the public in a manner that is accessible to persons with disabilities and those who speak a language other than English such curriculum;

(O)(ii)(I) "posts on a publicly accessible website of the agency, in a manner that is accessible to persons with disabilities and those who speak a language other than English:

(O)(ii)(II) "if such agency does not operate a website, widely disseminates to the public, in a manner that is accessible to persons with disabilities and those who speak a language other than English, such curriculum;"

(P) "in the case of any revisions . . . the State educational agency will post to the homepage of its website, and widely disseminate to the public, in a manner that is accessible to persons with disabilities and those who speak a language other than English,"

Sec 103 Local Plan Assurances

(9) "post on a publicly accessible website of the local educational agency or, if the local educational agency does not operate a website, widely disseminate to the public, in a manner that is accessible to persons with disabilities and those who speak a language other than English, the plan . . ."

We also request clarification as to the definition of 'curriculum.' Teachers routinely alter lesson plans or planned pace of curriculum based on students' progress and needs. Teachers must maintain the ability to differentiate instruction and to develop lessons, aligned with state academic standards, that meet the needs of their students. Many students receive interventions, specific modifications, or specially designed instruction (as part of a child's Individualized Education Program) to ensure access to the general curriculum and state academic standards. We strongly caution against considering these instructional materials 'curriculum' as it could inadvertently violate the privacy of students and their families, especially in smaller communities where identification is easier.

Sec 104 Parent's Right to Know

We support that parents should have the right to see what materials are available in the school, to be well informed about potential changes to state academic standards or key programmatic offerings (not limited to the elimination of gifted and talented programs), and to voice their opinion regarding school and school district policy. This information must be accessible to all families, and we request the following revision:

(1) "Notice of Rights"—A local education agency . . . posts, in a manner accessible to persons with disabilities and those who speak a language other than English,"

However, the "right to review" outlined in this section must not be synonymous with the right to demand removal or alteration of specific books or other material available to all students. We remain increasingly alarmed at continued reports of the removal of material highlighting the diversity of our society and our schools. Restricting access to accurate information and removing evidence-based practices that promote inclusivity and cultural responsiveness is fundamentally handcuffing schools and school staff, and it is harming children. Public schools exist to prepare young people to live in a global society and be contributing citizens. Therefore, schools must have resources and curricula which is reflective of the world they live in. We have heard from many school psychologists that parents are frustrated by the removal of certain books and/or materials from classrooms and/or curriculum, and they are angry that their opposition to these removals has been ignored as it is placing unwanted limitation on their child's exposure to diversity and excludes specific identities from curricula. This legislation must clearly articulate that the "right to review" does not give one the legal right to demand removal. Educators, schools, and districts must be empowered to make decisions based on empirical evidence and the needs of the school community, including the unique needs of specific groups of students without fear of reprisal.

Title II—Amendments to FERPA and PPRA

Many of the rights articulated in H.R. 5, including the right to inspect instructional material and surveys that may be administered or distributed by the school, and the right to opt their child out of participation in specific activities are statutorily afforded to parents via FERPA and PPRA. NASP does not object to more stringent requirements to ensure proper protection of student data and to prohibit the sale of student information for commercial purposes or financial gain. However, we have significant concerns that, collectively, Sec 201 (n) 'Disclosure of Information'; Sec 202(b); Sec 202 (c)(2)(D)(i), and the proposed definition of 'Medical Examination or Screening' will significantly impede schools' ability to support student well-being and mental health and prevent school violence. Sec 201(n) would require schools to share with parents, upon request, an individual students' response to any survey. Implementation of this provision would prove impossible in many scenarios as the vast majority of surveys are anonymous by design and identified data is less likely to be valid. Many school-administered surveys are intended to provide critical information necessary to: examine and respond to the global physical and mental health needs of young people; guide school and community violence prevention efforts; inform school safety and school climate initiatives; and guide efforts to reduce substance use and misuse. These data are critical to identifying potential risks to children and youth, and to evaluate system wide efforts to address specific concerns. Parents maintain the right to exclude

their child from participating in these valuable data collection efforts, but students must be empowered to be honest without fear of consequence, punishment, or the unwanted disclosure of personal information without their permission. As such, we request the following revision:

"(n) DISCLOSURE OF INFORMATION.—An educational agency or institution or authorized representative of such agency or institution shall;

(1) upon request from a parent of a student disclose to such parent the identity of any individual or entity with whom information is shared from the education record;

(2) upon request from a parent of a student disclose to such parent any response of the student to a survey if

(A) information to accurately identify individual students was collected as part of the survey, as designed, and

(B) the student consents to the disclosure of such information

(3) inform students, prior to their participation in a survey in which identifying information is collected, that their individual responses may be disclosed to a parent upon request."

Current law reflects the requirement for parental consent prior to student participation in specific school administered surveys, rendering Sec 202 (c)(2)(D)(i) redundant, and when considered in conjunction with the proposed definition of 'Medical Examination or Screening, highly concerning. Revision of the current legal definition of 'physical examination' to 'Medical Examination or Screening', which explicitly includes a mental health or substance use disorder screening, combined with parental consent requirements will undoubtedly exacerbate the youth mental health crisis and undermine efforts to improve school safety. The term 'mental health screening' could be interpreted in a manner that results in significant harm to school communities. A mental health screening is not synonymous with a standardized measure or survey intended to gather personal information about an individual for diagnostic use. While those tools may be utilized as part of a holistic approach to identifying and addressing student need, mental health screening is a process by which educators, in collaboration with school psychologists or school mental health professionals, and families, identify students who may need support. School mental health professionals will not engage in a therapeutic intervention with a student without active parental consent. However, students must be allowed to seek out a trusted adult or mental health professional, including school psychologists, at school and these professionals must be able to assess student well-being and (as part of their responsibility as a mandatory reporter) immediately assess if there is concern regarding risk of harm to self or others. As currently written, H.R. 5 would require parental consent prior to any contact with a school mental health professional and could result in unnecessary and preventable harm to self or others. Parents are already notified of reported risk after an assessment is completed and inability to reach a parent for consent to do an assessment can have lethal consequences.

We offer the following suggested revision and would welcome the opportunity to collaborate on statutory language that ensures availability of comprehensive school mental and behavioral health services and balances schools' obligation to support student learning and well-being and maintain a safe school environment with efforts to improve family engagement in all aspects of the education system.

MEDICAL EXAMINATION OR SCREENING.—The term 'medical examination or

screening' means any medical examination or screening that involves the exposure of private body parts, or any act during such examination or screening that includes incision, insertion, or injection into the body, or a mental health or substance use disorder screening, except that such term does not include:

- (i) a hearing, vision, or scoliosis screening;
- (ii) an observational screening carried out to comply with child find obligations under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);
- (iii) Informal observation screening, or short term consultation, of non-therapeutic nature, with a school based mental health services provider;
- (iv) a process to assess and mitigate the risk of inflicted harm to self or others, provided that parental notification of such screening occurs as soon as is feasibly possible unless there is reasonable evidence that parent notification will result in harm to the child.

PROTECTION OF WOMEN AND GIRLS IN SPORTS
ACT OF 2023 (H.R. 734)

NASP believes, and courts have established, that the civil rights of transgender students are protected as part of U.S. public schools' obligations under Title IX of the Education Amendments of 1972. These rights include honoring a person's right to express gender identity, and the right to modify gender expression when necessary for individual well-being, and to have their gender identity affirmed and acknowledged, the right to explore and question their gender identity, and the right to participate in activities, including sports, that correspond with one's gender identity.

We vehemently oppose any effort, including the Protection of Women and Girls in Sports Act, to define sex based solely on a person's reproductive biology and genetics at birth, while this legislation, on its face, is narrowly focused on the issue of athletics, it is legally tenuous to assume that Title IX allows for multiple, context specific, definitions of sex. This definition would most certainly be applied across all educational activities and programs and amounts to an assault on the existence and civil rights of transgender, gender nonconforming and intersex children, adolescents, and adults in our communities. Further, H.R. 734 places unfair burden on school administrators, who are not medical providers, to examine and police a student's body. Administrators and the National Association of Secondary School Principals have expressed concern and frustration over individual state's laws which violate Title IX.

This legislation is a "solution" in search of a problem. The policies of the International Olympic Committee (IOC) and the National Collegiate Athletic Association (NCAA), among others have longstanding guidelines regarding participation on competitive sports teams. The IOC first allowed transgender participation in the Olympic Games beginning in 2004 and the NCAA has done so since 2011. Both the IOC and the NCAA have refined their policy to better align with scientific fact and empirical research; and both organizations, as well as numerous high school athletic associations and professional and amateur sports leagues, currently to allow transgender athletes to compete on teams and in events aligned with their gender identity. Inclusive sports participation benefits all students and ensures equitable opportunities for collegiate sports attainment, collegiate scholarships, and opportunities to compete in professional sports. There is absolutely no evidence that cisgender athletes, or women's athletics in general, are harmed by these policies.

For almost two decades, transgender athletes in the United States have been allowed to participate in some of the most elite national and international competitions as their authentic selves. Yet, it was not until 2020, out of concern for the future of women's athletics, that policy makers sought to prohibit transgender people, particularly transgender women, from participating in sports teams that aligned with their gender identity. This legislation is not about protecting women. This legislation is a thinly veiled attempt at codifying a harmful and discriminatory definition of 'sex' under the guise of "protecting women" from discrimination in sports. This legislation is not about sports, it is about further erasing transgender people from public life. We adamantly oppose this legislation and urge you to do the same.

We welcome the opportunity to collaborate on legislation that promotes effective family engagement, ensures access to a well-rounded and inclusive curriculum, supports student well-being, and affirms the rights and identities of all students. Please contact NASP Director of Policy and Advocacy, Dr. Kelly Vaillancourt with questions, concerns, or opportunities to promote a public education system that works for all students.

Sincerely,

KATHLEEN MINKE, PhD, NCSP,
Executive Director.

Ms. FOXX. Mr. Chair, I yield 2 minutes to the gentleman from Georgia (Mr. ALLEN).

□ 1545

Mr. Chair, there is no question that over the past several years, we have seen parents being denied the right to make decisions about their children's education. I don't quite understand the argument from the other side.

The reason I stand before this body today is not because I happen to be in Washington; it is because I am representing parents in my district who want to know what their children are being taught and what they are required to read.

In fact, parents across this country, certain groups, have gone so far as to label the parents "domestic terrorists" just because they wanted a say in their children's education. That is what we are talking about today is giving control back to the parents of our children.

This is not the way our education system was created, and it is not the way it is supposed to work. Allowing families to have a say in their children's education should not be a controversial subject. I don't get it.

Parents have a right to know what is being taught to their children, to give consent for medical evaluations, and to be heard. My goodness, it is in the top 10: Honor thy father and thy mother.

Unfortunately, we have seen Washington Democrats and outside groups push to radically reshape our education system by injecting divisive concepts and curriculum into our schools and classrooms regardless of whether families approve.

House Republicans are working to fulfill our commitment to America by building a future that is built on freedom, for crying out loud, a future where parents' rights are protected and families are given a seat at the table.

I am calling on all my colleagues to join us in support of H.R. 5, the Parents Bill of Rights Act.

Mr. SCOTT of Virginia. Mr. Chairman, may I inquire how much time remains on each side?

The CHAIR. The gentleman from Virginia has 29 minutes remaining. The gentlewoman from North Carolina has 31 minutes remaining.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I rise in strong opposition to H.R. 5, which we should really call the politics over parents act.

As a mom of three, let me be clear about what this legislation would do. It opens the door to gagging educators, parents, and students, and turns classrooms into archaic tools for a vocal extremist minority.

Worse, it undermines what any mother wants for her child, a supportive classroom space that provides a fact-based education and practical life skills and critical-thinking skills.

Just look at the colossal education nightmare unfolding in my home State of Florida right now. Governor DeSantis and his stooge Florida lawmakers propose prohibiting girls from discussing their menstrual periods with one another while in school. They are already banning books, and they are barring certain elements of African-American history from being taught in school.

Governor DeSantis and his radical allies are also waging a cruel campaign to marginalize Florida's LGBTQ+ community, and suppress the histories of others they deem unworthy.

The Republican revival of the Lavender Scare includes shutting down businesses and passing a "Don't Say Gay" law that bans classroom discussions of sexual orientation and gender identity, even in high school.

Like a cancer, this hateful law has spread, with Republicans now censoring educators on a wide variety of topics, so it is no surprise my colleagues across the aisle want to export these same dangerous policies across America.

Make no mistake, H.R. 5 undermines teachers, and instead of offering students more support, it effectively denies it. The result of this law in Florida has cleared bookshelves and canceled coursework and an AP exam on African-American history.

As a mother whose children attended public schools, I speak for millions of moms when I say all we want for our children is a safe learning environment that ensures they discover the wider world, and not force them to grow into narrow-minded, ignorant adults.

This legislation just hands a vocal and extreme minority of parents the power to dictate what every American child learns.

To all my business-friendly Republicans, every classroom move to censor

and ban leaves our children even less competitive on the global stage. Mark my words.

Take it from this mom: We should reject this misguided legislation and, instead, unite to build classrooms where every child gets the resources and support they need to succeed in the 21st century.

Mr. Chairman, I include in the RECORD a letter from the First Focus Campaign for Children.

MARCH 20, 2023.

Hon. JULIA LETLOW,
Member, Committee on Education & the Workforce, House of Representatives, Washington, DC.

Hon. KEVIN MCCARTHY,
Speaker, House of Representatives, Washington, DC.

Hon. HAKEEM JEFFRIES,
Democratic Leader, House of Representatives, Washington, DC.

Hon. VIRGINIA FOXX,
Chair, Committee on Education & the Workforce, House of Representatives, Washington, DC.

Hon. BOBBY SCOTT,
Ranking Member, Committee on Education & the Workforce, House of Representatives, Washington, DC.

DEAR CONGRESSWOMAN LETLOW, SPEAKER MCCARTHY, LEADER JEFFRIES, CHAIRWOMAN FOXX, AND RANKING MEMBER SCOTT: I am writing on behalf of First Focus Campaign for Children, a bipartisan children's advocacy organization dedicated to making children and families a priority in federal budget and policy decisions, to express opposition to H.R. 5, the Parents Bill of Rights Act. We do not believe this bill strikes the right balance between the duties of schools, the rights and responsibilities of parents, and the oft-ignored but important rights of children.

PARENTAL ENGAGEMENT IS CRITICAL

First, let's be clear: Parents are fundamental to the upbringing of children and absolutely should be engaged and involved in the education of their children. In fact, children have better outcomes when their parents are involved. As a parent of four children myself, I have engaged with my children's schools by voting in school board elections, attending all parent-teacher conferences, volunteering in my children's classrooms, scheduling time to meet with teachers and administrators when important issues arise, serving on the PTAs at my children's schools, serving on athletic booster clubs, and volunteering as an assistant boys and girls basketball coach for two county schools.

In addition to my personal experiences, I have learned a great deal over the years from both of my parents, my step-mother, step-brother, my uncle, and several cousins, who are all educators. Consequently, I have immense respect for the work, talent, dedication, and concern that the vast majority of teachers and educators bring to their profession on a daily basis—all with the goal of educating our nation's children to best achieve their hopes and dreams while also trying to provide a place of safety and compassion for each and every one of their students.

Again, we strongly support parental engagement in education, but parents should not control all curriculum and educational decisions. Doing so is unworkable.

For example, imagine an elementary school of 500 students where 12 parents oppose the teaching of evolution, 8 parents believe the early is flat, 21 are Holocaust deniers, 14 oppose learning about slavery, 7

believe in racial segregation, 17 believe in the concept of schools without walls, 27 believe in corporal punishment, 12 want Harry Potter books to be banned, 25 want books banned that mention the Trail of Tears, 31 believe parents should be allowed to overrule a physician's decision that a child with a concussion should refrain from participating in sports, 39 oppose keeping kids out of school when they have the flu, 4 believe that a child with cancer might be contagious, 34 believe students should be "tracked" in all subject areas, 12 believe students should not be taught how to spell the words "sinal tap", "quarantine", or "isolation" because they are too "scary of words". 41 don't like the bus routes, 45 want a vegan-only lunchroom, 4 demand same-sex classrooms, etc. Even though most parents oppose these demands by some parents and many of them are completely false, undermine the purpose of education, threaten the safety of children, or promote discrimination, H.R. 5 would seek to push their accommodation in some form.

THE REAL PARENTS AGENDA FOR CHILDREN

We must all do better by our kids.

