



**Testimony of Nicole Neily**  
**President, Parents Defending Education**  
**Before the Senate Committee on Health, Education, Labor, and Pensions**  
**June 20, 2024**

**“The Immediate and Long-Term Challenges Facing Public School Teachers: Low Pay, Teacher Shortages, and Underfunded Public Schools”**

Chairman Sanders, Ranking Member Cassidy, and distinguished members of the Committee on Health, Education, Labor, and Pensions: thank you for inviting me to testify today.

My name is Nicole Neily, and I am the president and founder of Parents Defending Education – a membership association that gives parents the knowledge and tools they need to be effective advocates for their children’s education. I’m also the executive director of PDE Action, a 501(c)4 advocacy organization.

We are deeply grateful that the Committee has finally turned its attention to education. As news outlets,<sup>12</sup> nonprofits,<sup>3</sup> and government agencies<sup>4</sup> have noted, America is facing a “lost generation” of children whose schooling was negatively impacted by pandemic-related school closures. As this Committee is all too aware, NAEP scores – more colloquially known as “the Nation’s Report Card” – have shown that proficiency levels in core subjects such as reading and math fell precipitously in the wake of covid-era closures. Stanford University’s Eric Hanushek has asserted<sup>5</sup> that pandemic learning losses “are equivalent on average to a 6 percent income tax surcharge throughout the students’ working lives. This rises to 8 percent for the average Black student, who suffered greater learning losses according to NAEP.”

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<sup>1</sup> Smith, Tracy. “COVID’s education crisis: A lost generation?” CBS News, March 26, 2023.

<https://www.cbsnews.com/news/covids-education-crisis-a-lost-generation/>

<sup>2</sup> Cowen, Jim. “Don’t Let Pandemic-Related Learning Losses Result In A Lost Generation,” Forbes, September 8, 2022. <https://www.forbes.com/sites/jimcowen/2022/09/08/dont-let-pandemic-related-learning-losses-result-in-a-lost-generation/>

<sup>3</sup> Pondiscio, Robert. “A new lost generation: Disengaged, aimless, and adrift,” Thomas B. Fordham Institute, May 2, 2024. <https://fordhaminstitute.org/national/commentary/new-lost-generation-disengaged-aimless-and-adrift>

<sup>4</sup> UNICEF USA. “UNICEF Calls for Averting a Lost Generation as COVID-19 Threatens to Cause Irreversible Harm to Children’s Education, Nutrition, and Well-Being.” November 19, 2020. <https://www.unicefusa.org/press/unicef-calls-averting-lost-generation-covid-19-threatens-cause-irreversible-harm-childrens>

<sup>5</sup> Hanushek, Eric. “Generation Lost: The Pandemic’s Lifetime Tax,” Education Next, Vol. 24 No. 2, Spring 2024. <https://www.educationnext.org/generation-lost-the-pandemics-lifetime-tax/>

These are figures that should shock the conscience. Many members of this Committee have spoken publicly about “equity,” which is why this learning loss disproportionately impacting disadvantaged students should raise alarm bells.

These figures are also why the title of today’s hearing is a bit of a mystery – because the issues that the vast majority of American parents care about are not the three that were chosen by the Chairman.

### **Families worry about the quality of the education their children are receiving.**

As mentioned earlier, NAEP scores released in 2023 showed significant drops across the country at all grade levels.

- In **Vermont**, only 27 percent of 8th graders are proficient in math, which means 73 percent are not (a drop of 11 percent from 2019);<sup>6</sup>
- In **Pennsylvania**, only 27 percent of 8th graders are proficient in math so again, that means 73 percent are not (a 12 percent drop from 2019);<sup>7</sup>
- In **Washington**, only 28 percent of 8th graders are proficient in math, which means 72 percent are not (a 12 percent drop from 2019);<sup>8</sup>

This is not a partisan issue, however – as the impact is felt in red states as well as blue states.

- In **North Carolina**, only 25 percent of 8th graders are proficient in math while 75 percent are not (down 12 percent from 2019);<sup>9</sup>
- In **Oklahoma**, only 16 percent of 8th graders are proficient in math while 84 percent are not (down 10 percent from 2019).<sup>10</sup>

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<sup>6</sup> Institute of Education Sciences, National Center for Education Statistics, The Nation’s Report Card, “2022 MATHEMATICS STATE SNAPSHOT REPORT VERMONT - GRADE 8 - PUBLIC SCHOOLS”

<https://nces.ed.gov/nationsreportcard/subject/publications/stt2022/pdf/2023011VT8.pdf>

<sup>7</sup> Institute of Education Sciences, National Center for Education Statistics, The Nation’s Report Card, “2022 MATHEMATICS STATE SNAPSHOT REPORT PENNSYLVANIA - GRADE 8 - PUBLIC SCHOOLS”

<https://nces.ed.gov/nationsreportcard/subject/publications/stt2022/pdf/2023011PA8.pdf>

