

HCS HB 2189 -- CURRICULUM MATERIALS

SPONSOR: Coleman (97)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elementary and Secondary Education by a vote of 11 to 7.

The following is a summary of the House Committee Substitute for HB 2189.

This bill modifies and creates provisions regarding curricula and programs taught in public schools.

This bill prohibits the State Board of Education and the Department of Elementary and Secondary Education (DESE) from promoting the curriculum to be used in public schools. Each local school board shall be required to approve and adopt the curriculum used by the school district at least six months prior to implementation. Each school board shall adopt policies and procedures to ensure the approved curriculum is properly implemented in the classroom. The bill details requirements for the choice of academic class offerings and curriculum materials. At least five years of data showing percentages of students by grade level and proficiency based on state assessment scores shall be posted in the same section as the curricula on the district's website (Section 160.516, RSMo).

All professional development and instructional materials offered to schools that are paid for with state funds, whether offered by DESE or another party shall be fully transparent and available to the public as outlined in the bill. Program materials shall be available to the public at no charge on DESE's website and program offerings shall be open for public attendance.

The bill details the posting and retention requirements for program offerings. For programs offered by third parties, DESE shall maintain data and information on its website as outlined in the bill (Section 161.023).

This bill creates the "Missouri Education Transparency and Accountability Portal". The portal shall be an Internet-based tool creating transparency in Missouri's public education system and providing citizens access to every school district's curriculum, source materials, and professional development materials. The portal shall consist of an easy-to-search database including certain information as outlined in the bill. The Commissioner of Education shall establish a form that school districts shall complete with the information required by the bill (Section

161.852).

Under this bill, school districts and charter schools shall publish on their websites all training materials used for staff and faculty training, all instructional materials, and all curricular materials related to nondiscrimination, diversity, equity, inclusion, race, ethnicity, sex, or bias, including certain information as described in the bill related to instructional materials and curricular materials.

Such materials shall be displayed within seven days after the use of such materials in training or instruction and shall remain displayed for at least two years.

Any employee of a school district that discloses a violation of this provision shall be protected from any manner of retaliation as provided by current law.

Suit for alleged violations of the bill may be brought by DESE, the Attorney General, local prosecuting attorney, local county counselor, local circuit attorney, or a local resident.

Such suit shall be brought in the circuit court for the city or county in which the alleged violator is located. Upon a finding of a violation, injunctive relief shall be issued to correct such violations. Knowing violations shall result in a civil penalty of up to \$1,000, and purposeful violations shall result in a civil penalty of up to \$10,000 in addition to attorney's fees and costs.

School districts and charter schools may bring suit in the local circuit court at their own expense, or may seek a formal opinion from the Attorney General, to ascertain the propriety of actions and decisions that may violate this bill. Such determination may include a review of proposed uses of school resources or particular materials (Section 170.360).

This bill contains an emergency clause.

This bill is similar to SB 645 (2022).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that during the pandemic parents became aware of the curriculum being used in the public schools and that this created some consternation for them. Local school boards should still determine the curriculum however more transparency would help to allow parents to feel more comfortable about what

student's are learning. To often districts are taking tax dollars and the end result seems to be wasted as students consistently under perform.

Testifying for the bill were Representative Coleman; Ali Graeff; Amber Crawford; Andrea Shrum; Celeste Williams; Dr. Lisa E Gore; Eimee Cook; Elizabeth Downer; Hannah Huff; John M Defriese; Julie Boerner; Kriket Riddle; Lora Young; Matt Deniszczuk; Matthew Crawford; Nancy Goeddel; Rachel Lively; Sara Barnard; Sophia ONeal; Tracy Welborn; Candice Doerr; Rachl Aguirre; Tambra L Wiley; Christine; Christine Umfleet; Constance Kuchar; Cynthia Hoffmeister; Don Grimm; Jessica Grimm; Paula McClanahan; Stephanie Diestelkamp; Terri Baker; Kim Swartz; and Lindi Williford.

OPPONENTS: Those who oppose the bill say that limitations on curriculum and on districts handcuff educators and hold students back from learning. This bill is unnecessary and students should be able to study all aspects of our history including the systematic racist and sexist parts. Limiting history to being only taught from one perspective will harm education in our state and this language seems to be merely redtape, and the idea that history must be presented in a positive light is vague.

Testifying against the bill were Angela Sanders; Annie Bernaix; Arnie C. Ac Dienoff; Arthur L Maxwell; Beth Newman; Cheryl Ranum; Christen Santoscoy; Constance Doty; David Mountjoy; Dawn Banks; Delores Blaser; Devon Rafael Teran, Revolución Educativa; Erin Kasten; Geralyn Madigan; Heather Zychalski; Janice Colt; Jeff Wolman; Jessica Pool; John L. Sita; Kristie Johnson; Laura Marcus Mountjoy; Lorri Richardson; Pro Choice Missouri; Mary Lindsay; Megan VonArb; Michael Bourbina; Michelle Shepherd; Rebecca Shaw; Rebekah Berkowitz; Missouri Association of School Administrators; Sharen Hunt; Sloan Sheffield Cowell; Susan Gibson; Susan Shumway; Teddy Wiberg; Victoria Godfrey-Zeller; Philip Deitch; Becky; Maria Lena Tolliver; Marissa Polzin; Missouri NEA; Catherine Holmes; Cheryl R Schlegel; Dava-Leigh Brush; Emily Klein; Hannah Mitchell; Jarrett Pillsbury; Julie Scott; Laura Burkhardt; Linda Hoechst; Advocates of Planned Parenthood of The St Louis Region and Southwest Missouri; Marilyn Dollinger; Nichole Brinkmann; Peggy Harriman; Stephanie Rittgers; Tom Ferri; Shira Berkowitz, PROMO; and Connor Luebbert, Missouri State Conference of the National Association for the Advancement of Colored People.

OTHERS: Others testifying on the bill say there are concerns about the requirement of keeping presentations, programs, and materials that might be copyrighted and that this bill seems to single out clubs and after school activities.

Testifying on the bill was Suzanne McGinnis.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.