By an overwhelming 77-11 percent margin, a May 2022 poll by Lake Research Partners found that parents believe "policy involving children should always be governed by a 'best interest of the child' standard." By a 60-19 percent margin, the American people believe we are spending too little as opposed to too much on public education. And when it comes to investing in children, 9-in-10 voters (90-7 percent) agreed with the statement that "investing in children helps improve their lives, development, and outcomes."

When it comes to children's policy overall, a nationwide survey by Global Strategy Group in February 2023 found that American voters have strong priorities in favor of "creating more effective childcare options for all families" (87-8 percent), "expanding family and medical leave" (82-12 percent), bringing back the improved Child Tax Credit (76-13 percent), and "expanding universal preschool for all 3- and 4-year-olds" (73-16 percent). The support for this agenda stands in sharp contrast to the opposition that American voters express to an agenda that would call for "passing legislation banning transgender-focused health care options for young Americans" (41-47 percent), "banning books that some parents find to have questionable content" (32-57 percent), and "banning high school classes like AP African-American history" (21-68 percent).

CHILDREN HAVE FUNDAMENTAL RIGHTS TOO

Before diving into the details of H.R. 5, it is important to acknowledge that children need the support BY parents and government to be successful, and that they also sometimes need protection FROM parents and government.

The fact is that children have unique and fundamental human rights that should not be ignored or dismissed. These include the right to an education, the right to health care, the right to be protected from abuse and violence at home and in schools, the right to be protected from gun violence and school shootings, the right to not be discriminated against because of their race, ethnicity, gender (including gender identity and sexual orientation), economic status, disability, religion, immigration status, or age.

As for parental rights and H.R. 5's attempts to modify the Protection of Pupil Rights Act (PPRA) and the Family Education Rights and Privacy Act (FERPA), it is important to highlight that PPRA was originally enacted nearly 50 years ago (in 1974) and has been modified several times, including in 1978, 1994, and 2002, in order to broaden access and consent requirements.

H.R. 5 ADDS NEW BUREAUCRACY TO SCHOOLS AND DETRACTS FROM THE TIME, ATTENTION, AND FUNDING DEDICATED TO STUDENTS

While the impetus for aspects of H.R. 5 are well-intentioned, our first concern is that the language is duplicative of language already in federal law, policies in state law, and general practice by school districts all across this country in many respects but also potentially adds new bureaucracy and red tape to schools and school districts all across this for no apparent benefit.

Unfortunately, these proposed changes may potentially harm children. Any funding, time, and attention that is shifted away from students and their learning toward added bureaucracy and red tape can be detrimental to students. But H.R. 5 provides no funding to address the many newly imposed bureaucratic requirements upon schools.

For example, H.R. 5 proposes new reporting requirements for schools to include in their "local educational agency report card" a budget that is detailed "for each elementary school and secondary school served by the local educational agency." Requiring detailed accounting of costs, some of which are shared across school campuses (e.g., school nurses, bus drivers, etc.), for the more than 90,000 public schools across this country will likely greatly increase the employment of accountants. However, H.R. 5 does not provide funding to pay for such a mandate. Before proceeding, we should acknowledge that this newly-imposed mandate detracts from the funding, time, and attention school districts and educators have for improving the education and well-being of children.

First Focus Campaign for Children supports tracking funding that is allocated for children's programs as a share of government spending, and thus, annually produce a Children's Budget that analyzes the funding of more than 250 federal programs. We share this report with Congress to raise the awareness and transparency of funding for children. However, we would urge Congress to focus as many of those dollars as possible on the children themselves and not on excessive accounting and reporting measures that consume much of the attention and focus of H.R. 5.

H.R. 5 PROMOTES BOOK BANS RATHER THAN ACCESS TO BOOKS AND READING

Another important concern is language from Sec. 104 and Sec. 202 that would require schools to share with all parents of students at every school "a list of books and other reading materials available to the students of such school in the school library." Again, compiling, cataloging, and sharing such information to all parents would come at great time and expense that is not paid for by H.R. 5. That money and time would come at the expense of librarians and other educators focused on the education of children. Parents already have the right to visit their child's school and its library, to request such information, and to ask their own children what they are learning and reading in school.

Rather than adding the burdens of more bureaucracy and red tape to schools and creating a chilling effect through increasing incidences of censorship and book bans, we should be working together to pass legislation to encourage students to read and learn through greater access to books, such as Reach Out and Read, First Book, Reading Is Fundamental, and other literacy programs. An individual parent should not solely be allowed to object to a book and cause its censorship for all of the children in a school or school district. This violates the parental rights of the vast majority of parents who do not support book bans or censorship.

Even more importantly, it violates the fundamental rights of children. As Justice

Abe Fortas wrote in his majority opinion in *Tinker v. Des Moines Independent School District* (1969):

Students in school as well as out of school are “persons” under our Constitution. They are possessed of fundamental rights which the State must respect, just as they themselves must respect their obligations to the State . . . In the absence of a specific showing of constitutionally valid reasons to regulate their speech, students are entitled to freedom of expression of their views.

Justice Fortas adds:

It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.

In the Supreme Court case *Island Trees School District v. Pico* (1982), the Court ruled that children have a fundamental right to an education and access to learning that is not limited by the censorship of books based on “narrowly partisan or political” grounds. As Justice William Brennan writes:

Our Constitution does not permit the official suppression of ideas. Thus, whether petitioners’ removal of books from their school libraries denied respondents their First Amendment rights depends upon the motivation behind petitioners’ actions. If petitioners intended by their removal decision to deny respondents access to ideas with which petitioners disagreed, and if this intent was the decisive factor in petitioners’ decisions, then petitioners have exercised their discretion in violation of the Constitution.

H.R. 5 THREATENS ACCESS TO HEALTH CARE, PRIVACY, AND CONFIDENTIALITY OF STUDENTS

Concern about access to health care for our children leads us to oppose the language in H.R. 5 with respect to school health. There were more than 4 million children in this country that were uninsured in 2020. In 2016, the Children’s Health Fund estimated that over 20 million children lacked “sufficient access to essential health care.”

Therefore, the role of school based health clinics, school nurses, school counselors, coaches, social workers, and physical trainers in schools is critically important to the health, education, and well-being of children. The language in H.R. 5 appears to dramatically expand the potential incidences in which all of these school personnel would have to seek out parental notification and consent prior to performing care, such as to check whether a student has a fever, has an ankle sprain, may have experienced a concussion, or need to check for a possible broken bone. In many cases, these may not be considered emergencies, but in the meantime, children languish or must wait while school personnel spend large amounts of time trying to track down parents for consent.

In the report accompanying H.R. 5, the House Education and Workforce Committee majority write, “Americans should never be forced to relinquish these parental rights to government—whether that involves curriculum decisions or *personal medical choices*” (emphasis added).

We strongly disagree.

First, such a statement would threaten the health, safety, and lives of some children in our country. For example, based on that statement, does the Committee majority reject the ability of schools to set graduation requirements? Oppose the teaching of evolution? Allow parents to send children to school even if they are vomiting, have a fever, diarrhea, or have a communicable disease? Does the Committee majority now oppose school vaccine mandates? School concussion protocols?

Ms. FOXX. Mr. Chair, I yield 2 minutes to the gentlewoman from Oregon (Mrs. CHAVEZ-DEREMER).

Mrs. CHAVEZ-DEREMER. Mr. Chair, I rise today as a proud mother of twin daughters.

As a parent, I know moms and dads agree that we all want what is best for our children. That is one of the reasons why it is so difficult for us to let our sons and daughters go on their first day of kindergarten. We have to start placing an enormous amount of trust in our teachers and administrators to do what is best for our children.

At the end of the day, nobody will understand a child’s interests and needs more than the people who love them most, their parents.

It is easy to understand why parents want to have and deserve to have the right to know what is going on inside the classroom. It is their responsibility. That is why we need the Parents Bill of Rights Act to help students succeed by ensuring every parent can have a voice in their child’s education.

During the committee markup on this bill, I was honored to lead two proposals that are now included. One will help parents better understand the priorities of their children’s school by bringing much-needed clarity to school budgets. The other sets both parents and teachers up for success by simplifying the curriculum feedback process.

My proposals build on two of the five core principles of the Parents Bill of Rights Act: Parents have the right to know what their children are being taught, and parents have the right to see the school’s budget and spending.

I will always fight to protect parental involvement and to put parents first. I am proud to support the Parents Bill of Rights Act.

Mr. SCOTT of Virginia. Mr. Chair, I yield 2 minutes to the gentleman from Kentucky (Mr. MCGARVEY).

Mr. MCGARVEY. Mr. Chair, I rise in opposition to H.R. 5, a bill that promotes conflict over clarity, callousness over kindness, and politics over problem-solving.

I am speaking today, not just as a Member of Congress, but as the parent of three young children, two of whom attend public schools in Louisville, Kentucky, and one who will be soon.

Parents should be involved in their kids’ education, in everything from school board elections to the PTA, to communicating with their child’s teacher on what is going on.

We received a message this morning from our kids’ teacher letting us know that there would be no band because of the fifth grade musical.

This bill is about impeding, not involvement. The reason the American Library Association opposes this bill is because H.R. 5 clearly opens the door to deprive our kids of fact-based education, and it is part of a larger effort to ban free expression and ideas in the classroom. Even Cato thinks it is unconstitutional.

Like a lot of parents, we had to step in and teach some during the beginning of the pandemic. It wasn’t easy, and I can assure you that curriculum should

be ultimately determined by experts, not untrained individuals with extremist views.

In addition to restricting parents’ rights, H.R. 5 hurts some of our most vulnerable kids in the LGBTQ community. Why?

According to the Trevor Project, one LGBTQ youth attempts suicide every 45 seconds, 45 seconds. Why?

Why are we being more cruel?

I believe that not just in politics but in life we are judged by how we treat those on the margins. My message to my colleagues is simple: Stop being mean to kids. We can be involved and be inclusive.

Normally, we warn our kids about dealing with bullies in their classrooms. We shouldn’t have to warn them about bullying from adults, too. This message is simple, and I urge my colleagues to vote against it.

Ms. FOXX. Mr. Chair, I yield 1½ minutes to the gentleman from Mississippi (Mr. GUEST).

Mr. GUEST. Mr. Chair, in many places across our great Nation, parents are being denied, being denied a voice in discussions around what their children are being taught in schools.

As Republicans, in our Commitment to America, we made a promise, a promise to establish the rights of parents to protect their children from indoctrination in our classrooms.

As a product of the public school system and father of two sons who graduated from public school, I understand the significant role our schools play in the education of our future leaders.

However, far-left ideas have seeped into America’s classrooms and have blurred the line between education and indoctrination. We cannot allow that to continue.

This bill simply protects the rights of parents, the rights of parents to know what their children are being taught, what their children are hearing in school, the right to see the budget that the school is spending, the right to protect their children’s privacy, and the right to keep their children safe.

Simply put, this bill protects those parents who want to play a role in their child’s life and to protect their children from indoctrination in the classroom.

I encourage all my colleagues to support this critical and commonsense piece of legislation.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from Virginia (Mrs. MCCLELLAN), the newest Member of the House.

Mrs. MCCLELLAN. Mr. Chair, I rise today in strong opposition to H.R. 5.

I am the mother of two young children who you saw stand with me in this very Chamber 2 weeks ago, and I have near-daily conversations with the parents in my district about their hopes and concerns. I can assure you, they have a seat at the table in the school room, and they are not concerned with banning books, censoring our curriculum, or dictating what bathrooms students use.

Parents want increased resources for mental and behavioral health services, inclusive school environments that foster critical thinking and learning, and more funding to repair outdated and crumbling school buildings and address security issues.

They want their children to learn a complete and accurate history of our country and our world, and they want the peace of mind that their children are safe.

Three days after my son stood with me on this floor and watched me take the oath of office, one of his classmates shot himself accidentally with an unsecured gun, and he died. It was a devastating loss for our community.

The CHAIR. The time of the gentlewoman has expired.

Mr. SCOTT of Virginia. Mr. Chairman, I yield an additional 30 seconds to the gentlewoman from Virginia.

Mrs. McCLELLAN. It was a devastating loss for our community and the community at large. These are the issues that matter to parents as they deal with the mental fallout of that incident. These are the issues they are talking about.

H.R. 5 does nothing to address these priorities. It would create unnecessary reporting requirements and divert critical resources away from meeting the real needs of our students and families.

I urge our colleagues to vote “no” on the politics over parents act.

Ms. FOXX. Mr. Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MEUSER).

Mr. MEUSER. Mr. Chairman, I appreciate the esteemed gentlewoman from North Carolina for allotting me some time here today.

I rise in support, strong support, Mr. Chair, of H.R. 5, the Parents Bill of Rights Act.

As parents, we put trust in our local schools and teachers and expect that our children are receiving an appropriate education, and in most cases, they do.

We have all had great teachers that have positively impacted our lives, and our children have, and we are very grateful for that and we will remember them forever.

In recent years, for varying reasons, there have been well-known instances where the trust between schools and parents has been eroded, in fact, broken, and primarily those issues stem from parents being excluded or having their participation in the educational process removed, such as curriculum review being very limited.

Everyone agrees that such instances, whether they occur often or infrequently, should not happen, and when they do, they are unacceptable.

As a father, I know that to a mom and dad there is nothing more precious than their children, and being included in the education process should be a parent's right, especially as taxpayers. Any rational adult, whether parent or educator, knows what the reasonable level of involvement should be.

Parents should have the right to be heard and to know what their child is being taught. Parents should have the right to see the school budget. Parents should have the right to be alerted if there are instances of violence or problems in the child's schools. Parents are not asking too much. They are simply asking to be involved, which helps create a strong family and a better educational environment for all.

It is our responsibility as elected officials to honor their requests and guarantee they will be included in the education process and school activities. That is why this Republican majority has put forth the Parents Bill of Rights Act, and I urge my colleagues to support this important legislation.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself 30 seconds. I include in the RECORD a statement from Equity-Minded Education, Civil Rights, and Immigration Advocates on H.R. 5 that concludes that we urge Congress to focus on real and meaningful efforts to truly support our students, parents, and teachers, and to stop using parents as a decoy to launch political attacks on our schools.

[Mar. 7, 2023]

JOINT STATEMENT FROM EQUITY-MINDED EDUCATION, CIVIL RIGHTS, AND IMMIGRATION ADVOCATES ON H.R. 5

As equity-minded education, civil rights, and immigration organizations, we work to ensure that our nation's students are learning, feel safe and respected at school, and have the supports they and their families need to succeed. As such, we are deeply concerned about the Parents Bill of Rights Act (H.R. 5) recently introduced in the House of Representatives. This legislation, like similar bills in a growing number of states that ban books or censor curriculum and textbooks, is divisive and designed to politicize our schools rather than provide what parents really want: a great education for their children.

In addition to enabling book bans and curriculum censorship, the bill is redundant and out of sync with what parents want. Provisions in the bill that allow a parent to demand inspections of schools and school budgets are designed to disrupt teachers' ability to teach students, and hinder school administrators' ability to run safe and welcoming schools. The bill also inserts the federal government to help determine the frequency of parent-teacher conferences—something nearly all school districts across the country establish through locally determined policies. Moreover, recent polling indicates that the top priorities for parents are not these wedge issues; rather they want to keep their children safe from violence at schools, ensure adequate mental health supports for them, and help in their learning recovery. Federal law should—and already does—require that parents receive information on what their kids are learning, how they are achieving, and on the qualifications of their child's teachers.

We support and encourage a broader view of the rights of parents and students: the right to have access to fully-resourced schools, prepared and qualified teachers, safe and welcoming places for students to learn, and the supports to make sure all students can thrive. The ability of the U.S. education system to provide these essential requirements should be the primary focus of Congress. We have supported bipartisan efforts

over the years to help achieve these goals, including the funding of the Elementary and Secondary School Emergency Relief Fund to provide schools with the resources to safely reopen and to help students get back on track after the disruption and loss caused by the pandemic, and additional resources for mental health needs through the Bipartisan Safer Communities Act. We urge this Congress to focus on real and meaningful efforts to truly support our students, parents, and teachers—and to stop using parents as a decoy to launch political attacks on our schools.

ALLIED

Center for American Progress

Education Reform Now

National Center for Learning Disabilities

National Parents Union

Schoolhouse Connection

The Education Trust

UnidosUS

National Urban League

Mr. SCOTT of Virginia. Mr. Chairman, I include in the RECORD a statement from Third Way, which concludes: “Protecting the ability of parents to make the best decisions for their children is a fundamental American value. This proposal is a serious distraction from what our students really need right now: to be learning in an academically challenging and safe environment that engages families and teachers in true partnership to support students.”