<sup>8</sup> Institute of Education Sciences, National Center for Education Statistics, The Nation’s Report Card, “2022 MATHEMATICS STATE SNAPSHOT REPORT WASHINGTON - GRADE 8 - PUBLIC SCHOOLS”

<https://nces.ed.gov/nationsreportcard/subject/publications/stt2022/pdf/2023011WA8.pdf>

<sup>9</sup> Institute of Education Sciences, National Center for Education Statistics, The Nation’s Report Card, “2022 MATHEMATICS STATE SNAPSHOT REPORT NORTH CAROLINA - GRADE 8 - PUBLIC SCHOOLS”

<https://nces.ed.gov/nationsreportcard/subject/publications/stt2022/pdf/2023011NC8.pdf>

<sup>10</sup> Institute of Education Sciences, National Center for Education Statistics, The Nation’s Report Card, “2022 MATHEMATICS STATE SNAPSHOT REPORT OKLAHOMA - GRADE 8 - PUBLIC SCHOOLS”

<https://nces.ed.gov/nationsreportcard/subject/publications/stt2022/pdf/2023011OK8.pdf>

These statistics are an accountability measure, and the numbers don't lie. Perhaps this is one reason why activists now demand<sup>11</sup> the abolition<sup>12</sup> of tests: because these test scores reveal that the American education system is failing – even when evaluated through the pedagogical rubric *du jour*, “equitable grading.”

Bumper stickers about “equity” may sound great, but when people learn what equitable grading is, its popularity falls among families and teachers alike. Whereas traditional grading is based on knowledge and accuracy, incorporating behavioral elements such as class participation and turning in work on time - grading for equity seeks to address “inequities” and “bias” in education by prioritizing “motivation” and “feedback” over subject mastery, behavior, and measurable outcomes.

In practice, look across the river to Fairfax County Virginia: the equitable grading policy<sup>13</sup> for the country's eleventh-largest school district states that all grades will be on a 100-point scale, with 50% as the minimum grade for submitted assignments; that being said, teachers must accept major assignments up to two weeks late, and the maximum deduction for that two-week period is 10 percent.

How exactly does teaching children “deadlines don't matter” set them up for future success in life? It's unlikely that any member of this committee would hire or promote staff who fail to turn in research or bill text on a timely basis – nor should they. We do not send our children – or our tax dollars – to schools to artificially inflate students' egos. We send them to school to LEARN.

Sadly, however, very little learning seems to be taking place. To underscore a terrifying reality in 2024: students in America CANNOT READ.

- In **Virginia**, only 32 percent of 4th graders are proficient in reading, so 68 percent are not;<sup>14</sup>
- In **Minnesota**, only 30 percent of 8th graders are proficient in reading so 70 percent are not;<sup>15</sup>

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<sup>11</sup> Soares, Jason A. “Dismantling White Supremacy Includes Ending Racist Tests like the SAT and ACT,” Teachers College Press, June 22, 2020. <https://www.tcpress.com/blog/dismantling-white-supremacy-includes-racist-tests-sat-act/>

<sup>12</sup> Long, Cindy. “Standardized Testing is Still Failing Students,” NEA Today, March 30, 2023. <https://www.nea.org/nea-today/all-news-articles/standardized-testing-still-failing-students>

<sup>13</sup> Fairfax County Public Schools Office of Communications, “FCPS This Week - August 23, 2023” <https://www.fcps.edu/news/fcps-week-august-23-2023>

<sup>14</sup> Institute of Education Sciences, National Center for Education Statistics, The Nation's Report Card, “2022 READING STATE SNAPSHOT REPORT VIRGINIA - GRADE 8 - PUBLIC SCHOOLS” <https://nces.ed.gov/nationsreportcard/subject/publications/stt2022/pdf/2023010VA8.pdf>

<sup>15</sup> Institute of Education Sciences, National Center for Education Statistics, The Nation's Report Card, “2022 READING STATE SNAPSHOT REPORT MINNESOTA - GRADE 8 - PUBLIC SCHOOLS” <https://nces.ed.gov/nationsreportcard/subject/publications/stt2022/pdf/2023010MN8.pdf>

- In **Alaska**, only 24 percent of 4th graders are proficient in reading so 76 percent are not;<sup>16</sup>
- In **New Mexico**, only 18 percent of 8th graders are proficient in reading so 82 percent are not.<sup>17</sup>

To some states, however, a lack of basic skills poses no impediment to a diploma; last fall, the Oregon Board of Education voted unanimously<sup>18</sup> to pause graduation requirements until 2029 – which, prior to the pandemic, included a test to demonstrate basic mastery of reading, writing and math. The official explanation for this reform cited its impact on “historically marginalized” students – which means that a state government explicitly told teenagers that given their backgrounds, they might not pass a test... but don’t worry, they’ll get a participation trophy diploma anyway! Sadly, the people who will be the most hurt by this condescending, racist attitude are the students who graduate without basic skills – and who have internalized the lesson that the color of their skin determines their worth.

