



# Alberta Darling

Wisconsin State Senator · District 8

Testimony before the Senate Committee on Education

Senate Bill 962

2/23/2022

Thank you committee members for taking the time to hear Senate Bill 962.

This bill is part of the Empowering Parents K-12 Education Reform Package to address the growing demand from parents to tailor their children's individual education, establish accountability, and encourage collaboration with educators.

You will hear today from parents who have personal testimony on why this bill is necessary. When it comes to raising children, parents know what's best. It is a parent's job and right to raise their child, not the governments.

Senate Bill 962 establishes and re-affirms a number of parental rights relating to a child's religion, medical care and records, and education. It creates a cause of action for the violation of these rights. It also allows for a parent to bring a suit against a governmental body or official based on any violation of the rights or any other action that interferes the fundamental right of parents to direct the upbringing, education, health care, and mental health of their children. The attorney general is authorized to enforce this section. A list of a few of the rights are:

- The right to determine the religion of the child.
- The right to determine the type of school or educational setting the child attends.
- The right to determine medical care for the child, unless specified otherwise in law or court order.
- The right to review instructional materials and outlines used by the child's school.
- The right to request notice of when certain subjects will be taught or discussed in the child's classroom.
- The right to opt out of a class or instructional materials for reasons based on either religion or personal conviction.
- The right to visit the child at school during school hours, consistent with school policy, unless otherwise specified in law or court order.
- The right to engage with locally elected school board members of the school district in which the child is a student, including participating at regularly scheduled school board meetings.

I want to thank Representative Gundrum for leading these efforts in the Assembly, and thank you again committee members for hearing Senate Bill 962. I hope to have your support.



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# RICK GUNDRUM

STATE REPRESENTATIVE • 58<sup>TH</sup> ASSEMBLY DISTRICT

## Testimony on Senate Bill 962

Assembly Committee on Education | February 23, 2022 | Room 412 East

Chair Darling, Vice-Chair Bernier and other distinguished Members of the Senate Committee on Education thank you for the opportunity to testify on Senate Bill 962. I am proud to have authored this legislation with my legislative colleague Senator Alberta Darling to address the requests of many parents to ensure that their parental rights are guaranteed.

This legislation will ensure that parents have and know their rights relating to important decisions when it comes to their children. There are precisely fifteen rights in SB 962 that are reserved to the parents without interference from the state and other government entity. These rights include matters related to religion, education, and medical care. Additionally, a guardian has all of the rights listed in SB 962, unless they are limited by law or court order.

In addition to SB 962 outlining these rights, it gives parents and guardians the opportunity to bring forward a lawsuit if their rights are violated. A parent or guardian who is successful in their claim may recover declaratory relief, injunctive relief, reasonable attorney's fees and costs, and any other appropriate relief.

When it comes raising children, parents know what is best. As state legislators, we should ensure that parents have a seat at the table when it comes to important decisions related to their children. SB 962 does the right thing by empowering parents in Wisconsin when it comes to those important decisions.

My name is Alexandra Schweitzer, I am President of the Republican Women of Waukesha County, I am also President of No Left Turn in Education - Wisconsin, and a Lake Country Classical Academy School Board Member.

Collectively the two groups that I am President of have over 25,000 members.

I am the daughter of a legal immigrant to this Country, my courageous mother crossing 2 continents to get here, and my Father an American born Irish Italian. I learned to make Naan, and so many different curries from my Mother's Mom; I listened to stories and learned the art of debate from her Father. My Father's Father teaching me the love of music as he would sing, filling my parents home with the majesty of one of the finest tenors I have ever had the pleasure of hearing - as my Nonna took my hands and taught me how to make pasta. I have lived a most incredible life, a life most can only dream of.

I do not sit here today representing any of these organizations, I am not representing my parents or grandparents. I sit here as a Mom.

I have 3 children, 11, 12 and 17, My oldest has never stepped foot inside a public school building as an academic student. My husband and I believing we were giving her the best education our money could afford to give her, only to be bitterly disappointed as we have seen her victimized by a school system that we simply did not agree with.

My two younger children have bounced from school to school as I desperately sought an education, not an indoctrination for them. Private to public, back to private, now in a public charter school I have kept a close eye on their academics. I did this before the Covid-19 Pandemic hit, and I have done it with rigor since. My middle daughter attending 3 different schools in 3 years, never able to make connections because of needlessly long school closures, masks mandates, vaccine discrimination, and the cruelty of middle school. Her time in public school during the quarantine phase of the last two years is when all hell broke loose. My middle daughter who was in 5th grade would be finished with all of her school work without help from a teacher in 45 minutes; she was told that she could talk to her math teacher during "office hours." The office hours would come and he would be there for mere minutes quickly declaring to

his students that he had to go because he was "babysitting the kids." My daughter learned nothing. She ended the year like the rest of the state, she leveled up having, through no fault of her own, not earning the advancement.