WASHINGTON.—Third Way released the following statement from Lanae Erickson, Senior Vice President for Social Policy, Education, and Politics:

“This week, the House majority will bring H.R. 5 to the floor under the guise of increasing parental engagement in schools—but its substance would do nothing to advance that goal. Instead, this bill would censor parents, undermine student mental health, ban books from school libraries, redirect resources and personnel away from meeting families' real needs, and ultimately function as a gag order on teaching and learning across the country.

“We should be empowering school boards and Parent Teacher Associations to make informed decisions when it comes to their students' education. This bill would invite Congress to dictate the schedule of parent-teacher conferences and control course instruction in every one of the nearly 100,000 public schools from coast to coast. We should be supporting the well-being of students by increasing access to mental health professionals. This legislation would limit families' access to crucial mental health services in an era when we know they are needed more than ever. We should be investing in the safety of our students by keeping firearms out of classrooms. This bill would focus only on reporting violence once students have already been hurt or killed.

“Protecting the ability of parents to make the best decisions for their children is a fundamental American value. This proposal is a serious distraction from what our students really need right now: to be learning in an academically challenging and safe environment that engages families and teachers in true partnership to support students.”

□ 1600

Mr. SCOTT of Virginia. Mr. Chair, I yield 2 minutes to the gentleman from Ohio (Mr. LANDSMAN).

Mr. LANDSMAN. Mr. Chair, I rise in opposition to this controversial and highly dangerous bill, H.R. 5.

I am a former teacher. My parents were teachers. I have been doing child education advocacy my entire career. My wife and I are parents of two public school children right now. This is our lives. This is what we do day in and day out.

I want to be very clear so that my colleagues understand what rights I have as a parent, which are the same rights that all Americans, all parents in America, have if their children are in public schools.

I can go speak to the school board whenever I want. I can do that now. I have that right.

Madam Chair, I can ask about the books. I can ask about the budget.

Of course, I can get information about the medical condition of my children. I have that right now.

My colleagues have to know this. If they do not, and this is news to them, they can pull the bill.

Right now, this new national ban and set of controls will simply lead to our schools, our teachers, and many of our parents drowning in lawsuits.

I offered two amendments. One was a litigation shield to help protect our folks from obviously dangerous lawsuits that would come of this if this bill were to pass. The second was to opt out if a district does not want to be part of this because I believe in local control, as do most of the people in my district. Republicans, Democrats, and Independents believe in local control. Let school districts opt out.

It is not about local control. This is about taking a small, teeny ideology and forcing it on the rest of us. As a parent, I can say on behalf of so many parents, leave us alone.

The Acting CHAIR (Ms. GREENE of Georgia). The time of the gentleman has expired.

Mr. SCOTT of Virginia. Madam Chair, I yield an additional 1 minute to the gentleman from Ohio.

Mr. LANDSMAN. Madam Chair, we need politicians at the State level and D.C. politicians with this bill to get out of our lives, get out of our doctors' offices, get out of our classrooms, and, as a parent, get out of my house. Let me parent my child.

Madam Chair, I urge my colleagues to vote "no" on H.R. 5.

Ms. FOXX. Madam Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I yield 2 minutes to the gentleman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Madam Chair, today, the National Parents Union released a poll that supports an alternative version of H.R. 5 and does not support H.R. 5 in the least.

In fact, the majority of people believe that the bill of rights should guarantee that students should have access to a high-quality, well-rounded education with resources to support their individual needs. They overwhelmingly agree that parents' own personal beliefs should not prevent other students from accessing certain curricula and materials.

The majority encourage the teaching of topics like women's history, Black history, Native American history, and Latino, Latina, and Hispanic history.

The majority of parents want Congress to focus on issues like anti-bullying measures in schools and providing students with access to career and technical education and academic tutoring.

They rank requiring public schools to provide parents with a list of books and reading materials in the library as the least important priority for Congress compared to other issues.

They say that public schools should teach about and discuss concepts like kindness, empathy, cooperation, and collaboration.

Ninety percent say that students should have access to high-quality, well-rounded education. Ninety percent say that students should be protected from any form of discrimination against them at school. Eighty-nine percent say that students should be taught using educational materials that are historically accurate. Eighty percent say students should be taught using educational materials that reflect the diversity of the United States. Eighty-three percent say students should be taught about how government works so they can be prepared to participate in democracy.

My colleagues, H.R. 5 misses the mark. Please, vote it down. I will be offering a substitute amendment. We have something we can stand for that will really, truly address the needs of students and parents.

Madam Chair, I include in the RECORD a letter from the Council of the Great City Schools in opposition to H.R. 5.

COUNCIL OF THE GREAT CITY SCHOOLS®,
Washington, DC, March 23, 2023.
HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The Council of the Great City Schools, the coalition of the nation's largest central city school districts, writes to offer our perspective on H.R. 5, the Parents Bill of Rights Act pending before the Committee. Urban schools have long supported and encouraged family involvement in our students' education and view parental engagement as an invaluable tool to further school improvement. Yet H.R. 5 includes excessive and redundant federal requirements that are costly, time-consuming, and unnecessary to improve student performance. The bill also contains problematic requirements, such as provisions that impede school districts' ability to operate effective instructional programs and ones that may deter the identification of students that need mental health support. The Council does not support H.R. 5 and urges House leaders to develop legislation that focuses on the instructional improvements and supports that provide our students with the best opportunity for success in school and life.

Urban school districts provide an endless number of engagement opportunities and have longstanding local policies and state laws to foster this connection. Parental involvement on school-based committees is routine in urban schools, with positions designated specifically for parents and family members to review library materials and textbooks, budget expenditures, school safe-

ty procedures, and school improvement plans to increase student learning. The inclusion of federal requirements in H.R. 5 that, for example, mandate a specific number of in-person teacher meetings per year, the annual disclosure of library and reading materials at each school, and detailed budget publications needlessly duplicate commonplace practices in districts that customarily have multiple parent-teacher meetings, online card catalogs, and regular public meetings for developing annual district-level and school-level budgets that are posted on the districts' websites.

We also do not support provisions that hinder districts' ability to provide the instruction and support that our students need to succeed. Urban school districts have worked hard to ensure that the benefits of content-rich resources are available to our children and have invested in online tools to promote an "anywhere/anytime" approach to learning. Encouraging parental objections to the use of such technology will likely prove extremely disruptive for all students and creates avoidable strictures for school and district staff. Similarly, any restrictions on access to school psychologists and counselors to support mental health will unsettle school districts that are prioritizing the well-being of those students that need it most.

Urban school districts are committed to their students, parents, and families and have long worked to keep them informed, inspired, and ready to partner with their local schools. Authentic parent engagement is essential to increasing student achievement and readiness for college, career, and life. The Council urges a NO vote on H.R. 5 and encourages Congress to develop legislation that will help our districts and school communities reach these goals.

Sincerely,

RAYMOND HART,
Executive Director.

Ms. FOXX. Madam Chair, I yield myself such time as I may consume.

Madam Chair, it has been a pleasure to work on the Parents Bill of Rights Act. While working on this bill, I have heard from parents' groups who offered their support. I would like to mention what just a few of them said.

The Independent Women's Voice wrote: "The Parents Bill of Rights Act acknowledges parents' fundamental right to make decisions for their children."

"Parents do not simply turn children over to government schools with the assumption that the school will make every decision without parental input. As parents, we have a right to direct the upbringing, care, and education of our children."

The Concerned Women for America Legislative Action Committee said: "Americans have been awakened to the troubling fact that public schools are failing our children. The lack of educational standards combined with the radical ideologies being taught in the classroom have led more and more parents to question the public education system. . . . This act reasserts the proper role of parents in their children's education."

Finally, Parents Defending Education Action said: "There is an intentional and universal lack of transparency and accountability among school districts. Concerning incidents

are major and widespread. . . . The Parents Bill of Rights Act, introduced by Congresswoman JULIA LETLOW, addresses the primary issues parents have vocalized over the last 2 years: academics, free speech, safety, fairness, and transparency. We hope Congress will be receptive to the Parents Bill of Rights Act and vindicate parents who have spoken up and yearn for such legislation."

After hearing statements like this, it should be clear that this bill gives parents what they want. Polling shows that overwhelming majorities of parents want more control over what their children are taught. According to survey results, 72 percent of Americans support curriculum transparency. Additionally, 67 percent believe that parents should be able to opt their children out of curriculum they believe is inappropriate or harmful. Nearly 8 in 10 parents polled nationally want to have influence over what is taught in K-12 classrooms.

Madam Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I yield 4 minutes to the gentlewoman from Connecticut (Mrs. HAYES), a former teacher of the year.

Mrs. HAYES. Madam Chair, I rise in strong opposition to H.R. 5, the politics over parents act.

One of the most dangerous provisions of this bill is the banning of books. Across our Nation, books that illustrate our rich history and our diversity are being pulled from library shelves. According to PEN American's "Index of School Book Bans," of the 2,500 books banned last year, 41 percent of these books explicitly address LGBTQ themes, and 40 percent contain prominent characters of color.

My colleagues across the aisle say that nothing in this legislation will ban books or censor libraries. If this is true, I invite them to support my amendment, which ensures this legislation will not go into effect until the Comptroller General of the United States can confirm that the bill will not lead to censorship or banning books for children or affect learning outcomes for students.

Throughout history, the voices of women, persons of color, and members of the LGBTQ community have been suppressed. Their voices, experiences, and stories have been labeled controversial, oversexual, and even un-American.

As a teacher, you do not get to pick the parts of history you deem worthy to teach. When I was a teacher, I told the entire story honestly, the good and the bad, and gave students the tools that they needed to participate in their communities in a conscientious and productive way.

I will tell you a personal story. My son is currently reading "To Kill a Mockingbird," one of the books on this list of banned books. In his initial observation of this book, he said: "Mom, they use the n-word a lot." I mean, a

lot, and I don't like it, but it opened the door to broader conversations between me and my son about segregation and Jim Crow laws, and it led him to ask some very difficult questions of me.

In his final observation of Harper Lee's novel, he said: "But yet and still, Atticus Finch defended Tom Robinson." Through this complex story, his takeaway was not hateful, hurtful, or angry. It was that, even then, good people existed.

That is what books do. That is how kids learn, not through censorship.

Teachers do not have the autonomy to indoctrinate students. Everything we are talking about here today is already published. Budgets are public. Curriculums are public. Parents are marching in, being a part of our classes.

When I was introduced by the ranking member, he mentioned that I was the National Teacher of the Year. That doesn't happen without parent-teacher partnerships.

This bill will not improve educational outcomes. This bill caters to a small group of individuals who seek to impose their world views on entire school districts, on my child.

Madam Chair, I strongly encourage my colleagues to oppose this bill, and I include in the RECORD the text of my amendment.

Mrs. Hayes of Connecticut moves to recommit the bill H.R. 5 to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end the following:

TITLE VII—EFFECTIVE DATE

SEC. 701. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall not take effect until the Comptroller General of the United States—

(1) makes a determination that this Act will not—

(A) result in the banning or censorship of books for children attending public elementary and secondary schools; or

(B) negatively affect learning outcomes for such children; and

(2) submits notice of such determination to Congress.

Ms. FOXX. Madam Chair, I yield myself 15 seconds.

Madam Chair, I am going to say again and again and again and again, this bill does not do anything to ban books.

My understanding is that the book "To Kill a Mockingbird" was banned by a liberal school board in California, so don't blame us for what liberals do.

Madam Chair, I yield 2 minutes to the gentleman from New York (Mr. WILLIAMS).

Mr. WILLIAMS of New York. Madam Chair, let's lay out the fundamental rights of parents. That is what we are discussing here today.

Number one, every parent should be given a choice and a voice on how their child receives an education.

Number two, school curriculum should not be used to politically indoctrinate our children.

Number three, parents deserve options. They deserve a choice on how their child receives an education.

In my family, my wife and I made a personal decision to homeschool our children. Every parent should be free to make that choice, not just the wealthy ones.

What is the parents bill of rights? What are the pillars of this bill?

Parents deserve the right to know what is being taught in schools and to see the reading material. It is very simple.

Parents deserve to be heard.

Parents deserve the right to see where the taxpayer dollars are going, how they are spent, and how they are being used. It is a fundamental principle of good governance.

Parents have the right to protect their children, to protect their children's privacy.

Parents absolutely should be updated and informed in the instances of violence that seem to be increasing in our schools, many of which go unreported.

I am very honored to be a member of the House Committee on Education and the Workforce and to support this bill, to support parents, and to support parents' rights, particularly that our children get the best possible education. This is a significant step forward.

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Mr. SCOTT of Virginia. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I want to get back to something that was said a little earlier because it is a little disturbing the way this legislation, a notice of rights—that people have a right to information about their child, their child, their child. You have a right to notice before a person speaks to their child at a class, school assembly, or any other school-sponsored event.

If you have a field trip, I guess you have a right to notice before anybody at the museum can speak to your child. But under subsection L, it says you have: "the right to know if a school employee or contractor acts to change a minor child's gender markers, pronouns, or preferred name. . . ."

That means any child—if any teacher addresses any child, everybody has a right to notice if they change their minor child's gender markers, pronouns, or preferred name. I think that is concerning. I don't know what is meant by that, but that is the way it reads.

Madam Chair, I reserve the balance of my time.

Ms. FOXX. Madam Chair, I yield 2 minutes to the gentleman from California (Mr. KILEY), a member of the committee.

Mr. KILEY. Madam Chair, as we speak, a half million California students are locked out of school. Los Angeles Unified, America's second largest district, has shut down for the week. Taxpaying parents in this district have no place to send their kids to school.

Sadly, they have had to get used to it. This dysfunctional district and its union have lurched from one strike, one shutdown to the next, and seized on COVID-19 as a golden opportunity to close schools indefinitely. Kids in LA were without in-person instruction longer than anywhere in the country, a year and a half for most students.

Even when some high schools resumed, students walked into a Kafkaesque Zoom in the room setup where there were a few students and a teacher there instructing from a laptop sitting on a desk in the classroom. The eventual resumption of classes was anything but normal. You had kids who were forced to eat lunch on gymnasium floors or outside, even when it was raining. They would have to wear masks all day every day without any public health rationale. The district then imposed an illegal student vaccine mandate that the California courts had to intervene and strike down.

By the way, this was a failing school district even before COVID—on the brink of bankruptcy, with students testing several years behind grade level.

The hundreds of thousands of parents in this school district have been subjected to one abuse after another. Their experience is shared by many parents across the country who have lost the right to control their child's education at the hands of a corrupt education establishment driven less by student success than by special interests and social agendas.

Today's Parents Bill of Rights Act is a desperately needed course correction, shifting the paradigm of public education in this country back toward one that is student-centered and parent-directed.

My addition to this legislation is the school choice amendment.

The Acting CHAIR. The time of the gentleman has expired.

Ms. FOXX. Madam Chair, I yield the gentleman from California an additional 30 seconds.

Mr. KILEY. The only parents in Los Angeles whose kids are not at home right now are those who have the resources for private school or the time and wherewithal to seek out a charter school or limited interdistrict transfer options.

My amendments will enable more parents to do the same, providing a clear path to find a school that better serves their child.

This will not only increase the educational outcomes of particular students but induce the sort of systemic change that we need to benefit all students.

Mr. SCOTT of Virginia. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I include in the RECORD a list of groups that either oppose or express concerns about H.R. 5, over 225 different organizations.

LIST OF GROUPS THAT EITHER OPPOSE OR HAVE EXPRESSED CONCERNS ABOUT H.R. 5

AASA, The School Superintendents Association; All4Ed; American Federation of Teachers (AFT); American Library Association (ALA); A Way Home America; AACTE (American Association of Colleges for Teacher Education); Act To Change Advocacy Institute; Advocates for Youth; American Association of University Women; American Atheists; American Civil Liberties Union; American Humanist Association; American School Counselor Association; Apiary for Practical Support; Arab American Institute (AAI); Asian Americans Advancing Justice (AAJC); Athlete Ally; Autistic Self Advocacy Network; A Woman's Choice of Charlotte; A Woman's Choice of Greensboro.

A Woman's Choice of Jacksonville; A Woman's Choice of Raleigh; Acadiana Queer Collective; Aces NYC; Action Together New Jersey; African American Office of Gay Concerns; AIDS Foundation Chicago; Alliance for Quality Education; Arkansas Black Gay Men's Forum; Avow Texas; Bazelon Center for Mental Health Law; Bend the Arc; Jewish Action Campaign for Our Shared Future; Bans Off Miami; Black Californians United for Early Care and Education; Care in Action; Catholics for Choice; Center for American Progress; Center for Applied Transgender Studies; Center for Law and Social Policy (CLASP); Center for LGBTQ Economic Advancement & Research (CLEAR).