Today, far too many schools treat students as cogs in a one-size-fits all machine, rather than as individuals. From coast to coast, districts are eliminating advanced classes in the name of “equity” – claiming that gifted and talented programs are “racist”<sup>19</sup> if participation in these programs fails to mirror community demographics<sup>20</sup> and that maintaining gifted programs perpetuates harm<sup>21</sup> upon students by negatively impacting self-esteem. To address these perceived injustices, schools have chosen to build cumbersome DEI bureaucracies, rather than using those dollars to fund tutoring and intervention programs to students at younger ages when critical foundational skills must be mastered.

In districts where tracking or advanced classes have been eliminated, parents have watched their children regress to the lowest common denominator, because educators must teach to the level of the least able student in class. Brilliant students who have the potential to strive for greatness are disincentivized from working hard or getting too far ahead, because inequity

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<sup>16</sup> Institute of Education Sciences, National Center for Education Statistics, The Nation’s Report Card, “2022 READING STATE SNAPSHOT REPORT ALASKA - GRADE 8 - PUBLIC SCHOOLS”

<https://nces.ed.gov/nationsreportcard/subject/publications/stt2022/pdf/2023010AK8.pdf>

<sup>17</sup> Institute of Education Sciences, National Center for Education Statistics, The Nation’s Report Card, “2022 READING STATE SNAPSHOT REPORT NEW MEXICO - GRADE 8 - PUBLIC SCHOOLS”

<https://nces.ed.gov/nationsreportcard/subject/publications/stt2022/pdf/2023010NM8.pdf>

<sup>18</sup> Edge, Sami. “Oregon again says students don’t need to prove mastery of reading, writing or math to graduate, citing harm to students of color,” The Oregonian, October 22, 2023.

<https://www.oregonlive.com/education/2023/10/oregon-again-says-students-dont-need-to-prove-mastery-of-reading-writing-or-math-to-graduate-citing-harm-to-students-of-color.html>

<sup>19</sup> McMillan, Tracie. “Gifted and Talented Programs Benefit White Students Disproportionately,” Teen Vogue, April 24, 2024. <https://www.teenvogue.com/story/gifted-and-talented-programs-white-bonus>

<sup>20</sup> McKinney, Roger. “Lawsuit against Columbia schools alleges racial discrimination in gifted program placement,” Columbia Daily Tribune, March 10, 2021.

<https://www.columbiatribune.com/story/news/education/2021/03/10/lawsuit-alleges-discrimination-columbia-missouri-schools-gifted-program/6924896002/>

<sup>21</sup> Miller, Viona J. “Access Denied: Tracking as a Modern Roadblock to Equal Educational Opportunity,” New York University Law Review, Vol. 93 No. 4, October 2018. <https://www.nyulawreview.org/issues/volume-93-number-4/access-denied-tracking-as-a-modern-roadblock-to-equal-educational-opportunity/>

perpetuates “systemic racism.” Rather than inspire all students to excellence, administrators now imply that exceptional ability is somehow shameful. Hard work, objectivity, and self-reliance are traits that made the American economy the envy of the world – yet today, those characteristics are regularly derided<sup>22</sup> as tools of “white supremacy.”

Children are in school for approximately seven hours each day – yet rather than spending finite classroom time making up learning loss, classes now spend hours each day on extraneous programming related to identity politics.

- In **Lawrence, Kansas**: Cordley Elementary School students marched to celebrate Black Lives Matter at School week<sup>23</sup> – a school where only 32 percent of students are proficient in math and 52 percent are proficient in reading.<sup>24</sup>
- In **Appleton, Wisconsin**: the Appleton Area School District provides educators with resources that recommend having students do “privilege walks”<sup>25</sup> – in a district where only 38 percent of middle schoolers are proficient in reading and math.<sup>26</sup>
- In **Boston, Massachusetts**: Boston Public Schools’ ethnic studies curriculum focuses on oppression and “Pillars of White Supremacy”<sup>27</sup> – in a district where only 27 percent of high schoolers are proficient in math and 34 percent are proficient in reading.<sup>28</sup>

Virtue signaling on these topics may be good cocktail party conversation in state capitols, but the fact remains that America’s education system is failing the very students that it was designed to serve. Parents know this, and no amount of jargon about diversity, equity, and inclusion will gaslight families into believing that their children are receiving the kind of education that they deserve.

