



March 23, 2023

U.S. House of Representatives
Washington, DC 20515

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
- *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:

- #1 by Rep. Bacon (#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.
- #5 by Rep. Bonamici (#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.
- #8 by Rep. Fitzpatrick (#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.
- #9 by Reps. Garbarino and D'Esposito (#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.
- #12 by Rep. Jacobs (#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.
- #13 by Rep. Jacobs (#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 curricula, 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:

- #2 by Rep. Foxx (#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.
- #3 by Rep. Boebert (#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.
- #4 by Rep. Boebert (#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.
- #6 by Rep. Crane (#54 in Rules): Adds a private right of action for parents beyond current law that may lead to more frequent lawsuits, costing taxpayers more.
- #11 by Rep. Hunt (#44 in Rules): Adds a provision that targets diversity, equity, and inclusion initiatives in schools.
- #15 by Reps. Massie, Boebert, Gaetz, and Self (#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.
- #19 by Rep. Roy (#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.
- #20 by Rep Roy (#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,

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

Marc Egan
Director of Government Relations
National Education Association