Center Link: The Community of LGBT Centers; Collective Power for Reproductive Justice; Council of Parent Attorneys and Advocates Disability Rights Education & Defense Fund; Campaign for Our Shared Future (COSF); Cato Institute; Center for American Progress (CAP); Campus Pride; Carolina for All; Central Florida Jobs with Justice; Chicago Abortion Fund; Chicago Lawyers' Committee for Civil Rights; Cobalt; Disability Rights Education & Defense Fund; Democrats for Education Reform DC (DFER DC); Democrats for Education Reform Massachusetts; Democrats for Education Reform New York; Detroit Disability Power; DFER Colorado; Disability Law Center; Donald Patton.

Dutchess County Progressive Action Alliance; Education Reform Now; Education Trust; EducateUS; SIECUS In Action; Education Leaders of Color (EdLoC); Education Reform Now; Empowering Pacific Islander Communities; End Rape On Campus; Equal Rights Advocates; Equality Federation; Equity Forward Evaluation, Data Integration, and Technical Assistance (EDIT) Program; Education Reform Now; Education Reform Now CT; Education Reform Now Texas; Equality California March; Equality Illinois; Equality South Dakota; Equality Virginia; EqualityMaine; Family Equality.

Feminist Campus; Fenway Institute; First Focus Campaign for Children; FORGE, Inc.; First Focus Campaign for Children; Faces of Fallen Fathers; FL National Organization for Women; Florida Council of Churches; Florida Health Justice Project; Forever Caring Evonne; Girls Inc.; GLAAD; GLBTQ Legal Advocates and Defenders (GLAD); GLSEN; Grandmothers for Reproductive Rights; Gender Justice; GLSEN New Mexico; Greater Milwaukee Urban League; Greater Orlando National Organization for Women; Hindu American Foundation.

Hispanic Federation; Houston Area Urban League; Human Rights Campaign; Human Rights First; If/When/How: Lawyering for Reproductive Justice; Impact Fund; In Our Own Voice: National Black Women's Reproductive Justice Agenda; Indivisible; InterACT: Advocates for Intersex Youth; Interfaith Alliance; Illinois Families for Public Schools; Independent Voters of Illinois-Independent Precinct Organization; Indivisible

DuPage Indivisible Georgia Coalition; Indivisible Miami; Japanese American Citizens League; Juvenile Law Center; Jane's Due Process; JASMYN, Inc.; KIPP Public Schools; Lafayette Citizens Against Censorship.

Latino Memphis; Learning Rights Law Center; Los Angeles LGBT Center; Louisiana Citizens Against Censorship; Louisiana Coalition for Reproductive Freedom; Louisiana Progress; Louisiana Trans Advocates; Labor Council for Latin American Advancement; Lambda Legal; LatinoJustice PRLDEF; Lawyers' Committee for Civil Rights Under Law; Lawyers for Good Government; League of United Latin American Citizens (LULAC); Matthew Shepard Foundation; MomsRising; Movement Advancement Project; Maine Parent Federation; Massachusetts Transgender Political Coalition; Mazzoni Center; Memphis Urban League.

Michigan Alliance for Special Education; Michigan Education Justice Coalition; Missouri Health Care for All; NARAL Pro-Choice America; National Association of School Psychologists (NASP); National Black Justice Coalition; National Center for Learning Disabilities (NCSD); National Center for Lesbian Rights; National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE); National Center for Transgender Equality; National Center for Youth Law; National Council of Asian Pacific Americans; National Disability Rights Network (NDRN); National Domestic Workers Alliance; National Education Association (NEA); National Employment Law Project; National Hispanic Media Coalition; National LGBT Cancer Network; National Organization for Women; National Parents Union.

National Urban League; National Women's Law Center; New American Leaders Action Fund; New Generation Equity Oregonians; NASD; National Council of Jewish Women St. Louis; NJ Community Schools Coalition; North Carolina Justice Center; OutFront Minnesota; OutNebraska; People For the American Way; PFLAG National; Physicians for Reproductive Health; Planned Parenthood Federation of America; Plume Health Public Advocacy for Kids (PAK); Public Citizen; Public Justice; Parent Education Organizing Council; Paterson Alliance; Paterson Education Foundation.

PAVE (Parents Amplifying Voices in Education); Pride Action Tank; Pro Choice Missouri; Pro-Choice North Carolina; Progress Florida; Queer Northshore; Red Wine & Blue; Reproductive Rights Coalition; Rad Family, a project of North Jersey Pride; Reproductive Freedom Acadiana; Save Our Schools NJ; SHERo Mississippi; Silver State Equality-Nevada; Solid Foundation Youth Outreach; Southern Echo Inc.; St. Tammany Library Alliance; School Board Partners; Sexual Violence Prevention Association (SVPA); SIECUS: Sex Ed for Social Change; Sikh American Legal Defense and Education Fund (SALDEF).

SPAN Parent Advocacy Network; SPLC Action Fund; Stand for Children; Schoolhouse Connection; Software & Information Industry Association (SSIA); Tahirih Justice Center; The Advocates for Human Rights; The Arc of the United States; The Council of the Great City Schools; The Education Trust; The Leadership Conference on Civil and Human Rights; The Personal Stories Project; The Sikh Coalition; The Workers Circle; TransAthlete; True Colors United; Trust Women; Third Way; The Ezekiel Project; The Parents' Place of MD.

The Urban League of Philadelphia; The Womxn Project; Urban League of Greater Pittsburgh; Urban League of Middle Tennessee; UnidosUS; Unitarian Universalist Association; United State of Women (USOW);

URGE: Unite for Reproductive & Gender Equity; VoteProChoice; Voto Latino; Virginia Coalition of Latino Organization; Wayfinder Foundation; We Testify; Whole Woman's Health; Whole Woman's Health Alliance; Woodhull Freedom Foundation; YWCA USA.

Mr. SCOTT of Virginia. Madam Chair, I reserve the balance of my time.

Ms. FOXX. Madam Chair, I will respond to a comment that my colleague on the other side of the aisle mentioned a few minutes ago.

I point out that the manager's amendment that we will debate clarifies the intent of the language the ranking member was reading.

The manager's amendment makes it clear the school district's responsibility is to the parents' child, not any child.

Madam Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I yield myself such time as I may consume.

Madam Chair, in that case, the individual child will be identified and will be, essentially, outed, and that is even worse than the underlying language. I reserve the balance of my time.

Ms. FOXX. Madam Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I yield myself the balance of my time.

Madam Chair, in closing, despite our colleagues' claims, the politics over parents act would only further politicize our children's classrooms while doing nothing to meaningfully improve partnerships between parents and educators. It will lead to censoring books.

Last night at the Rules Committee, a significant amount of time was taken to identify books that ought to be banned, and although the bill does not technically, directly censor books, the reporting requirements will allow national groups to find books all over the country that they don't like, and they could threaten each of those schools—wherever they find the book, they can threaten lawsuits unless the book is actually banned.

House Democrats tried several times to ensure that this legislation would actually address real challenges facing students, parents, and educators, and increase parental involvement.

For example, Democrats offered amendments to prevent this bill from banning books or censoring the curriculum. Moreover, in committee, we offered 25 amendments to actually improve student success, such as improving access to teacher training, fully fund parent engagement centers, and ensure students have access to mental health resources, among others. Unfortunately, they were struck down.

Madam Chair, Democrats are dedicated to improving parental engagement and ensuring that every child receives a well-funded and accurate education. This legislation does nothing to achieve that goal and would only advance an extreme education agenda at the expense of students and parents.

Madam Chair, I urge my colleagues to oppose H.R. 5, and I yield back the balance of my time.

Ms. FOXX. Madam Chair, I yield myself the balance of my time.

Madam Chair, we have heard a lot about what this bill is going to do in the future, and it is all bad from the other side.

What has been particularly disturbing to me to hear today are comments that truly misrepresent what is in the legislation before us. That scares the public, and that is not what we should be about.

This bill is not going to cause people to be mean to schoolchildren. It does not attempt to hurt anyone. It is not going to ban books.

Our colleagues say, on one hand that a list of all the books is already available out there to parents, and then they say, this bill is going to force those lists to be put out and that will cause the banning of books.

We have heard that books have been banned. In the Rules Committee last night, books that they said had been banned inappropriately—those assertions were refuted.

It has been truly troubling, in our committee markup in the Rules Committee last night and today, to hear the terrible misrepresentations about this bill.

As my colleagues and I have said, this Parents Bill of Rights Act is to help parents be more involved with their children's education, as they should be.

I am urging my colleagues to support H.R. 5, the Parents Bill of Rights Act, and by doing so we will send a strong message that parents are an integral part of their child's education and must be respected.

For too long, parents have been kept at a distance in schools and classrooms. Teachers' unions and education bureaucrats made significant efforts to conceal what was truly being taught in classrooms. What came out of COVID was parents saw what was being taught and they didn't like it.

For years, students were falling behind in critical subject areas such as mathematics and reading, but prolonged school closures hastened the deterioration of learning.

Now, the Parents Bill of Rights Act will foster robust parent/teacher partnerships and close the gap between families and educators. That is what this bill is about—setting up true partnerships between families and educators.

We respect educators. We want to support what they are doing in the classroom. But parents want to know what is being taught in the classroom. We want transparency and we want accountability.

To recover lost learning and promote a safe learning environment, parents must be involved in the classroom. Parents are the best advocates for the best interests of their child, and teachers are an important part of enhancing the well-being of students.

I hope our colleagues will not continue to misrepresent what is in this bill but will work with us for the benefit of America's children. That is what we are about on our side of the aisle, not to hurt, not to be mean, but to support.

Madam Chair, I encourage my colleagues across the aisle to do what is best for students, support this important bill.

Madam Chair, I yield back the balance of my time.

Mr. ADERHOLT. Madam Chair, when a mother or a father drops their child off at school in the morning, they should not have to wonder what that child will hear, read, see, or learn that day. Families should feel confident in the American education system, and when they sense that there is a problem, they deserve the right to have a voice, and for that voice to be heard.

Parents deserve the right to know what is being taught. There are too many classrooms in America that take time away from reading, science, mathematics, and arts; and give that time to inappropriate, age-inappropriate explicit sexual education, historically inaccurate critical race theory, and fluid gender ideology.

Parents are the ones most invested in their child's education—you will not find someone with more stake in—or more long-term influence on—the success of a child, and research continually shows that parental involvement yields measurable and consistent success.

Furthermore, it is our most vulnerable students who often suffer the most when schools focus on agendas other than academic success. Minority and lower income children are too often trapped in under-performing schools, vulnerable to the ideological agenda of the left infiltrating their curriculum and falling victim to the education establishment's monopoly system.

This important legislation directly identifies and protects the rights that parents inherently hold.

As Chair of the House Values Action Team, as a Representative for the Fourth Congressional District of Alabama, and most importantly, as a father of two, I support the Parents Bill of Rights and urge its passage. This legislation matters, because children matter, and parents matter.

Ms. MCCOLLUM. Madam Chair, I rise in opposition to H.R. 5, the Politics Over Parents Act. This bill is an attempt by House Republicans to attack public education in America and restrict the free exchange of ideas that fosters critical thinking. It is part of a harmful, nationwide extreme Republican march toward censorship and book bans. For example, in the 2021–2022 School Year, the most banned book titles included 'Beloved' and 'The Bluest Eye' by the groundbreaking author and Nobel Laureate Toni Morrison—not unlike the way 'To Kill a Mockingbird' by Harper Lee has been the subject of book bans since the 1960s.

This censorship deprives students of opportunities to learn, grow, and obtain information from a variety of perspectives. Other types of censorship under this bill would deprive students of an accurate and fact-based education.

The strength of America comes from its diversity. But instead of delivering the support and resources our schools need, so-called

“parents’ rights” bills like this empower extremists to impose their beliefs on all students and parents.

My mother worked in a library. She taught me it is important that every child in every community has a safe place to learn and grow. Democrats are focused on improving public education, making our schools safer, and ensuring schools and students have what they need to recover from the pandemic.

This legislation is irresponsible and is yet another divisive political stunt by the Republican majority.

It should be rejected.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-2. That amendment in the nature of a substitute shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 5

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Parents Bill of Rights Act”.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 101. STATE PLAN ASSURANCES.

Section 1111(g)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(g)(2)) is amended—

(1) in subparagraph (M), by striking “and” at the end;

(2) in subparagraph (N), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(O) the State will ensure that each local educational agency in the State—

“(i) in a case in which the curriculum for an elementary or secondary school grade level is freely and publicly available on the internet—

“(I) posts on a publicly accessible website of the agency, such curriculum; or

“(II) if such agency does not operate a website, widely disseminates to the public such curriculum; or

“(ii) in a case in which the curriculum for an elementary or secondary school grade level is not freely and publicly available on the internet—

“(I) posts on a publicly accessible website of the agency—

“(aa) a description of such curriculum; and

“(bb) information on how parents can review such curriculum as described in section 1112(e)(1)(A); or

“(II) if such agency does not operate a website, widely disseminates to the public the description and information described in items (aa) and (bb) of subclause (I); and

“(P) in the case of any revisions to the State’s challenging State academic standards (including any revisions to the levels of achievement within the State’s academic

achievement standards), the State educational agency will post to the homepage of its website, and widely disseminate to the public, notice of such revisions and a copy of such revisions, except that the State educational agency shall not be required to submit such notice or such revisions to the Secretary.”.

SEC. 102. ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS.

Section 1111(h)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(2)) is amended by inserting at the end the following new subparagraph:

“(E) BUDGET.—Each local educational agency report card shall include the budget for the school year for which such report card is being prepared (including all revenues and expenditures (including expenditures made to private entities)) for the local educational agency as a whole, and for each elementary school and secondary school served by the local educational agency. In addition to the detailed budget information required under the preceding sentence, the agency shall include a separate fact sheet that summarizes such information in a clear and easily understandable format.”.

SEC. 103. LOCAL EDUCATIONAL AGENCY PLAN ASSURANCES.

Section 1112(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(c)) is amended—

(1) in paragraph (6), by striking “and” at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(8) meet the requirements described in section 1111(g)(2)(O);

“(9) post on a publicly accessible website of the local educational agency or, if the local educational agency does not operate a website, widely disseminate to the public, the plan for carrying out the parent and family engagement described in section 1116 and all policies and procedures that result from such engagement;

“(10) ensure that each elementary school served by the local educational agency notifies the parents of any student enrolled at such school when the student does not score as grade-level proficient in reading or language arts at the end of the third grade based on the reading or language arts assessments administered under section 1111(b)(2)(B)(v)(I)(aa) or another assessment administered to all third grade students by such school; and

“(11) ensure that each elementary school and secondary school served by the local educational agency provides to the parents of students enrolled at such school, before a person speaks (in-person or virtually) to such students in a class, school assembly, or any other school-sponsored event, notice that includes the name of the speaker and the name of the organization or other entity being represented by the speaker.”.

SEC. 104. PARENTS RIGHT-TO-KNOW.

Section 1112(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(e)) is amended—

(1) by redesignating paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (6), respectively;

(2) by inserting before paragraph (2) (as so redesignated), the following:

“(1) NOTICE OF RIGHTS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency posts on a publicly accessible website of the school or, if the school does not operate a website, widely disseminates to the public, a summary notice of the right of parents to information about their children’s

education as required under this Act, which shall be in an understandable format for parents and include, at minimum—

“(A) the right to review, and make copies of, at no cost, the curriculum of their child’s school;

“(B) the right to know if the State alters the State’s challenging State academic standards;

“(C) the right to meet with each teacher of their child not less than twice during each school year in accordance with paragraph (5)(A);

“(D) the right to review the budget, including all revenues and expenditures, of their child’s school;

“(E) the right to—

“(i) a list of the books and other reading materials available in the library of their child’s school; and

“(ii) inspect such books or other reading materials;

“(F) the right to information about all schools in which their child can enroll, including options for enrolling in or transferring to—

“(i) other schools served by the local educational agency;

“(ii) charter schools; and

“(iii) schools served by a different local educational agency in the State;

“(G) the right to address the school board of the local educational agency;

“(H) the right to information about violent activity in their child’s school;

“(I) the right to information about any plans to eliminate gifted and talented programs in the child’s school;

“(J) the right to review any professional development materials;

“(K) the right to know if their child is not grade-level proficient in reading or language arts at the end of the third grade as described in subsection (c)(10);

“(L) the right to know if a school employee or contractor acts to—

“(i) change a minor child’s gender markers, pronouns, or preferred name; or

“(ii) allow a child to change the child’s sex-based accommodations, including locker rooms or bathrooms;

“(M) the right to know if—

“(i) a school employee or contractor acts to—

“(I) treat, advise, or address the cyberbullying of a student;

“(II) treat, advise, or address the bullying or hazing of a student;

“(III) treat, advise, or address a student’s mental health, suicidal ideation, or instances of self-harm;

“(IV) treat, advise, or address a specific threat to the safety of a student;

“(V) treat, advise, or address the possession or use of drugs and other controlled substances; or

“(VI) treat, advise, or address an eating disorder; or

“(ii) a child brings a weapon to school; and

“(N) the right to the notice described in subsection (c)(11) before a person speaks (in-person or virtually) to their child in a class, school assembly, or any other school-sponsored event.”;

(3) in paragraph (2)(B) (as redesignated by paragraph (1))—

(A) by redesignating clause (i) and clause (ii) as subclause (I) and subclause (II), respectively;

(B) by striking “(B) ADDITIONAL INFORMATION.—” and inserting:

“(B) ADDITIONAL INFORMATION.—

“(i) IN GENERAL.—”;

(C) by adding at the end the following:

“(ii) SCHOOL LIBRARY.—A local educational agency receiving funds under this part shall

ensure that each elementary school and secondary school served by such agency provides the parents of each child who is a student in such school—

“(I) at the beginning of each school year, a list of books and other reading materials available in the library of such school; and

“(II) the opportunity to inspect such books and other reading materials.