### **Trust between parents and districts has been shattered since the pandemic.**

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<sup>22</sup> Watts, Marina. “In Smithsonian Race Guidelines, Rational Thinking and Hard Work Are White Values,” Newsweek, July 17, 2020. <https://www.newsweek.com/smithsonian-race-guidelines-rational-thinking-hard-work-are-white-values-1518333>

<sup>23</sup> Parents Defending Education, “Lawrence Public Schools shares image on Facebook of elementary students marching for Black Lives Matter movement,” February 17, 2023. <https://defendinged.org/incidents/lawrence-public-schools-shares-image-on-facebook-of-elementary-students-marching-for-black-lives-matter-movement/>

<sup>24</sup> U.S. News & World Report, “Cordley Elementary,” accessed June 17, 2024. <https://www.usnews.com/education/k12/kansas/cordley-elementary-241067>

<sup>25</sup> Parents Defending Education, “Appleton Area School District provides teachers with resources that recommend having students do ‘privilege walks’; promises to ‘incorporate SEL into every classroom,’” December 9, 2021. <https://defendinged.org/incidents/appleton-area-school-district-provides-teacher-with-resources-that-recommend-having-students-do-privilege-walks-promises-to-incorporate-sel-into-every-classroom/>

<sup>26</sup> U.S. News & World Report, “Appleton Area School District,” accessed June 17, 2024. <https://www.usnews.com/education/k12/wisconsin/districts/appleton-area-school-district-103402>

<sup>27</sup> Parents Defending Education, “Boston Public Schools’ ethnic studies curriculum focuses on oppression and ‘Pillars of White Supremacy,’” May 31, 2022. <https://defendinged.org/incidents/boston-public-schools-ethnic-studies-curriculum-focuses-on-oppression-and-pillars-of-white-supremacy/>

<sup>28</sup> U.S. News & World Report, “Boston Public Schools,” accessed June 17, 2024. <https://www.usnews.com/education/k12/massachusetts/districts/boston-111992>

For decades, public schools have operated *in loco parentis* – in the place of a parent – and administrators worked together in the best interest of students.

Without a doubt, pandemic-era school closures created significant fissures in this relationship, with parents questioning whether schools truly prioritized learning when entities like the Chicago Teachers Union asserted that “the push to reopen schools is rooted in sexism, racism, and misogyny”<sup>29</sup> and people like Cecily Myart-Cruz, head of the Los Angeles teachers’ union said “There is no such thing as learning loss... Our kids didn’t lose anything. It’s OK that our babies may not have learned all their times tables. They learned resilience. They learned survival. They learned critical-thinking skills. They know the difference between a riot and a protest. They know the words *insurrection* and *coup*.”<sup>30</sup> In the wake of California’s recent \$2 billion settlement<sup>31</sup> over pandemic-related learning loss, it seems Ms. Myart-Cruz was sorely mistaken – yet she remains gainfully employed as the head of a 35,000-person affiliate of the NEA and AFT.

Over the past several years, however, there has been a marked shift away from partnering with families to working against families – and this trend is, yet again, one that hurts the very people this system is designed to serve.

Nowhere is this redirection more vivid than in the rise of “parental exclusion policies,” an issue that would make the Founders roll over in their graves. These policies explicitly state that parents DO NOT HAVE THE RIGHT to know their child’s gender identity at school. As of this week, my organization, Parents Defending Education, has identified 1,086 school districts around the country and counting with these policies on the books, impacting over 11.4 million children.<sup>32</sup>

Although these have been passed by elected school boards under the guise of “safety,” activists fail to acknowledge that school officials are already mandatory reporters – so if a teacher believes that a student is in a dangerous home situation, they must file a report through official channels. As unpleasant as a Child & Protective Services investigation may be, it does feature due process protections – whereas under today’s parental exclusion policies in taxpayer-funded schools, snap judgments are made about a family’s potential “support” for a gender-questioning child based on characteristics like political affiliation or religion. In Eau Claire,

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<sup>29</sup> Van Dyke, Tyler. “Chicago Teachers Union removes tweet claiming push to reopen schools ‘rooted in sexism, racism and misogyny,’” Washington Examiner, December 7, 2020.

<https://www.washingtonexaminer.com/news/2614237/chicago-teachers-union-removes-tweet-claiming-push-to-reopen-schools-rooted-in-sexism-racism-and-misogyny/>

<sup>30</sup> McGahan, Jason. “Exclusive: Cecily Myart-Cruz’s Hostile Takeover of L.A.’s Public Schools,” Los Angeles Magazine, August 26, 2021. <https://lamag.com/featured/cecily-myart-cruz-teachers-union>

<sup>31</sup> Watt, Nick. “California agrees to \$2 billion settlement over Covid pandemic learning loss for struggling students,” CNN.com, March 28, 2024. <https://www.cnn.com/2024/02/01/us/california-settlement-covid-learning-loss/index.html>

<sup>32</sup> Parents Defending Education, “List of School District Transgender – Gender Nonconforming Student Policies,” last updated June 17, 2024. <https://defendinged.org/investigations/list-of-school-district-transgender-gender-nonconforming-student-policies/>

Wisconsin, teachers were told during a professional development session that “parents are not entitled to know their kids’ identities. That knowledge must be earned.”<sup>33</sup>

At a time when America is spending billions of dollars on student mental health – including under the bipartisan Safer Communities Act passed by this body – why on earth would we want a math teacher telling a confused child that mommy and daddy might not love them because of their gender – and the solution is to lead a double life?