I was stunned to learn that my son, then in third grade was spending more time looking for Waldo than learning the "three R's." On the last day of school in 2021 my son, who had gone months not wearing a mask because I said no more and provided an exemption to the school was hugged by a now mask-less teacher, who only that morning donned a mask and stepped away from him as he got out of my car because he was not wearing a mask.

In the early days of the pandemic parents had our eyes opened to what was being taught, what was *not* being taught and most importantly how our children are being groomed.

Currently, Nature Hill Intermediate in Oconomowoc Parents have contacted me with grave concern that a book, *The 57 Bus*, which has been read allowed in class and much time is being dedicated during ELA to the very controversial gender/sexual identity issues currently being discussed in this country. This book was read aloud without parental consent. Research has shown sexually explicit books have lead to mental damage, drug addiction, prostitution, suicide ideation, thoughts, tendencies and tragically completed. Just yesterday I contacted the school board in Oconomowoc and asked them:

*When can parents and taxpayers expect these books to be pulled from the shelves and kept behind a desk so that they can only be checked out with parental consent, not to be shared inside the school with classmates?*

The book I specifically asked about was not addressed, the fact that it was read allowed in class was not confronted, instead, the Board President hid behind a text from a parent. He said that "transparency is alive and well in Oconomowoc" The text he shared illustrated that there is some transparency, it said that a student expressed interest in controversial books and the the teacher was letting the parent know. I applauded that teacher for doing that, it is what parents are asking for. We are not asking for books to be banned, burned or 20 lashings for the educator that allowed

the book to be there in the first place. We are asking for our parental rights to decide when and if our children should have access to these books.

I pointed out that as recently as August 2021 they said that these questionable books would be pulled from the shelves. It was suggested that the books be kept behind the librarian or teachers desk and could only be checked out with parental consent. I will list 3 books here:

**The 57 Bus**, complete with a list of genders, and what to call a gender dysmorphic child read in the classroom..

**The Gender Studies Workbook**, where our youngest minds learn that their "birthing person" and the "birthing persons doctor" brainwashed the young mind into believing the sex they were born into is in fact their gender.

**It's Perfectly Normal**, where graphic renderings of genitalia, masturbation, sexual intercourse, among others are available.

I was left shocked by his answer, I quote: "the discussion we had months ago was to review the selection of library materials standards and how we can refine that to our community, not academia's standards. We commit to using transparency and communication to help our parents know what is in their kids' backpacks. I believe this because there is no single standard for appropriateness, and I believe in the 1st amendment." (Which, as a side note, was incorrectly written down, as a man responsible for our overseeing our students education should he not be held to the highest standards we have?)

Oconomowoc School Board President Jim Wood was asked when parental rights would be restored by this board and I was told he believes in the First Amendment. I was unaware pedophilia is protected by the First Amendment.

Parents were horrified to see apps on chrome books where disgraceful sex manuals, pedophilia themed books and graphic illustrations were there for our youngest minds to look at and explore, without parental consent.

There is a book on the shelves of our middle schools that tell prepubescent boys how to hide dating apps on their devices and how to groom their adolescent bodies for a meeting with a pedophile. We have removed God from school and replaced Him with moral depravity and wonder what is happening as mental health issues sky rocket. Children are

cutting themselves in record numbers, teachers and counselors are embracing a fragile young mind, guiding them into believing they are gender dysmorphic, never disclosing to the parents a new name, gender and pronoun is being used on the student. A child in Pennsylvania becoming so distraught by this that she attempted to commit suicide on school grounds, not once but twice before the parents were informed.

Obviously I can go on and on about the failure of the school boards, teachers, teachers unions, and, regrettably, the parents, as we put our faith in the school system we trusted only to feel the sting of betrayal by those that we trusted. The fact that we need to have a parental rights bill, have to petition our legislatures to have our rights restored to us is a sad statement, but here we are, discussing giving parents their rights back

We have come to a period in our glorious nation's history where a parent has to have permission to see their child in school. Where we are shamed for asking a question about lesson plans and ridiculed for raising our children in our image; their sexual education in line with parental timelines, not the unions, school boards and teacher. We are told by elected school board officials that sex manuals are protected by the First Amendment.

I am here today, as a parent to remind all of us that we can and must do better. Our children deserve better, our future deserves better, our Country deserves better. I am here today in full support of this bill, and ask that you advance it. Thank you

February 23, 2022

Re: Testimony in support of AB 963<sup>2</sup>

Chairwoman Darling, and Fellow Committee Members,

My name is Emily Donohue and I am a resident of the Elmbrook School District and a Chapter Leader for The Foundation Against Intolerance and Racism (or fairforall.org). My husband and I have three children ages 17, 19, and 21. My mother was a teacher in Willingboro and Beverly, NJ for the majority of her career. Education has always been important to my family. Many of my mom's students and families living in our community had many needs that we filled for a variety of reasons. My brother, ten years younger than I, had special needs and my mom was a strong advocate for his education. I worked hard in school and at home so my mom could focus on my brother, her school kids, and be the primary bread winner for our family.