“(iii) VIOLENT ACTIVITY.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency provides the parents of each child who is a student in such school timely notification of any violent activity occurring on school grounds or at school-sponsored activities in which one or more individuals suffer injuries, except that such notification shall not contain names or the grade level of any students involved in the activity.

“(iv) GIFTED AND TALENTED PROGRAMS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency provides the parents of each child who is a student in such school timely notification of any plan to eliminate gifted and talented programs in such school.”; and

(4) by inserting after paragraph (4) (as redesignated by paragraph (1)) the following:

“(5) TRANSPARENCY.—A local educational agency receiving funds under this part shall provide the parents of each child who is a student in an elementary school or secondary school served by such agency—

“(A)(i) the opportunity to meet in-person or virtually via videoconference with each teacher of such child not less than twice during each school year; and

“(ii) a notification, at the beginning of each school year, of the opportunity for such meetings, including the option to attend such meetings virtually via videoconference; and

“(B) the opportunity to address the school board of such local educational agency on issues impacting the education of children in such agency.”.

SEC. 105. SENSE OF CONGRESS ON FIRST AMENDMENT RIGHTS.

Title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801 et seq.) is amended—

(1) by redesignating section 8549C as section 8549D; and

(2) by inserting after section 8549B the following new section:

“SEC. 8549C. SENSE OF CONGRESS ON FIRST AMENDMENT RIGHTS.

“(a) FINDINGS.—Congress finds the following:

“(1) Parents have a First Amendment right to express their opinions on decisions made by State and local education leaders.

“(2) States and local educational agencies should empower parents to communicate regularly with Federal, State, and local policymakers and educators regarding the education and well-being of their children.

“(3) Transparent and cooperative relationships between parents and schools have significant and long-lasting positive effects on the development of children.

“(4) Parents’ concerns over content and pedagogy deserve to be heard and fully considered by school professionals.

“(5) Parent and other community input about schools that is presented in a lawful and appropriate manner should always be encouraged.

“(6) Educators, policymakers, elected officials, Executive Branch officials and employees, and other stakeholders should never seek to use law enforcement to criminalize the lawfully expressed concerns of parents about their children’s education, but should

never hesitate to contact public safety officials if there is a credible threat to the safety and security of students, parents, educators, policymakers, elected officials, executive branch officials or employees, or other stakeholders, school faculty, or staff.

“(b) SENSE OF CONGRESS.—It is the sense of Congress that the First Amendment guarantees parents and other stakeholders the right to assemble and express their opinions on decisions affecting their children and communities, and that educators and policymakers should welcome and encourage that engagement and consider that feedback when making decisions.”.

TITLE II—AMENDMENTS TO FERPA AND PPRA

SEC. 201. AMENDMENTS TO THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974.

(a) ENFORCEMENT.—Section 444(f) of the General Education Provisions Act (20 U.S.C. 1232g) (also known as the “Family Educational Rights and Privacy Act of 1974”) (20 U.S.C. 1232g(f)) is amended by adding at the end the following: “The Secretary shall comply with the reporting requirement under section 445(e)(2)(C)(ii) with respect to the enforcement actions taken under this subsection to ensure compliance with this section.”.

(b) PROHIBITION ON EDUCATIONAL AGENCIES OR INSTITUTIONS ACTING AS AN AGENT OF A PARENT.—Section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (also known as the “Family Educational Rights and Privacy Act of 1974”) is amended by adding at the end the following:

“(k) PROHIBITION ON EDUCATIONAL AGENCIES OR INSTITUTIONS ACTING AS AGENT OF A PARENT FOR USE OF TECHNOLOGY.—An educational agency or institution may not act as the agent of a parent of a student in attendance at a school of such agency or at such institution for purposes of providing verifiable parental consent for the use of technology in the classroom for purposes of educating the student without providing notice and an opportunity for the parent to object to the use of such technology.

“(l) PROHIBITION ON EDUCATIONAL AGENCIES OR INSTITUTIONS ACTING AS AGENT OF A PARENT FOR VACCINES.—An educational agency or institution may not act as the agent of a parent of a student in attendance at a school of such agency or at such institution for purposes of providing verifiable parental consent for a vaccination.”.

(c) PROHIBITION ON SALE OF INFORMATION FOR COMMERCIAL PURPOSES.—Section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (also known as the “Family Educational Rights and Privacy Act of 1974”) is amended by this section, is further amended by adding at the end the following:

“(m) PROHIBITION ON SALE OF INFORMATION FOR COMMERCIAL PURPOSES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), no educational agency or institution or authorized representative of such agency or institution may sell student information for commercial or financial gain.

“(2) EXCEPTIONS.—The prohibition described in paragraph (1) shall not apply to products sold to students by or on behalf of the educational agency or institution, such as yearbooks, prom tickets, and school pictures.”.

(d) PARENTAL CONSULTATION.—Section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (also known as the “Family Educational Rights and Privacy Act of 1974”), as amended by this section, is further amended by adding at the end the following:

“(n) PARENTAL CONSULTATION.—In developing a privacy policy or procedure, an edu-

cational agency or institution shall engage meaningfully with parents of students in attendance at the schools served by such agency or institution.”.

(e) DISCLOSURE OF INFORMATION.—Section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (also known as the “Family Educational Rights and Privacy Act of 1974”), as amended by this section, is further amended by adding at the end the following:

“(o) DISCLOSURE OF INFORMATION.—An educational agency or institution or authorized representative of such agency or institution shall, upon request from a parent of a student, disclose to such parent the identity of any individual or entity with whom information is shared from the education record of the student or any response of the student to a survey.”.

SEC. 202. PROTECTION OF PUPIL RIGHTS.

(a) AVAILABILITY FOR INSPECTION BY PARENTS OR GUARDIANS.—Section 445(a) of the General Education Provisions Act (20 U.S.C. 1232h(a)) is amended to read as follows:

“(a) AVAILABILITY FOR INSPECTION BY PARENTS OR GUARDIANS.—A local educational agency (as such term is defined in subsection (c)(6)(C)) that receives funds under any applicable program shall ensure the following:

“(1) INFORMATION AVAILABLE.—Each of the following shall be available for inspection by the parents or guardians of the children in attendance at the schools served by such agency, and the availability of each of the following for inspection shall not be conditioned on any requirement that such parents or guardians sign a nondisclosure agreement:

“(A) All instructional materials, including teacher’s manuals, films, tapes, or other supplementary material which will be used in such school or in connection with any survey, analysis, or evaluation.

“(B) Any books or other reading materials made available to students in such school or through the school library of such school.

“(C) Any professional development materials.

“(2) COMMENT PERIODS FOR PARENTS.—

“(A) IN GENERAL.—The agency shall provide comment periods during which parents or guardians of the children in attendance at the schools served by the agency may inspect and provide feedback on any of the materials referred to in paragraph (1) that—

“(i) are expected to be used to teach such children during the three weeks following the comment period; or

“(ii) were used to teach such children during preceding portions of the school year.

“(B) FREQUENCY AND DURATION.—The comment periods described in subparagraph (A) shall be held not less frequently than once every three weeks during the school year and each comment period shall be not less than three school days in duration.”.

(b) SINGLE ISSUE NOTIFICATION.—Section 445(b) of the General Education Provisions Act (20 U.S.C. 1232h) is amended—

(1) by striking “prior consent of the student” and inserting “prior written consent of the student”; and

(2) by inserting “, which is provided specifically for such survey, analysis, or evaluation” before the period at the end.

(c) DEVELOPMENT AND ADOPTION OF LOCAL POLICIES.—Section 445(c) of the General Education Provisions Act (20 U.S.C. 1232h(c)) is amended—

(1) in the subsection heading, by striking “PHYSICAL” and inserting “MEDICAL”; and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “in consultation with parents” and inserting “in consultation with parents in accordance with paragraph (2)(A)”; and

(B) in subparagraph (C), by amending clause (i) to read as follows:

“(i) The right of a parent of a student to inspect, upon the request of the parent, any instructional material used as part of the educational curriculum for the student, and any books or other reading materials made available to the student in a school served by the agency or through the school library; and”;

(C) by amending subparagraph (D) to read as follows:

“(D) The administration of medical examinations or screenings that the school or agency may administer to a student, including—

“(i) prior notice to parents of such a medical examination or screening, and receipt of consent from parents before administering such an examination or screening; and

“(ii) in the event of an emergency that requires a medical examination or screening without time for parental notification and consent, the procedure for promptly notifying parents of such examination or screening subsequent to such examination or screening.”; and

(D) by amending subparagraph (E) to read as follows:

“(E) The prohibition on the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), other than for a legitimate educational purpose to improve the education of students as described in paragraph (4), and the arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure, or use for such a legitimate educational purpose.”.

(d) PARENTAL NOTIFICATION.—Paragraph (2) of section 445(c) of the General Education Provisions Act (20 U.S.C. 1232h(c)) is amended—

(1) in the paragraph heading, by inserting “CONSULTATION AND” before “NOTIFICATION”;

(2) by redesignating subparagraphs (A) through (C) as subparagraphs (B) through (D), respectively;

(3) in subparagraph (B) (as so redesignated)—

(A) in clause (i), by striking “and” at the end;

(B) by amending clause (ii) to read as follows:

“(ii) in the case of an activity described in clause (i) or (iii) of subparagraph (D), offer an opportunity and clear instructions for the parent (or in the case of a student who is an adult or emancipated minor, the student) to opt the student out of participation in such activity.”; and

(C) by adding at the end the following:

“(iii) in the case of an activity described in subparagraph (D)(i), a description of how such activity is for a legitimate educational purpose to improve the education of students as described in paragraph (4); and

“(iv) not require a student to submit to a survey described in subparagraph (D)(ii) without the prior written consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, which is provided specifically for such survey.”;

(4) by inserting before subparagraph (B) (as so amended and redesignated), the following:

“(A) PARENTAL CONSULTATION.—The parental consultation required for the purpose of developing and adopting policies under paragraphs (1) and (3) by a local educational agency shall ensure that such policy is developed with meaningful engagement by parents of students enrolled in schools served by that agency.”; and

(5) in subparagraph (D) (as redesignated by paragraph (2))—

(A) by amending clause (i) to read as follows:

“(i) Activities involving the collection, disclosure, or use of personal information collected from students for a legitimate educational purpose to improve the education of students as described in paragraph (4).”; and

(B) in clause (iii), by striking “invasive physical” and inserting “medical”.

(e) UPDATES TO EXISTING POLICIES.—Paragraph (3) of section 445(c) of the General Education Provisions Act (20 U.S.C. 1232h(c)) is amended to read as follows:

“(3) UPDATES TO EXISTING POLICIES.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Parents Bill of Rights Act, a local educational agency that receives funds under any applicable program shall—

“(i) review policies covering the requirements of paragraph (1) as in effect on the day before such date of enactment; and

“(ii) develop and update such policies to reflect the changes made to paragraph (1) by the amendments made by the Parents Bill of Rights Act.

“(B) CONSULTATION AND NOTIFICATION.—In developing and updating the policies under subparagraph (A), the agency shall comply with the consultation and notification requirements under paragraph (2).”.

(f) EXCEPTIONS.—Paragraph (4)(A) of section 445(c) of the General Education Provisions Act (20 U.S.C. 1232h(c)) is amended by amending the matter preceding clause (i) to read as follows:

“(A) EDUCATIONAL PRODUCTS OR SERVICES.—For purposes of paragraph (1)(E), the collection, disclosure, or use of personal information collected from students for a legitimate educational purpose to improve the education of students means the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or schools, such as the following:”.

(g) DEFINITIONS.—Paragraph (6) of section 445(c) of the General Education Provisions Act (20 U.S.C. 1232h(c)) is amended—

(1) by amending subparagraph (B) to read as follows:

“(B) MEDICAL EXAMINATION OR SCREENING.—The term ‘medical examination or screening’ means any medical examination or screening that involves the exposure of private body parts, or any act during such examination or screening that includes incision, insertion, or injection into the body, or a mental health or substance use disorder screening, except that such term does not include a hearing, vision, or scoliosis screening, or an observational screening carried out to comply with child find obligations under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).”; and

(2) in subparagraph (E)—

(A) in clause (iii), by striking “or”;

(B) in clause (iv), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(v) an email address.”.

(h) ENFORCEMENT AND REPORTING.—Subsection (e) of section 445 of the General Education Provisions Act (20 U.S.C. 1232h) is amended to read as follows:

“(e) ENFORCEMENT AND REPORTING.—

“(1) ENFORCEMENT.—The Secretary shall take such action as the Secretary determines appropriate to enforce this section, except that action to terminate assistance provided under an applicable program shall be taken only if the Secretary determines that—

“(A) there has been a failure to comply with such section; and

“(B) compliance with such section cannot be secured by voluntary means.

“(2) REPORTING.—

“(A) LOCAL EDUCATIONAL AGENCIES.—On an annual basis, each local educational agency (as such term is defined in subsection (c)(6)(C)) that receives funds under any applicable program shall—

“(i) without identifying any personal information of a student or students, report to the State educational agency any enforcement actions or investigations carried out for the preceding school year to ensure compliance with this section; and

“(ii) publish such information on its website or through other public means used for parental notification if the agency does not have a website.

“(B) STATES.—On an annual basis, each State educational agency shall provide to the Secretary a report, with respect to the preceding school year, that includes all actions local educational agencies have reported under subparagraph (A), and a description of the enforcement actions the State educational agency took to ensure parents’ rights were protected.

“(C) SECRETARY.—Not later than 1 year after the date of enactment of the Parents Bill of Rights Act, and annually thereafter, the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate—

“(i) the reports received under subparagraph (B); and

“(ii) a description of the enforcement actions taken by the Secretary under this subsection and section 444(f) to ensure full compliance with this section and section 444, respectively.”.

TITLE III—PROHIBITION ON FEDERAL INVOLVEMENT IN CURRICULUM

SEC. 301. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system.

TITLE IV—GENDER MARKERS, PRONOUNS, AND PREFERRED NAMES ON SCHOOL FORMS

SEC. 401. REQUIREMENT RELATED TO GENDER MARKERS, PRONOUNS, AND PREFERRED NAMES ON SCHOOL FORMS.

As a condition of receiving Federal funds, any elementary school (as such term is defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) or school that consists of only middle grades (as such term is defined in such section), that receives Federal funds shall be required to obtain parental consent before—

(1) changing a minor child’s gender markers, pronouns, or preferred name on any school form; or

(2) allowing a child to change the child’s sex-based accommodations, including locker rooms or bathrooms.

TITLE V—ACCESS TO SCHOOL BROADBAND

SEC. 501. SENSE OF CONGRESS.

It is the sense of Congress that all public elementary and public secondary school students should have access to broadband.

TITLE VI—SENSE OF CONGRESS

SEC. 601. SENSE OF CONGRESS.

It is the sense of Congress that all public elementary school and secondary school students should have opportunities to learn the history of the Holocaust and anti-Semitism.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except

those printed in House Report 118-12. Each such amendment may be offered only in the order printed in the report, by the Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1630

AMENDMENT NO. 1 OFFERED BY MR. BACON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 118-12.

Mr. BACON. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 4, strike "and" at the end.
Page 9, line 9, strike the period, closed quotation mark, and semicolon and insert "and".

Page 9, after line 9, insert the following:
"(O) the right to be informed of the total number of school counselors in their child's school."

Page 11, line 4, strike the closed quotation mark and "and".