Again, this is not a partisan issue. In March 2023, PDE polled voters on this issue, and found opposition to hiding this critical information from families spanned racial and political lines.<sup>34</sup>

- 71 percent of registered voters oppose letting schools withhold information about a child’s gender identity from their parents, while only 21 percent support this policy.
- This included 76 percent of Black voters, 71 percent of white voters, 66 percent of Hispanic voters, and 59 percent of Asian voters oppose this policy – and as far as party identification, 85 percent of Republican voters, 74 percent of Independent voters, and 59 percent of Democratic voters oppose this policy.

“Social transitioning” children using new names and pronouns is an active mental-health intervention<sup>35</sup> – as are schools facilitating chest binders<sup>36</sup> for girls, “tucking” underwear<sup>37</sup> for boys, and encouraging students to use the restrooms, locker rooms, and overnight field trip facilities that align with a student’s self-declared gender identity. These are significant decisions bound to be fraught with both support and opposition from students and staff alike, and it is unconscionable that adults would impose an additional emotional burden on a minor child by guessing whether or not family members will be “supportive.”

As parents fight to remain involved in their child’s education, they face headwinds that insist that parents should pound sand because they’re not “experts.” In February 2023, an Arizona

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<sup>33</sup> Parents Defending Education, “Eau Claire Area School District states that ‘parents are not entitled’ to know about their children choosing to change gender identities,” March 4, 2022. <https://defendinged.org/incidents/eau-claire-area-school-district-states-that-parents-are-not-entitled-to-know-about-their-children-choosing-to-change-gender-identities/>

<sup>34</sup> Parents Defending Education, “Parents Defending Education poll: 71% of voters support legislation requiring schools to inform parents if their child wants to change their gender identity,” March 21, 2023. <https://defendinged.org/press-releases/parents-defending-education-poll-71-of-voters-support-legislation-requiring-schools-to-inform-parents-if-their-child-wants-to-change-their-gender-identity/>

<sup>35</sup> *Foote v. Ludlow*. Brief Amicus Curiae of the Manhattan Institute & Dr. Leor Sapir. March 21, 2023.

<https://media4.manhattan-institute.org/sites/default/files/amicus-brief-foote-v-ludlow-school-committee.pdf>

<sup>36</sup> Parents Defending Education, “Transgender Center Staffers at Washington University of St. Louis and St. Louis Children’s Hospital Advise Parkway Schools Not to Tell Parents About Child Chest Binder Use,” January 12, 2023. <https://defendinged.org/incidents/transgender-center-staffers-at-washington-university-of-st-louis-and-st-louis-childrens-hospital-advise-parkway-schools-not-to-tell-parents-about-child-chest-binder-use/>

<sup>37</sup> LeMahieu, Leif. “New Jersey School District Partnered With Sex-Ed Group That Provides Kits With ‘Tucking’ Underwear, Chest Binders,” Daily Wire, November 7, 2023. <https://www.dailywire.com/news/new-jersey-school-district-partnered-with-sex-ed-group-that-provides-kits-with-tucking-underwear-chest-binders>

teacher testified<sup>38</sup> before the state legislature: “I have a master’s degree because when I got certified, I was told I had to have a master’s degree to be an Arizona certified teacher. We all have advanced degrees. What do the parents have? Are we vetting the backgrounds of our parents? Are we allowing the parents to choose the curriculum and the books that our children are going to read? I think that is a mistake.” And famously in 2021, former Virginia governor Terry McAuliffe said “I’m not going to let parents come into schools and actually take books out and make their own decisions ... I don’t think parents should be telling schools what they should teach.”<sup>39</sup>

Far too many districts around the country now make it difficult<sup>40</sup> – if not impossible<sup>41</sup> – for parents to opt their children out of lesson plans or curriculum that do not comport with their family values. When a school district tells you that they have no interest in addressing your concerns, the relationship is certainly not built on mutual respect – it is an abuse of power.

Another significant area where parents have been cut out of the loop is that of school safety. CDC data shows<sup>42</sup> a rise in drug overdose deaths among adolescents (14–18 years old) between 2019-2021, while another CDC report<sup>43</sup> suggests that between 20-30 nonfatal overdoses occur for every overdose death. Frighteningly, however, parents often find out about school-based incidents through social media or local news – not the schools themselves – because of privacy issues surrounding the transmission of such information. In Virginia, Governor Glenn Youngkin stepped in to affirmatively assert<sup>44</sup> parents have a right to know this information, so that families know to discuss this topic with their loved ones.

With regards to violence, schools lack basic transparency measures. While universities are obligated to follow the Clery Act, K-12 schools have no such requirements in place – again,

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<sup>38</sup> ADI Staff Reporter, “Arizona Special Education Teacher Questions What Qualifies A Parent To Parent,” Arizona Daily Independent, February 19, 2023. <https://arizonadailyindependent.com/2023/02/arizona-special-education-teacher-questions-what-qualifies-a-parent-to-parent/>

<sup>39</sup> The Editors, “Terry McAuliffe’s War on Parents,” National Review, October 1, 2021. <https://www.nationalreview.com/2021/10/terry-mcauliffes-war-on-parents/>

<sup>40</sup> Bowman, Rachel. “Minnesota school district allows parents to opt children out of LGBTQ lessons after six Somali Muslim families threatened legal action over religious freedom,” Daily Mail, February 19, 2024. <https://www.dailymail.co.uk/news/article-13100413/Minnesota-schools-St-Louis-Park-LGBTQ-book-opt-parents.html>

<sup>41</sup> Bash, Homa. “Minnesota school district allows parents to opt children out of LGBTQ lessons after six Somali Muslim families threatened legal action over religious freedom,” Fox5DC, May 15, 2024. <https://www.fox5dc.com/news/maryland-parents-must-accept-lgbtq-inclusive-curriculum-appeals-court-decides>

<sup>42</sup> Center for Disease Control Morbidity and Mortality Weekly Report, “Drug Overdose Deaths Among Persons Aged 10–19 Years — United States, July 2019–December 2021,” December 16, 2021. <https://www.cdc.gov/mmwr/volumes/71/wr/mm7150a2.htm>

<sup>43</sup> Readiness and Emergency Management for Schools, “Fentanyl and Opioids: Preventing Overdoses and Related Emergencies at K-12 and Higher Education Campuses,” accessed June 17, 2024. [https://rems.ed.gov/docs/OpioidsFactSheet\\_508c.pdf](https://rems.ed.gov/docs/OpioidsFactSheet_508c.pdf)

<sup>44</sup> Cline, Nathaniel. “Youngkin issues order aimed at requiring schools to notify parents of drug overdoses,” November 2, 2023. <https://virginiamercury.com/2023/11/02/youngkin-issues-order-aimed-at-requiring-schools-to-notify-parents-of-drug-overdoses/>



forcing families to turn to social media or to quiz their child about incidents at schools so they are aware of threats in real time. In Massachusetts, one student's "kill list" was swept under the rug by an administrator, who called for "empathy for the creator" of the list, choosing instead to create an LGBTQIA+ affinity group and anti-bias training for the district.<sup>45</sup> In the wake of October 7<sup>th</sup>, a wave of Jew-hatred has swept K-12 schools, mirroring the antisemitism manifesting on college campuses – yet for some reason, lesson plans about settler-colonialism and blood libel and jokes about Hitler go largely ignored. This unequal adjudication of civil rights law threatens to undermine not only faith in our education system, but in the rule of law writ large.

Since the dawn of time, the role of families has been to protect the next generation, guiding and supporting children on their journey to adulthood. It is truly a slap in the face to have taxpayer-funded schools acting as though their sacred duty is to protect children from their families.

### **Schools don't have a resource issue – they have an allocation issue.**

I assume this Committee is aware that the U.S. Census recently released its Annual Survey of School System Finances data, which found<sup>46</sup> that average per pupil spending in elementary and secondary schools rose 8.9% in fiscal year (FY) 2022 to \$15,633 – due in part to the federal government's \$189.5 billion covid-related largesse.<sup>47</sup> This is an average, of course; according to their own calculations, districts like New York City Public Schools spend \$30,738 per pupil,<sup>48</sup> whereas the Alpine District in Utah spends \$11,871 per pupil.<sup>49</sup> I hope we can all acknowledge that differences in cost of living vary widely between these regions.

On the big picture topic of whether schools are sufficiently funded or not, I urge you to review the work of Dr. Marguerite Roza at Georgetown's Edunomics Lab, who has deeply analyzed school spending at the local, state, and federal level.

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<sup>45</sup> Reinl, James. "Leaked emails show how a woke Massachusetts school handled a trans student's 'hit list' threat - anti-bias training and 'LGBTQIA+ affinity group,'" Daily Mail, April 23, 2024. <https://www.dailymail.co.uk/news/article-13337991/Leaked-emails-woke-Massachusetts-school-transgender-student-hit-list.html>

<sup>46</sup> Anesta, Kaylee. "Spending Per Pupil in Public Schools Averaged \$15,633, Up 8.9% in FY 2022," United States Census Bureau, April 25, 2024. <https://www.census.gov/library/stories/2024/04/public-school-spending.html>

<sup>47</sup> Pandemic Oversight, "States received \$189.5 billion in relief for schools. Here's the breakdown," February 24, 2022. <https://www.pandemicoversight.gov/data-interactive-tools/data-stories/states-received-1895-billion-relief-schools-heres-breakdown>

<sup>48</sup> NYC Public Schools, "Funding Our Schools," accessed June 17, 2024. <https://www.schools.nyc.gov/about-us/funding/funding-our-schools>

<sup>49</sup> Utah State Board of Education, "Per Pupil Revenue and Expenditure – All Funds, Fiscal Year 2023." Accessed June 17, 2024. [https://www.schools.utah.gov/superintendentannualreport/financialoperations/fy2023/23\\_PPE\\_allFunds.pdf](https://www.schools.utah.gov/superintendentannualreport/financialoperations/fy2023/23_PPE_allFunds.pdf)

There's a famous saying: "Don't tell me where your priorities are. Show me where you spend your money and I'll tell you what they are." Viewed through this lens, many state and local leaders prioritize progressive politics and money over the welfare of students.