Page 11, after line 4, insert the following new clause:

"(v) SCHOOL COUNSELORS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency provides the parents of each child who is a student in such school the information described in paragraph (1)(O)."

The Acting CHAIR. Pursuant to House Resolution No. 241, the gentleman from Nebraska (Mr. BACON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska.

Mr. BACON. Madam Chair, I rise to offer an amendment to H.R. 5 that supports students, parents, and school personnel. My amendment would simply add that local education agencies provide to parents the number of school counselors employed at their child's school so that parents have a better idea about their child's education and safety during the school day.

As we all know, school counselors play an important role not only in the academic and career development of our students, but they address emotional challenges that are a critical component of safety in our schools. This simple provision gives parents the full knowledge and transparency needed to decide if their children need additional resources outside of the academic environment. This can assist our educators in making sure our children are best prepared for school and learning.

So, Madam Chair, I urge my colleagues to support this amendment which has support from both sides of the aisle. A happy and healthy student empowers our educators to provide the best possible education, and parents deserve to be empowered to best help their children achieve that.

Madam Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Madam Chair, as with most of the underlying bill, this is yet another unfunded mandate placed on our schools requiring them to issue yet another report as a condition of receiving much-needed title I funds.

The majority would prefer to impose additional burdens to already understaffed schools rather than do what they were trained to do, and that is teach and work with parents.

I would agree with the gentleman's comments about the need for counselors. He is absolutely right. We need more counselors. However, this amendment does not increase the number of counselors. It just reports the number they have. It doesn't improve students' mental health.

So for those reasons, Madam Chair, since it doesn't improve mental health or increase the number of counselors, I oppose the amendment, and I reserve the balance of my time.

Mr. BACON. Madam Chair, this amendment doesn't increase the number of counselors, but it allows the parents to know if the number of counselors is adequate or not. This is very important for our parents to have.

This is being requested by teachers and parents. I have received this request from teachers and parents to have this added to the bill because they said it will make the bill better.

Madam Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I yield back the balance of my time.

Mr. BACON. Madam Chair, I will close by saying that I would appreciate the support of both sides of the aisle. This bill has support from teachers and parents to have this added in.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Nebraska (Mr. BACON).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. FOXX

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 118-12.

Ms. FOXX. Madam Chair, I rise in support of my amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 13, insert after "right" the following: "(provided in accordance with the requirements of section 445(a)(2) of the General Education Provisions Act (20 U.S.C. 1232h(a)(2)) with respect to such local educational agency)".

Page 11, line 4, strike the closed quotes, and "and", and insert the following:

"(v) ENROLLMENT OPTIONS.—A local educational agency receiving funds under this

part shall ensure that each elementary school and secondary school served by such agency provides the parents of each child who is a student in such school the information described in paragraph (1)(F), including the enrollment and transfer options described in such paragraph.

"(vi) SCHOOL EMPLOYEE OR CONTRACTOR ACTIONS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency notifies the parents of any child who is a student in such school if a school employee or contractor takes, with respect to such child, any action described in clause (i) or (ii) of paragraph (1)(L).

"(vii) SCHOOL AND STUDENT SAFETY.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency notifies—

"(I) the parents of any child who is a student in such school if a school employee or contractor takes, with respect to such child, any action described in clause (i) of paragraph (1)(M); and

"(II) the parents of each child who is a student in such school if any child takes the action described in clause (ii) of paragraph (1)(M).

"(viii) PROFESSIONAL DEVELOPMENT MATERIALS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency provides the parents of each child who is a student in such school the opportunity to review professional development materials to ensure the parental right described in paragraph (1)(J); and".

Page 12, line 3, strike "Title VIII" and insert the following:

(a) IN GENERAL.—Title VIII

Page 13, after line 21, insert the following:

(b) TABLE OF CONTENTS.—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended—

(1) by striking the item relating to section 8549C; and

(2) by inserting after the item relating to section 8549B the following:

Sec. 8549C. Sense of Congress on First Amendment Rights.

Sec. 8549D. Technical assistance.

Page 12, after line 11, insert the following new paragraph, and redesignate the succeeding paragraphs accordingly:

"(1) The right of parents to educate their children is a pre-political natural right that the U.S. Supreme Court has recognized as 'beyond debate' and rooted in the 'history and culture of Western civilization'."

Page 13, strike lines 15 through 21, and insert the following:

"(b) SENSE OF CONGRESS.—It is the sense of Congress that—

"(1) the First Amendment guarantees parents and other stakeholders the right to assemble and express their opinions on decisions affecting their children and communities, and that educators and policymakers should welcome and encourage that engagement and consider that feedback when making decisions; and

"(2) parents have a fundamental right, protected by the U.S. Constitution, to direct the education of their children, and the strict scrutiny test used by courts to evaluate cases concerning fundamental rights is the correct standard of review for government actions that interfere with the right of parents to educate their children."

Page 28, line 22, insert "from the Department of Education" after "Federal funds".

Page 29, line 2, insert "such" before "Federal funds".

The Acting CHAIR. Pursuant to House Resolution No. 241, the gentleman from North Carolina (Ms. FOXX)

and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Ms. FOXX. Madam Chair, it has been a pleasure to support the Parents Bill of Rights Act. I am especially proud of the work that our committee has put into crafting this bill.

Our committee worked late into the night and early morning and considered dozens of amendments. Nearly 20 were adopted to make the bill even better. I am proud that we have reported to the floor a commonsense bill that has broad support and aligns with what the vast majority of Americans want.

The amendments we passed during the committee markup accomplished the same goal we had when writing the bill: protecting parents' rights and making sure that schools can never cut parents out of their children's education decisions.

This manager's amendment makes a few minor technical changes to make sure that the amendments we passed during the committee markup will be implemented correctly and that the rights promised are fulfilled.

In addition, the manager's amendment adds language to the First Amendment's sense of Congress included in the underlying bill. The new language affirms the fundamental rights of parents to direct the education of their children and encourages courts to use the strict scrutiny standard in evaluating cases related to parental rights.

Schools should always be accountable to parents, and the parents should always know what their children are being taught and what their children are being exposed to. The Parents Bill of Rights Act protects those fundamental rights.

Madam Chair, I urge my colleagues to vote in favor of both this amendment and the underlying bill, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Madam Chair, this is another effort to turn classrooms into the epicenter of a culture war. The politics over parents act doesn't do anything to actually help students succeed and seeks to scare parents into thinking that schools do not have their best interests at heart. Children benefit when their parents and teachers work together, but the politics over parents act would not take any meaningful steps to increase that parental cooperation.

The bill would create necessary and burdensome reporting requirements on schools. It would divert essential resources and personnel from their jobs, meeting the family's real needs into reporting and everything else in the bill, and it would open the door to dictating what students can and cannot read or learn.

The underlying bill distracts from what our public schools really need. Similarly, the manager's amendment does nothing to provide the families with real parental engagement as some of the amendments would have done that were rejected.

The bill, for example, gives a so-called Federal right of action to address the school board. We know that many school boards in recent years needed police protection to conduct their meetings because of credible threats of violence. These are elected officials. They don't need a Federal law to instruct them to be polite. The voters can take care of that. There is no right that is being given. We already have the right.

Now, one thing that is a little concerning is that I had an amendment to allow this right to take place with reasonable limitations.

If 100 people show up at a school board meeting, does the school board have to listen to each and every one as long as they want to speak without any limitation?

Each one has a Federal right of action where they can bring a lawsuit to compel the school board to sit up and listen to each and every one without limitation.

If they have heard from 10 or 15 or 20 people on one side of the argument or one side of a debate and nobody on the other side, then do they have to listen to the other 80?

I don't know. That is what the bill suggests. I don't know any jurisdiction where you don't have the right to address the school board in a reasonable way, and that is what this bill does and that is what the manager's amendment does.

Madam Chair, I ask Members to defeat the manager's amendment and the bill, and I yield back the balance of my time.

Ms. FOXX. Madam Chair, the gentleman from Virginia I think will remember that I believe it was in the Loudoun County Public Schools where the father of a child who had been sexually molested in a bathroom by a young boy dressed as a girl who then was transferred to another school, and the parents were never notified that this had happened, when the father stood up at the school board meeting to bring this issue up, he was not allowed to speak. Furthermore, he was arrested. He was wrestled to the ground and arrested.

So, again, we hear from our colleagues two different scenarios: one, well, parents already have the right to address their school boards. Yes. That is in our First Amendment. We have the right to petition our elected officials for grievances. However, that is not happening as we have seen in certain places.

Whether or not there is a time limit, I would hope that people would be reasonable about that, but we are not dictating that. That will be dealt with. As the gentleman says, those school board

members in most cases are elected, and it will be up to them to deal with the public in that respect. If they don't do it correctly, then my assumption is that there will be consequences.

Madam Chair, the manager's amendment, again, strengthens the underlying bill, I urge its adoption, and I also urge passage of H.R. 5.

With this legislation we have an opportunity to make a stand for the rights of parents. I hope all my colleagues on both sides of the aisle will vote with what they say they believe, which is that parents have rights and that we want to have the best education for children.

Madam Chair, join us in this effort, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Ms. FOXX).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MRS. BOEBERT

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report No. 118-12.

Mrs. BOEBERT. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 4, strike "and".

Page 9, line 9, strike the semicolon, closed quotation marks, and period and insert "and".

Page 9, after line 9, insert the following:

"(O) the right to know if their child's school operates, sponsors, or facilitates athletic programs or activities that permit an individual whose biological sex is male to participate in an athletic program or activity that is designated for individuals whose biological sex is female."

Page 11, line 4, strike the closed quotation marks and "and".

Page 11, after line 4, insert the following:

"(v) ATHLETIC PROGRAMS OR ACTIVITIES.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency provides the parents of each child who is a student in such school the information described in paragraph (1)(O)."; and

The Acting CHAIR. Pursuant to House Resolution No. 241, the gentleman from Colorado (Mrs. BOEBERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mrs. BOEBERT. Madam Chair, this amendment is simple and straightforward. My amendment simply requires notification to parents if their child's school operates, sponsors, or facilitates athletic programs or activities to permit a person whose biological sex is male to participate in an athletic program or activity that is designated for biological females.

Madam Chair, women's sports are under attack. Woke policies backed by far-left extremists who demand male participation in female sports are completely delusional and contradict

science. This allows men who identify as women to undermine legitimate women's accomplishments. American women and girls deserve to compete against biological women in sports, opportunities for athletic scholarships, and their rightful places on the winner's podium without the fear of being sidelined and beat out by a biological male.

This was on complete display when William Thomas, a biological man who previously competed in men's swimming, stole Emma Weyant's first-place trophy at the 2022 NCAA Division I Women's 500-Yard Freestyle Final.

□ 1645

As a competitor in men's swimming from 2018 through 2019, Mr. Thomas ranked 554th in the 200-yard freestyle and 65th in the 500-yard freestyle. After deciding to compete against women, this mediocre male athlete, Mr. Thomas, ranked fifth in the 200-yard freestyle and won the 500-yard freestyle.

Mr. Thomas stole Emma's championship trophy and took former Olympic swimmer Reka Gyorgy's spot in the 2022 NCAA Division I swim meet.

Last Congress, I led a couple of dozen Members in introducing a resolution honoring Emma Weyant as the rightful winner of the 2022 NCAA Division I women's 500-yard freestyle race.

I am also a cosponsor of Representative STEUBE's bill, H.R. 734, the Protection of Women and Girls in Sports Act of 2023.

Madam Chair, I refuse to allow our children and grandchildren to be groomed by big corporations, schools, and politicians and to think it is okay for men to compete in women's sports.

Again, my amendment simply requires notification to parents if their child's school allows males to participate in female-designated sports. I hope that we could all come to agree that parents have the right to know this before it occurs.

Madam Chair, I urge my colleagues on both sides of the aisle to support my amendment, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Madam Chair, all school systems are members of athletic leagues. They are dealing with this controversy. They don't need a Federal law to apply all over the country. In higher education, the NCAA is dealing with this.

We don't need a Federal law to tell local school divisions what to do in all cases. Local school divisions are dealing with this.

This is controversial, and I think we would do well just to let them work this out.

Madam Chair, I reserve the balance of my time.

Mrs. BOEBERT. Madam Chair, I yield myself the balance of my time.

Madam Chair, we have so many people who see the idiocy in men pretending to be women and stealing opportunities from females. These girls practice their whole lives and sacrifice their bodies with strains and other injuries in sports at times only to be outpaced by a biological male. I think it is very common sense for parents to simply be notified that this is taking place.

There is Federal funding going to our public schools. If we are going to see this extremism take place in our public schools, I believe we have some sort of nexus with that to at least say parents have a right to know what is going on and that it is not being taken from them.

Other than this very simple, commonsense amendment, I am more in favor of abolishing the Federal Department of Education and getting the Federal Government completely out of public schools, but we are not there right now. We do fund public schools, and there is a mess going on there. Our children are hurting and suffering because of it.

Madam Chair, again, I urge my colleagues to support this simple, commonsense amendment, and I yield back the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, did the gentlewoman yield back her time?

The Acting CHAIR. The gentlewoman from Colorado yielded back the remainder of her time.

Mr. SCOTT of Virginia. Madam Chair, as I said, the NCAA is working on this, and I just assume rather than disparage trans youth, let them work it out.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Colorado (Mrs. BOEBERT).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MRS. BOEBERT

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 118-12.

Mrs. BOEBERT. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 4, strike "and".

Page 9, line 9, strike the semicolon, closed quotation marks, and period and insert "and".

Page 9, after line 9, insert the following:

"(O) the right to know if their child's school allows an individual whose biological sex is male to use restrooms or changing rooms designated for individuals whose biological sex is female."

Page 11, line 4, strike the closed quotation marks and "and".

Page 11, after line 4, insert the following:

"(v) ACCOMMODATIONS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency provides the parents of each child who is a student in such school the information described in paragraph (1)(O)."; and

The Acting CHAIR. Pursuant to House Resolution 241, the gentlewoman from Colorado (Mrs. BOEBERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

Mrs. BOEBERT. Madam Chair, I rise in favor of my amendment, which will require schools to notify parents if they allow biological males to use restrooms or changing rooms designated for biological females.

Throughout our debate today, my colleagues on the other side of the aisle have continued to mischaracterize this bill as extreme. They harp on the same talking points, saying that this bill is looking to ban books, censor curriculums, and punish teachers. I would like any child's pornographic books to be banned, but that is not exactly what we are talking about here in this amendment.

All the while, under Democrat control, we have seen public K-12 schools promote: critical race theory, teaching our children to hate their country and to hate their fellow classmates simply because of the color of their skin; radical gender ideology; and even drag shows to impressionable young children. That is what is extreme.

A school in my home State of Colorado has even changed a child's gender pronouns and preferred names and kept that information from the child's parents.

Speaking as the mother of four boys and a soon-to-be grandma, enough is enough. I don't send my boys to school to receive indoctrination from the woke mob or be sexualized by groomers. If they are, I sure as heck want to know about it and have the right to speak up, and so do these parents.

Let me set the record straight. House Republicans want parents to be involved in their child's education. We want to take control back as parents of our children's education rather than leaving it to partisan politicians or unelected bureaucrats. We don't want to send the FBI after them as domestic terrorists.

We want to foster an active learning environment, not shut schools down and enforce outdated and unnecessary mask and vaccine mandates on our children. We want children to feel safe at school and not pave the way for school administrative staff to hide a sexual assault from parents, like we saw in Loudoun County.

Less than 2 years ago, about 30 miles from here, a ninth-grade girl was sexually assaulted by a man wearing a skirt in the women's restroom at school. This male was allowed to follow the victim into the restroom because of Loudoun County Public Schools' inclusive transgender bathroom policies.

When the father of the victim came to a school board meeting to protest these policies that caused his teenage daughter to be raped, he was arrested after an altercation with a woman who

said that she didn't believe his daughter was raped. The superintendent also defended the school's transgender bathroom policy at that meeting.

The man in the skirt was found guilty of two counts of forcible sodomy, a count of anal sodomy, and a count of forcible fellatio. He was also charged with the sexual assault of another student that occurred months later at a different Loudoun County school.

The left's ideology is far more delusional, and it is dangerous. These inclusive policies have paved the way for sexual predators to use the left's definition of gender to take advantage of their victims. Unfortunately, this is just one example of many biological males using bathrooms to assault women and children.

Madam Chair, my amendment would grant parents the right to know if schools that their children are attending are forcing their children to share vulnerable spaces with potential predators.

Madam Chair, I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Madam Chair, I don't think we need a Federal law to help schools tell students which bathroom to use.

In Loudoun County, that situation is under investigation, including criminal charges. I think it is time we stop disparaging trans youth.