Consider the 2020 demands of the United Teachers Los Angeles before they would allow schools to reopen so students could attend in-person classes: privately operated publicly funded charter schools shut down across the state, defund the police, Medicare-for-All, a statewide wealth tax, and fully funded housing for the homeless.<sup>50</sup>

UTLA wasn't a one-time shakedown, though; from coast-to-coast, education leaders routinely choose to spend money on programs and personnel that do not directly benefit students.

- Glassbrook Elementary in Hayward, California spent \$250,000<sup>51</sup> on "Woke Kindergarten," a program promoted by districts around the country created by an activist who thinks America and Israel have "no right to exist"<sup>52</sup> – for context, 15 percent of Glassbrook students are proficient in math, while 20 percent are proficient in reading,<sup>53</sup>
- San Francisco Unified School District voted to rename 44 school buildings (including after luminaries like Sen. Dianne Feinstein, President Abraham Lincoln, and composer Francis Scott Key!) at a cost of \$440,000<sup>54</sup> – 36 percent of SFUSD high schoolers are proficient in math, while 52 percent are proficient in reading,<sup>55</sup>
- Whitewater Unified School District in Wisconsin spent \$1.6 million of its ESSER funds on synthetic turf fields<sup>56</sup> – 18 percent of Whitewater USD high schoolers are proficient in math, while 29 percent are proficient in reading,<sup>57</sup> and

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<sup>50</sup> Grimes, Katy. "L.A. Teachers Union: Schools Can't Reopen Unless Charter Schools Shut Down, Police Defunded," California Globe, July 13, 2020. <https://californiaglobe.com/articles/l-a-teachers-union-says-schools-cant-reopen-unless-charter-schools-shut-down-and-police-are-defunded/>

<sup>51</sup> Hall, Alexander. "California school terminates contract with controversial 'Woke Kindergarten' program," New York Post, February 14, 2024. <https://nypost.com/2024/02/14/news/california-school-terminates-contract-with-controversial-woke-kindergarten-program/>

<sup>52</sup> Farrell, Paul. "Non-binary activist Akiea Gross who founded controversial for-profit 'Woke Kindergarten' program that calls to abolish police and Israel now posts online rant saying 'US has no right to exist,'" Daily Mail, February 5, 2024. <https://www.dailymail.co.uk/news/article-13047455/Akiea-Gross-woke-kindergarten-non-binary-right-exist.html>

<sup>53</sup> U.S. News & World Report, "Glassbrook Elementary," accessed June 17, 2024. <https://www.usnews.com/education/k12/california/glassbrook-elementary-236201>

<sup>54</sup> Iovino, Nicholas. "San Francisco OKs Plan to Strip Lincoln and Washington From School Names," Courthouse News Service, January 26, 2021. <https://www.courthousenews.com/san-francisco-oks-plan-to-strip-lincoln-and-washington-from-school-names/>

<sup>55</sup> U.S. News & World Report, "San Francisco Unified School District," accessed June 17, 2024. <https://www.usnews.com/education/k12/california/districts/san-francisco-unified-111777>

<sup>56</sup> Binkley, Collin and Foley, Ryan J. "Flush with COVID-19 aid, schools steer funding to sports," Associated Press, October 6, 2021. <https://apnews.com/article/coronavirus-pandemic-school-funding-sports-5b468b260ebd2593e53f03f9104d9bca>

<sup>57</sup> U.S. News & World Report, "Whitewater Unified School District," accessed June 17, 2024. <https://www.usnews.com/education/k12/wisconsin/districts/whitewater-unified-school-district-112881>

- In Wisconsin, 28.2 percent – or 1 of every 4 dollars – of the state’s ESSER money was allocated toward new additions or renovations, which did not address learning loss; specifically, Milwaukee put 45.7 percent of current ESSER allocations toward construction even though Milwaukee’s Black students rank last in the nation in reading among big districts. In addition, 178 districts allotted less than 5 percent to curriculum and instructional staff. Yet 52 percent of districts have not yet replaced discredited reading curricula like Lucy Calkins Units of Study and Fountas & Pinnell Literacy.<sup>58</sup>

According to data from the federal Education Department’s Center for Education Statistics, between 2000-2019 the student population grew 7.9 percent while the teacher population grew 8.7 percent; however, administrators grew a staggering 87.6 percent<sup>59</sup> – so it is imperative that any discussion of education spending (or the lack thereof) must address the explosion of administrator positions vis-à-vis principals and teachers.