Madam Chair, I yield back the balance of my time.

Mrs. BOEBERT. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mrs. BOEBERT).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MS. BONAMICI

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 118-12.

Ms. BONAMICI. Madam Chair, I have a substitute amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, strike line 1 and all that follows and insert the following:

TITLE I—FINDINGS; SENSE OF CONGRESS
SEC. 101. FINDINGS.

Congress finds the following:

(1) Education is fundamental to the development of individual citizens and the progress of the Nation.

(2) There is a continuing need to ensure equal access for all students to educational opportunities of high quality, and such educational opportunities should not be denied because of race, religion, color, national origin, disability, or sex (including sexual orientation and gender identity).

(3) Parents have the primary responsibility for the education of their children, and

States and localities have the primary responsibility for supporting that parental role.

(4) In our Federal system, the primary public responsibility for education is reserved respectively to the States and the local school systems and other instrumentalities of the States.

(5) The importance of education is increasing as new technologies and alternative approaches to traditional education are considered, as society becomes more complex, and as equal opportunities in education and employment are promoted.

(6) The purposes of the Department of Education include—

(A) to strengthen the Federal commitment to ensuring access to equal educational opportunity for every individual;

(B) to supplement and complement the efforts of States, the local school systems and other instrumentalities of the States, the private sector, public and private educational institutions, public and private nonprofit educational research institutions, community-based organizations, parents, and students to improve the quality of education;

(C) to encourage the increased involvement of the public, parents, and students in Federal education programs;

(D) to promote improvements in the quality and usefulness of education through federally supported research, evaluation, and sharing of information;

(E) to improve the coordination of Federal education programs;

(F) to improve the management and efficiency of Federal education activities, especially with respect to the processes, procedures, and administrative structures for the dispersal of Federal funds, as well as the reduction of unnecessary and duplicative burdens and constraints, including unnecessary paperwork, on the recipients of Federal funds; and

(G) to increase the accountability of Federal education programs to the President, the Congress, and the public.

(7) Parents, families, students, educators, and community members are key stakeholders in the public education system and provide valuable input with respect to such education system.

(8) When parents, families, students, schools, and community members work together, students have better school attendance, earn higher grades and test scores, and have greater long-term success.

(9) All students deserve an education that helps them develop important life skills and prepares them for success in and beyond the classroom.

(10) An inclusive education benefits all students, not just by making them feel valued and accepted, but also by helping them build important knowledge and skills that will prepare them for future success and create a safer environment for all students.

(11) The United States has much to be proud of and learning about the history of our Nation helps students see how far we've come and how they can continue our progress.

(12) Federal law contains numerous provisions that protect parental rights in elementary and secondary education, including the following:

(A) Sections 1111(b)(2)(B)(x), 1112(e)(4), and 1116(f) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(x); 6312(e)(4); 6318(f)) give parents the right to receive communications from schools, to the extent practicable, in a language that they can understand.

(B) Section 1111(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(d)) gives parents of children in a school

identified for support and improvement the right to be involved in the development of the support and improvement plan for the school to improve student outcomes.

(C) Section 1111(h) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)) gives parents the right to know how their child's school is performing.

(D) Section 1112(e)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(e)(1)), gives parents of children in schools receiving funds under part A of title I of such Act the right to—

(i) know the professional qualifications of the teachers and paraprofessionals who teach their children;

(ii) receive information about the level of achievement of their children; and

(iii) receive notice that their children have been taught for 4 or more consecutive weeks by a teacher who does not meet applicable State certification or licensure requirements.

(E) Section 1112(e)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(e)(2)), gives parents of children in schools receiving funds under part A of title I of such Act the right to information regarding any State or local educational agency policy regarding student participation in any assessments mandated by section 1111(b)(2) of such Act and by the State or local educational agency, which must include a policy, procedure, or parental right to opt the child out of such assessments, where applicable.

(F) Section 1112(e)(3)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(e)(3)(A)) gives parents of children identified as English learners and who are participating in a language instruction educational program under title I or title III of such Act the right to receive information with respect to the reasons for that identification, level of English proficiency, methods of instruction, academic needs, exit criteria, individualized education plan objectives, if applicable, and the right to remove their children from the program.

(G) Section 1112(e)(3)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(e)(3)(C)) gives parents of English learners in a local educational agency that receives funds under part A of title I of such Act the right to receive information with respect to how the parents can be involved in the education of their children and be active participants in assisting their children.

(H) Section 1114(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6314(b)) gives parents of children in a school with a schoolwide program plan under title I of such Act the right to be involved in the development of the schoolwide program plan and for the information contained in such plan to be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

(I) Section 1116(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6318(a)) gives parents of children in a local educational agency that receives funds under part A of title I of such Act the right to meaningfully participate in the development of a district parent and family engagement policy.

(J) Section 1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6318(b)) gives parents of children in a school that receives funds under part A of title I of such Act the right to participate in and approve a written parent and family engagement policy, and to be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

(K) Section 1116(c) of the Elementary Secondary Education Act of 1965 (20 U.S.C. 6318(c)) gives parents of children in a school that receives funds under part A of title I of such Act the right—

(i) to attend, at the school's invitation and encouragement, an annual meeting—

(I) where parents will be informed about the school's participation in part A of title I of such Act;

(II) that explains the requirements of such part, including that parents have a right to be involved; and

(III) that discusses parent and family engagement policy;

(ii) to be involved in the planning, review, and improvement of programs including the school parent and family engagement policy and the joint development of the schoolwide program;

(iii) timely information about such programs, a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the challenging State academic standards; and

(iv) if requested by parents, opportunities for regular meetings to make suggestions and participate, as appropriate, in decisions relating to the education of their children.

(L) Section 1116(d) of the Elementary Secondary Education Act of 1965 (20 U.S.C. 6318(d)) gives parents the right to jointly develop with their child's school, if the school receives funds under part A of title I of such Act, a school-parent compact that outlines how parents, the school staff, and students will share responsibility for improved student academic achievement and how the school and parents will build and develop a partnership to help the children achieve the State's high standards, including—

(i) the importance of ongoing communication between teachers and parents through parent-teacher conferences;

(ii) frequent reports to parents about their children's progress;

(iii) reasonable access to staff; and

(iv) opportunities to volunteer and participate in their child's class and observe classroom activities.

(M) Section 1116(e) of the Elementary Secondary Education Act of 1965 (20 U.S.C. 6318(e)) requires school and local educational agency served under part A of title I of the Act—

(i) to provide to parents assistance, materials, and training to ensure effective involvement of parents and to support a partnership among the school involved, the parents, and the community to improve student academic achievement;

(ii) to educate teachers, specialized instructional support personnel, principals, and other school leaders and staff about—

(I) the value and utility of contributions of parents; and

(II) how to—

(aa) reach out to, communicate with, and work with parents as equal partners;

(bb) implement and coordinate parent programs; and

(cc) build ties between parents and the school; and

(iii) to receive information related to school and parent programs, meetings, and other activities in a format and, to the extent practicable, a language the parents can understand.

(N) Section 1116(g) of the Elementary Secondary Education Act of 1965 (20 U.S.C. 6318(g)) requires schools and local educational agencies in a State operating a Statewide Family Engagement Center under part E of title IV of this Act, to be informed about the existence of the program.

(O) Section 4001(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7101(a)) requires a State, local educational agency, or other entity receiving funds under title IV of such Act to obtain from parents prior written, informed consent for a child under age 18 to participate in any mental health assessment or service that is funded under such title IV of such Act and conducted in connection with an elementary or secondary school under such title of such Act.

(P) Section 4502 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7242) authorizes the Secretary of Education to award grants to establish Statewide Family Engagement Centers to carry out parent education and family engagement in education programs, or provide comprehensive training and technical assistance to State educational agencies, local educational agencies, schools identified by State educational and local educational agencies, organizations that support family-school partnerships and other organizations that carry out such programs.

(Q) Section 8528(a)(2)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7908(a)(2)(A))—

(i) gives parents of secondary school students the right to submit a written request to their child's local educational agency that receives funds under such Act that their child's name, address, and telephone listing not be released to military recruiters without the prior written consent of the parents; and

(ii) upon receiving such a request, prohibits the local educational agency from releasing the student's name, address, and telephone listing for such purposes without the prior written consent of the parent.

(R) Section 8542 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7922) prohibits the Department of Education from relying on such Act to—

(i) prohibit a parental determination that a child may travel to or from school on foot or by car, bus, or bike when the parents of the child have given permission; or

(ii) expose parents to civil or criminal charges for allowing their child to responsibly and safely travel to and from school by a means the parents believe is age appropriate.

(S) Section 444 of the General Education Provisions Act (20 U.S.C. 1232g) gives parents the right, with respect to student education records maintained by educational agencies or institutions, to—

(i) inspect and review such education records;

(ii) seek amendment of such education records where they contain information that is inaccurate, misleading, or otherwise in violation of the privacy rights of a student; and

(iii) with some exceptions, exercise some control over the disclosure of personally identifiable information from such education records.

(T) Section 445(c)(1) of the General Education Provisions Act (20 U.S.C. 1232h(c)(1)) requires that parents be consulted about the development and adoption of policies by a local educational agency, which is defined for purposes of that subsection to include an elementary school, secondary school, school district, or local board of education that receives funds under an applicable program, to provide parents with the right to inspect, upon request—

(i) certain surveys;

(ii) instruments used to collect personal information from students for the purpose of marketing or sale (or otherwise distributing such information for that purpose), with some exceptions; and

(iii) instructional materials used as part of the educational curriculum for the student.

(U) Section 445(c)(2) of the General Education Provisions Act (20 U.S.C. 1232h(c)(2)) requires a local educational agency, which is defined for purposes of that subsection to include an elementary school, secondary school, school district, or local board of education that receives funds under an applicable program, to provide parents with advance notice, and an opportunity to opt a student out, of—

(i) activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or sale (or to otherwise distribute such information to others for that purpose), with some exceptions;

(ii) non-emergency, invasive physical examination or screening required as a condition of attendance, administered by their school, scheduled by their school in advance, and not necessary to protect the immediate health and safety of a student, with some exceptions; and

(iii) certain surveys.

(V) Section 445(b) of the General Education Provisions Act (20 U.S.C. 1232h(b)) gives parents the right to consent before an unemancipated minor student is required to submit to a survey, analysis, or evaluation that is funded by the Department of Education if that survey concerns one or more of the following protected areas—

(i) political affiliations or beliefs of the student or the student's parent;

(ii) mental or psychological problems of the student or student's family;

(iii) sex behavior or attitudes;

(iv) illegal, anti-social, self-incriminating, or demeaning behavior;

(v) critical appraisals of other individuals with whom respondents have close family relationships;

(vi) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

(vii) religious practices, affiliations, or beliefs of the student or student's parent; or

(viii) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

SEC. 102. SENSE OF CONGRESS.

It is the sense of Congress that students deserve school environments that promote—

(1) the ability of teachers and administrators to encourage students to reach their full potential and take actions that help them meet that goal;

(2) the empowerment of parents to engage in their child's education and help them succeed;

(3) significant opportunity for all children to receive a fair, equitable, and high-quality education, and to close educational achievement gaps;

(4) learning environments free from discrimination; and

(5) an education that is free from censorship.

TITLE II—PARENT COORDINATOR

SEC. 201. PARENT COORDINATOR.

(a) IN GENERAL.—For each local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (8 U.S.C. 7801)) that receives financial assistance under such Act, the following requirements shall apply as a condition on continued receipt of such assistance:

(1) The recipient shall ensure that each elementary school and each secondary school under the jurisdiction of the agency has at least 1 full-time employee designated to serve as a parent coordinator.

(2) The recipient shall ensure that students, parents, school staff, and parent

groups are made aware of these employees and their roles.

(3) A parent coordinator should not have any other school-related responsibilities that may create a conflict of interest, including serving in the school administrative leadership or local educational agency administrative leadership (such as serving as a principal, vice principal, headmaster, superintendent, board member, or general counsel).

(b) DUTIES.—Each parent coordinator described in subsection (a) shall—

(1) establish partnerships with parents, parent-teacher associations, and other parent groups within the community to provide resources and support for parents, students, and schools;

(2) ensure that parents, parent-teacher associations, and other parent groups within the community are familiar with the academic expectations of a school in order to improve student success;

(3) strengthen relationships between the school and parents in the community;

(4) ensure that parents understand their rights under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6318), including—

(A) the right to meaningfully participate in the development of—

(i) a parent and family engagement policy for the local educational agency in accordance with subsection (a) of such section; and

(ii) a parent and family engagement policy of the school in accordance with subsection (b) of such section;

(B) the right to attend, at the school's invitation and encouragement, an annual meeting—

(i) where parents will be informed about the school's participation in part A of title I of such Act (20 U.S.C. 6311 et seq.);

(ii) that explains the requirements of such part, including that parents have the right to be involved; and

(iii) that discusses parent and family engagement policy; and

(C) the right to timely information about programs under this part, including a description and explanation of, the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the challenging State academic standards;

(5) ensure that parents understand their right to give consent before allowing the child to participate in any mental health assessment or service funded by title IV of such Act (20 U.S.C. 7101 et seq.); and

(6) in carrying out paragraphs (1) through (5), focus on parents from underrepresented groups.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2024 and each of the 5 succeeding fiscal years.

TITLE III—ESEA AMENDMENTS

SEC. 301. FAMILY ENGAGEMENT IN EDUCATION PROGRAMS.

Section 4506 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7246) is amended by striking “\$10,000,000 for each of fiscal years 2017 through 2020” and inserting “\$60,000,000 for each of fiscal years 2024 through 2029”.

SEC. 302. FULL-SERVICE COMMUNITY SCHOOLS.

Section 4601 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7251) is amended—

(1) in the matter preceding paragraph (1) of subsection (a), by inserting “(except for section 4625)” after “part”;

(2) in the matter preceding clause (i) of subsection (b)(2)(B), by inserting “(except for section 4625)” after “subpart 2”; and

(3) by adding at the end the following:

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out section 4625—

“(1) \$500,000,000 for fiscal year 2024;

“(2) \$600,000,000 for fiscal year 2025;

“(3) \$700,000,000 for fiscal year 2026;

“(4) \$850,000,000 for fiscal year 2027; and

“(5) \$1,000,000,000 for fiscal year 2028.”.

TITLE IV—RULES OF CONSTRUCTION

SEC. 401. PROHIBITION ON BOOK BANS AND CENSORSHIP.

Nothing in this Act may be construed to allow the banning or censorship of books in public elementary or public secondary schools.

SEC. 402. PROHIBITION ON FEDERAL INVOLVEMENT IN CURRICULUM.

Nothing in this Act may be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum or program of instruction of any educational institution, school, or school system, including with respect to—

(1) Black history;

(2) Asian American, Native Hawaiian, and Pacific Islander history;

(3) Latino history;

(4) Native American history;

(5) women's history;

(6) LGBTQ+ history; and

(7) history of the Holocaust or anti-Semitism.

The Acting CHAIR. Pursuant to House Resolution 241, the gentlewoman from Oregon (Ms. BONAMICI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Madam Chair, I rise today to urge my colleagues on both sides of the aisle to support my amendment in the nature of a substitute to H.R. 5.

My amendment in the nature of a substitute is a commonsense piece of legislation that makes tangible investments in parental involvement. It enhances the ability of school districts to involve all families, not just the privileged few.

By adopting this amendment in the nature of a substitute, we will invest in evidence-based, full-service community schools, public schools that coordinate closely with community organizations to improve the integration, accessibility, and effectiveness of services for students and families; provide families with access to critical wraparound services; and, importantly, improve student achievement.

We will be able to hire dedicated parent coordinators in public schools to work directly with parents, connecting them with the resources and support they need to help their children succeed and ultimately improve parental involvement and student success.

We will direct more investments toward the Department of Education Statewide Family Engagement Centers program so States can share best practices on parental engagement, and school districts can receive the support and training they need to increase parental participation and involvement.

Madam Chair, I was a very involved parent, and I talked to parents who

wanted to come to school and wanted to participate, but they were working extra shifts, didn't speak English, or didn't have transportation. Let's break down those barriers.

Importantly, we will prohibit the banning of books and curricula in our public schools and restore the ability of students to receive a historically accurate, well-rounded education.

Madam Chair, I worked on this substitute with the input of stakeholders who are in our public schools each and every day, who are parents themselves, and who represent diverse communities in red and blue States across our Nation. I am proud to introduce this amendment in the nature of a substitute for consideration on the House floor because, unlike the bill it seeks to amend, it reflects the true diversity of our Nation and embodies the approach we should be taking to make lasting improvements to public education, an inclusive, collaborative, and evidence-based approach.

On behalf of all students and parents, I encourage all of my colleagues to vote for this amendment and soundly reject H.R. 5, a bill that should be named the politics over parents act.

Madam Chair, I thank the staff of the Education and the Workforce Committee for all of their help with this amendment in the nature of a substitute. I also thank my own staff in my office, Sujith Cherukumilli and Dr. Alfonso Garcia, both of whom have spent time as classroom teachers. I acknowledge the work of the staff on this important work, as well.

Madam Chair, I reserve the balance of my time.

□ 1700

Ms. FOXX. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Madam Chair, while I appreciate the substitute put forward by the Congresswoman, the Democrat proposal is wholly inadequate and will do little to solve the problems that parents face.

Instead, the Democrats' amendment resorts to a tired old Democrat strategy: spend more money, hire more people, and hope for the best.

Madam Chair, parents need more than that. They don't need massive new amounts of taxpayer spending at the Federal level controlled by bureaucrats when our country is already deeply in debt, nor do parents need schools to hire massive numbers of new administrators.

What parents need is for their rights to be protected. The Democrats' substitute does nothing to ensure that parents are the ultimate decision-makers in their child's education.

Of course, that shouldn't be a surprise. There has been a push to silence parents around the country. Powerful teachers unions, several school boards, Democrat politicians, and the Biden

Justice Department have all voiced opposition to the rights of parents to have a say in their child's education.

This kind of rhetoric and political posturing has real-world consequences for parents. For example, in 2021, a Rhode Island mother of two, Nicole Solas, talked to an elementary school principal in South Kingstown, Rhode Island, about what was being taught in schools. After persistent stonewalling, the school district directed her to file a public records request. She did, and the local teachers union filed a lawsuit against her.

This kind of treatment is outrageous. Ms. Solas was subjected to endless stonewalling, public humiliation, and an interminable and costly legal battle. No parent should have to go through that.

The Democrat substitute would do nothing to ensure that stories like this never happen again, but the Parents Bill of Rights Act would. Our bill will ensure that parents can never be sued for wanting to know their child's curriculum.

Secretary of Education Miguel Cardona recently published an op-ed about the Democrat vision for parent empowerment. In his vision, parents should be satisfied when the Federal Government spends taxpayer dollars on top-down solutions. By contrast, Republicans want an authentic give-and-take between parents and the education system about what students learn, how they are taught, and how they should be protected.

That is why I am proud to stand behind our bill.

Madam Chair, I urge my colleagues to vote against the Democrat substitute and in favor of the Parents Bill of Rights Act.

Madam Chair, I reserve the balance of my time.

Ms. BONAMICI. Madam Chair, in response, again, I reiterate that every single Democrat on our side of the aisle absolutely supports parental involvement and parental engagement. We talked about that in the debate on the bill.

About costs, it is my understanding that the so-called Parents Bill of Rights Act doesn't have any additional funding with all the extra obligations that are put on our schools, districts, and teachers.

There is no effort to silence parents. We want parents to be involved, peacefully, and peacefully state their concerns.

I know that Ranking Member SCOTT talked about how Democrats tried to put an amendment in to put some reasonableness in there. If you have 200 parents show up at a school board meeting, and each one of them wants to speak for 2 hours, that is not reasonable.

We absolutely support parental involvement. We want to do that. We want to provide that evidence-based engagement and, again, make the relationship collaborative, not adversarial.

That is why I encourage colleagues to support this collaborative, evidence-based approach to involve all parents in education.

Madam Chair, I reserve the balance of my time.

Ms. FOXX. Madam Chair, I want to say again that the approach our colleagues want to take is to spend more money.

Ms. Solas, who I mentioned earlier; Mr. SMITH, who was mentioned earlier; and others, they certainly did not have the right to peacefully speak to their school boards and get responses, so that is not going to happen under the Democrats' amendment.

We also are not mean, and again, we do not ban books. We do not condone the banning of books.

We think, again, that the substitute presents the perfect picture of Republicans' and Democrats' approaches to parent engagement. Democrats believe protecting parents' rights means spending more taxpayer dollars to impose a top-down vision. Republicans believe in giving parents real power to secure the best education possible for their children.

Madam Chair, I reserve the balance of my time as I believe I have the right to close.

Ms. BONAMICI. Madam Chair, I yield back the balance of my time.

Ms. FOXX. Madam Chair, I want to say again that our bill is meant to give parents their God-given rights to be involved with their children's education and to seek the best education possible.

We do not want anyone to be treated unfairly. We want everyone to be treated fairly. We do not ban books.

I urge the public to read this bill. It is fairly short, about 30 pages, to make sure where the truth lies in terms of this piece of legislation.

Madam Chair, I reject the amendment that has been offered in the nature of a substitute. I urge a "no" vote on the amendment and a "yes" vote on H.R. 5.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. BONAMICI. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Oregon will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. CRANE

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 118-12.

Mr. CRANE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 29, after line 20, insert the following:

TITLE VII—PRIVATE RIGHT OF ACTION

SEC. 701. PRIVATE RIGHT OF ACTION.

(a) IN GENERAL.—A parent aggrieved by a failure to comply with a provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) amended by title I of this Act, or a provision of the General Education Provisions Act (20 U.S.C. 1221 et seq.) amended by title II of this Act, may commence a civil action against the individual or entity responsible for the failure.

(b) RELIEF.—In any action under subsection (a), the court may award appropriate relief, including—

- (1) temporary, preliminary, or permanent injunctive relief;
- (2) compensatory damages;
- (3) punitive or exemplary damages; and
- (4) reasonable fees for attorneys.

(c) STATUTE OF LIMITATIONS.—An action under this section shall be brought not later than 30 days after the date on which the failure to comply occurred.

(d) ATTORNEY GENERAL.—In a case in which a parent commences a civil action under subsection (a), the Attorney General shall have the exclusive authority to oversee, as appropriate, any investigation conducted by the Federal Government in connection with such action.

(e) DEFINITION.—In this section, the term "parent" has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

The Acting CHAIR. Pursuant to House Resolution 241, the gentleman from Arizona (Mr. CRANE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. CRANE. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I think it is pretty sad that we even have to offer this bill and that I have to offer this amendment, but I think the American public realizes and is completely outraged with what is going on in this country—how they don't feel like they have a voice anymore, how they don't feel like they are being recognized in their rights to be parents and have authority over their own children.

It is also very disgusting, quite frankly, what has been going on in our kids' schools. Parents across this country—Democrats, Republicans, Independents, all of us—are furious with what is going on at these schools. That is why we even have to do this.

My amendment adds a private right of action for parents to hold schools accountable for not honoring the rights set forth in title I and title II of this bill. It seeks to strengthen enforcement mechanisms within the Parents Bill of Rights Act. My amendment, if passed, would ensure parents can sue if school districts force teachers or students to accommodate critical race theory curriculum, compel students to observe obscene or sexual material without parental consent, use pronoun changes without parental consent, violate student privacy without parental consent, or neglect to report sexual assault or harassment on school property.

The bill as it is currently written puts the protection of parental rights

in the hands of Department of Education bureaucrats. It is not enough for Congress to leave enforcement to Department of Education bureaucrats or wait for the corrupt Department of Justice to file a lawsuit on a parent's behalf. I don't trust the Biden administration to go after woke school administrators that force dangerous ideologies on innocent children.

Parents should have the opportunity to sue these schools. For far too long, the public school system has undermined parental involvement in education decisions. If we want to truly empower parents' rights, we should give parents the tools to enforce those rights through this amendment, not leave it in the hands of bureaucrats.

Madam Chair, I yield 2 minutes to the gentleman from Virginia (Mr. GOOD).

Mr. GOOD of Virginia. Madam Chair, I support passage of the underlying bill, but I also rise in support of this amendment, which I think would truly empower parents.

Adding a private right of action places the ultimate protection of parental rights back where it belongs, in the hands of parents, not Department of Education bureaucrats.

For too long, the public school system has undermined parental involvement in education decisions, and parents have been helpless to hold them accountable.

The union-driven COVID policies in our schools served as a wake-up call for many parents, and school boards across the country have tried to stop them from raising their voices in protest.

A private right of action would make a meaningful change to the balance of power so parents can rightfully have a say in what their children are being taught.

This amendment wouldn't unleash lawsuits against schools. The private right of action could only be used if the school is not forthcoming with the commonsense provisions of this bill. If the school shares curriculum, teaching materials, and their budget openly, then there is no problem. If the school notifies parents about actions from the school administrator to change a child's pronouns, then there is no standing under this bill. There is also a limit that the private right of action must be filed within 30 days of the violation.

Parental rights precede government. Our government was created to protect our God-given rights. When government is working to subvert those rights, it is the right of the people to put new guardrails in place to secure our precious liberty.

Guaranteeing a private right of action will ensure public schools are held accountable to the important tenets of this bill.

Madam Chair, I urge support for the amendment.

Mr. CRANE. Madam Chair, I yield back the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. SCOTT of Virginia. Madam Chair, I think the amendment speaks for itself. If a hundred parents show up at a school board meeting, and each demands to be heard for as long as they want to speak, this bill will give them a private right of action in Federal court to enforce their right to speak to the school board.

My local school board limits people to 3 minutes. I think that is a reasonable limitation, but when the amendment to allow reasonable limitations was defeated, you have the bill that they have—everybody has a right, each and every one of the hundred people who show up, no matter how repetitive or irrelevant it may be.

I think people need to know what is in the amendment and can judge it for themselves.

People have said that some parents have been arrested by the police for showing up at the school board. Let me tell you, that can only happen if the police believe that a crime is being committed.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. CRANE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. FOXX. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

□ 1715

AMENDMENT NO. 7 OFFERED BY MR. DAVIDSON

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 118-112.

Mr. DAVIDSON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

TITLE VII—MANDATORY OPEN ENROLLMENT PERIODS

SEC. 701. MANDATORY INTRA- AND INTER-DISTRICT OPEN ENROLLMENT PERIODS.

(a) IN GENERAL.—Notwithstanding any other provision of law, a local educational agency may not receive Federal funds under title I or title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.; 20 U.S.C. 6601 et seq.) for a school year unless the agency—

(1) holds an open enrollment period as required under subsection (b); and

(2) complies with the notification requirements under subsection (d).

(b) OPEN ENROLLMENT PERIOD.—To be eligible to receive Federal funds as described in subsection (a), each local educational agency shall, before the beginning of each school year, hold an open enrollment period during which—

(1) a child who is eligible to attend an elementary or secondary school served by the agency may apply to attend any other elementary or secondary school served by the agency; and

(2) a child who is not otherwise eligible to attend an elementary or secondary school served by the agency because that child lives outside the geographic region served by the agency may apply to attend any elementary or secondary school served by the agency.

(c) APPLICATION AND APPROVAL.—

(1) IN GENERAL.—A parent of a child seeking to enroll in a school pursuant to subsection (b) shall submit an application to the local educational agency involved at such time, in such manner, and containing such information as the agency may reasonably require.

(2) APPROVAL.—A local educational agency that receives an application under paragraph (1) shall—

(A) give the application full and fair consideration;

(B) approve or disapprove the application within a reasonable time; and

(C) give the parent who submitted the application prompt notice of such approval or disapproval.

(3) DURATION OF APPROVAL.—A child with an application approved under paragraph (2) shall remain eligible to attend the school for which approval was given for a period of not less than one school year.

(d) NOTICE.—To be eligible to receive Federal funds as described in subsection (a), each local educational agency shall post on a publicly accessible website of the agency or, if the agency does not operate a website, widely disseminate to the public, the following:

(1) Information and procedures for open enrollment under subsection (b).

(2) Information on the application process under subsection (c), including—

(A) how and where to obtain an application;

(B) when and how parents will be notified when approval or disapproval occurs; and

(C) approval rates based on the most recent data available to the agency.

(3) Information on how long an enrollment approved under subsection (c) remains valid.

(4) Contact information for at least one individual employee of the agency who is responsible for answering questions on the open enrollment process.

(e) ESEA TERMS.—In this section, the terms “child”, “elementary school”, “local educational agency”, “parent”, and “secondary school” have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

The Acting CHAIR. Pursuant to House Resolution 241, the gentleman from Ohio (Mr. DAVIDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. DAVIDSON. Madam Chair, I yield myself such time as I may consume.

Madam Chair, this amendment requires any public school receiving Federal funds under Title I and Title II of the Elementary and Secondary Education Act to hold an open enrollment period both for students living inside and outside the school district.

Parents have a right to decide where their child goes to school, and this amendment grants parents this important right to choose the best education for their child, no matter the ZIP Code.

It is important to note this applies only to Federal funds. Some might argue, well, local schools have different tax jurisdictions. This is only for the Federal funds.

School choice is critical to not only the parent, but also to the student who deserves a safe, high-quality education, not indoctrination.

We must provide families with freedom to choose. It is the parents' duty to make the best choice for their children, and choice is the ultimate enforcement mechanism for this Parents Bill of Rights Act.

My amendment also requires that these schools post an announcement on their website with details about the open enrollment period to ensure parents have all the information needed to make an informed decision, such as an application deadline, the approval rate of applications, and how long the enrollment period will be valid. Again, this gives parents the power and ability to make the most informed decision.

Under this amendment, schools must give every student that applies via the open enrollment process, "a full and fair consideration," an important detail to ensure that every student receives the opportunity to succeed.

Open enrollment and the increase in educational freedom is imperative to the success of our youth. It is a parental right and it is in the best interests of every student to be granted this opportunity.

This amendment provides every single parent with the power to choose.

Madam Chair, I urge support for my amendment, and I yield back the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. SCOTT of Virginia. Madam Chair, I think I would prefer that we fixed all of the schools so that all students are provided with an opportunity of a high-quality education and a safe and healthy environment.

All this amendment does is give people the right to scurry around and try to find the best schools. Those that are the best at identifying the best schools may end up there, but frankly, all this is going to do is cause confusion because when word gets around as to which are the best schools, everybody will want to go to that school. Then what?

The majority has offered the amendment in committee to let parents know that if they can work the system, they may get their child into a good school but all the rest end up in a school that is dilapidated, unaccredited, or otherwise undesirable.

We need to work to improve all of the schools, not just figure out a scheme where some can figure out how to get their child into a good school and leave everyone else behind.

Madam Chair, I oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. DAVIDSON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. FOXX. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. FITZPATRICK

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 118-112.

Mr. FITZPATRICK. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

TITLE VII—GAO REPORT

SEC. 701. GAO REPORT.

Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Education and the Workforce and the Committee on Appropriations of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate a report that evaluates and analyzes the impact of this Act, and the amendments made by this Act, on—

- (1) protecting parents' rights in the education of their children; and
- (2) costs to State educational agencies, local educational agencies, elementary schools, and secondary schools (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).

The Acting CHAIR. Pursuant to House Resolution 241, the gentleman from Pennsylvania (Mr. FITZPATRICK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. FITZPATRICK. Madam Chair, I rise today in favor of my amendment, designated as amendment No. 8 to H.R. 5, the Parents Bill of Rights Act.

Madam Chair, we have a responsibility to be mindful of the cost and implementation of this bill on our schools, parents, and communities.

My amendment would require the GAO to report on the impact of this legislation and provide peace of mind to taxpayers, educators, and families alike.

Our priority must be to set our children up for success. That means giving parents the transparency and voice they deserve in their child's education.

It also means making the Federal Government answerable to the potential costs of this bill on State and local educational agencies and individual schools throughout our Nation.

We have made a commitment to our constituents to demand more account-

ability from their government over the use of their taxpayer dollars, as well as to safeguard a better future for the next generation of Americans. My amendment would guarantee that we keep that promise.

Madam Chair, I urge the amendment's adoption, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Chair, I ask unanimous consent to claim the time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Madam Chair, I support the amendment because the GAO report will actually expose the legislation for what it is. It is a waste of money, will provide no meaningful rights, and it will adversely affect the education of the children.

Madam Chair, I support the amendment, and I yield back the balance of my time.

Mr. FITZPATRICK. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FITZPATRICK).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FITZPATRICK. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

Ms. FOXX. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. FISCHBACH) having assumed the chair, Ms. GREENE of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5) to ensure the rights of parents are honored and protected in the Nation's public schools, had come to no resolution thereon.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY THE DEPARTMENT OF LABOR RELATING TO "PRUDENCE AND LOYALTY IN SELECTING PLAN INVESTMENTS AND EXERCISING SHAREHOLDER RIGHTS"—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 118-18)

The SPEAKER pro tempore. Pursuant to section 4 of House Resolution 199, the unfinished business is the further consideration of the veto message of the President on the joint resolution (H.J. Res. 30) providing for congressional disapproval under chapter 8 of