### Percentage Change in K-12 Staff Positions, 2000-2019

	District Administrative Staff	Principals/Asst Principals	Teachers
<b>2000</b>	97,270	141,792	2,941,461
<b>2019</b>	182,477	193,734	3,198,170
<b>% change</b>	87.6%	36.6%	8.7%

Source: National Center for Education Statistics, “Staff employed in public elementary and secondary school systems, by type of assignment: Selected years, 1949-1950 through fall 2019”<sup>60</sup>

I work with a number of former educators, and my coworkers and I strongly believe that good teachers deserve to be paid commensurate with their worth. It should not be controversial to assert that if it is more difficult to find a teacher with subject matter expertise – for example, an AP Physics teacher, or Calculus – that educators with specialized skills and knowledge should be more highly compensated than other areas of scholarship. Unfortunately, many union contracts prohibit or otherwise strictly govern hiring decisions – taking power out of the hands of local leaders who want to recruit the best and the brightest for their districts.

In the K-12 administrator space, one field in particular has experienced significant expansion over the past several years: Diversity, Equity, and Inclusion.

The Heritage Foundation has documented the growth of “Chief Diversity Officer” (CDO) positions in K-12 districts, finding that “39 percent of the 554 districts with more than 15,000

<sup>58</sup> Institute for Reforming Government, “SUMMARY: IRG’S ESSER RELIEF AUDIT,” March 2, 2023. <https://reforminggovernment.org/wp-content/uploads/2023/03/ESSER-Report-March-17-short.pdf>

<sup>59</sup> Arnn, Larry. “Education as a Battleground,” *Imprimis*, Volume 51, Issue 11, November 2022. <https://imprimis.hillsdale.edu/education-as-a-battleground/>

<sup>60</sup> Institute of Education Sciences, National Center for Education Statistics. “Table 213.10. Staff employed in public elementary and secondary school systems, by type of assignment: Selected years, 1949-50 through fall 2019,” accessed June 17, 2024. [https://nces.ed.gov/programs/digest/d21/tables/dt21\\_213.10.asp](https://nces.ed.gov/programs/digest/d21/tables/dt21_213.10.asp)

students employ a CDO. Among larger districts, CDO positions were much more common, with 79 percent of districts with more than 100,000 students having a CDO or its equivalent.” It stands to reason that districts with these positions would have better outcomes than those without; yet as Dr. Jay Greene notes, “Standardized test results show that achievement gaps are growing wider over time in districts with CDOs. From 2009 to 2018, the white–black achievement gap grew by 0.03 grade levels each year in districts with CDOs relative to districts without that position. The white–Hispanic achievement gap grew by 0.02 grade levels more per year over this time period in districts with CDOs versus those without them. And the gap between poor and non-poor students grew by 0.01 grade level in districts with CDOs compared to those without them.”<sup>61</sup>

Expenditures on these staff – and these programs – are not insignificant; at the beginning of the 2023-24 school year, one USA Today headline bluntly stated “Schools spend billions on training so every student can succeed. They don’t know if it works.”<sup>62</sup>

Respectfully, I suggest to the committee that it is not a lack of money that is the problem in schools; rather, it’s how the money is being spent. We would prefer for our children to stay in a classroom and learn how to read and write, rather than be sent out in the snow to march in support of BLM.<sup>63</sup> We want our children to know how to get the right answer in math class, period – not be told that showing their work is “white supremacy.”<sup>64</sup> We want our children to be safe when we drop them at the schoolhouse gates, and for their teachers to not tell them that their parents’ love might be conditional based on gender identity.

Fixing the American education system is going to be difficult, and it will take an all-hands-on-deck approach. But to do so, it is essential that we identify and grapple with the real problems – rather than simply pre-election sloganeering.

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<sup>61</sup> Greene, Jay and Paul, James. “Equity Elementary: ‘Diversity, Equity, and Inclusion’ Staff in Public Schools,” October 19, 2021. <https://www.heritage.org/education/report/equity-elementary-diversity-equity-and-inclusion-staff-public-schools>

<sup>62</sup> Reynolds Lewis, Katherine. “Schools spend billions on training so every student can succeed. They don’t know if it works,” USA Today, September 14, 2023. <https://www.usatoday.com/story/news/education/2023/09/14/flawed-equity-efforts-us-schools-teachers/70679911007/>

<sup>63</sup> Leesman, Madeleine. “Maine Elementary School Encouraged Students to Participate in BLM March,” Townhall.com, May 11, 2023. <https://townhall.com/tipsheet/madelineleesman/2023/05/11/students-blm-protest-n2623113>

<sup>64</sup> Jacobson, Linda. “Can Right Answers Be Wrong? Latest Clash Over ‘White Supremacy Culture’ Unfolds in Unlikely Arena: Math Class,” The 74, June 21, 2021. <https://www.the74million.org/article/can-right-answers-be-wrong-latest-clash-over-white-supremacy-culture-unfolds-in-unlikely-arena-math-class/>