FAIR advisor Darryl Davis is known for converting over 200 clansmen to give up their robes by focusing on these five things.

We all want to:

- Be Loved
- Be Respected
- Be Heard
- Be treated Fairly
- We want the same things for our family that others want for their family.

Growing up in a diverse community like Willingboro, many people chose to focus on these five things with me and my family. Others had goals that shifted their focus away from these five things. I now know that I've been looking for Pro-Human people all of my life. That is what lead me to volunteer for fairforall.org.

Elmbrook began consulting with ICS Equity over ten years ago. ICS Equity promotes critical instructional theory over direct instruction theory. Teachers promoting scientifically proven methods of instruction like direct instruction (see Project Follow Through) have been encouraged to leave Elmbrook. These teachers have been welcomed into neighboring communities who are seeing an increase academic proficiencies, while Elmbrook's academic proficiencies have been declining since 2015. Most tragic is the decline in graduation rates of students with IEP's from 95.77% in 2010 to 67.35% in 2019 (according to data reported to DPI). Elmbrook was a top tier district for special education amongst benchmarking districts in 2010, but falls to the bottom in 2019. No clear explanation for this is provided, though the 2013 Equity Audit from ICS Equity stated equity would improve overall outcomes for all students by removing ability grouping.

Elmbrook reports that Panorama surveys show students of color do not feel connected despite ten years of working with ICS Equity. I have been advocating for FAIR's approach of focusing on our common humanity, but DPI and Elmbrook administration haven't accepted this invitation. FAIR's education alliance offers a safe place for educators to discuss challenges in a pro-human manner. FAIRstory.org offers accurate history lessons that celebrate achievements and acknowledges shortcomings without dehumanizing. FAIR High School Clubs offer an opportunity for civil discourse through developing intellectual empathy and celebrating diversity of thought.

We clearly have an academic and cultural problem in our schools that 10 years of equity and critical education theory haven't addressed. Concerned parents of all political persuasions have been attending school board meetings to advocate for their children's education. We wouldn't be here today if politicians on both sides of the aisle were doing their jobs. However, parents advocating for their children are being accused of being too political by members of one party. The other party seeks to ride the coat tails of the parent movement to win campaigns. These are OUR children, not pawns in a culture war. A parents bill of rights will help ensure children aren't caught in the middle of a political battle. It will allow parents to advocate for their children without repercussions of being labeled, profiled, doxed, manipulated, or harassed. It allows parents, rather than special interest groups, to determine what's best for our kids. It's time for Wisconsin to put kids first by putting parents first.



February 23, 2022

To: Senate Committee on Education

Re: Testimony in support of SB 962

Senator Darling and fellow committee members,

Thank you for today's hearing. I come before you today in support of senate bill 962. Senate bill 962 is ultimately about protecting the parent-child relationship. It is the fundamental right of parents to direct the upbringing, education and care of our children. However, we have witnessed over the past several years, parents have been shut out of classrooms and our rights slowly stripped away. We have been told we don't need curriculum transparency as teachers and DPI are the "experts". We have been told not to worry about declining math and reading proficiencies, as DEI and social justice are more fundamental to building an education. We have been told that schools want to partner with the parents, meanwhile schools have transgender policies that actively work to deceive and divide child from parent. Parents have lost trust in our government school system, and are now demanding change. This legislation is needed to regain our fundamental rights and liberties as parents, and to preserve a high quality education for all children. Allow me to provide you with some examples of issues happening in our schools and why this bill is needed.

Item 3: The right to determine medical care for the child. I will reference Germantown School District policy #5310, with revision date of October 12, 2020. This policy states:

"The Board shall directly notify the parents of students when any non-emergency, invasive physical examination or screening is scheduled or expected to be scheduled for the students if the examination is: 1). Required as a condition of attendance; 2). Administered by the school and scheduled by the school in advance; and 3). Not necessary to protect the immediate health and safety of a specific student, or other students. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion or injection into the body".

Given this policy, under what circumstances is a non-emergency, invasive physical exam needed to be done by the school. Since it is non-emergent, shouldn't the student have the exam done by their PMD? Likewise, if the exam is to be administered by the school and scheduled by the school in advance, why can the student not have a physical with their PMD scheduled in advance? It is never appropriate for a student to have to expose any private body parts in a school setting. If the student is of opposite sex of the school nurse, is a third party present to ensure the exam is conducted appropriately? The language of "incision, insertion, or injection" is too wide and vague, and easily open to abuse. Parents have deep concerns that this policy would remove liability for schools that give COVID vaccines on-site, or puberty blockers and/or hormonal therapies. If this language is intended for scenarios such as insertion of a feeding tube (G-tube fed dependent students), or injection into the body such as epi pen or insulin, these specific items should be spelled out in the policy. Schools should not be taking it upon themselves to provide unnecessary, non-emergent medical care, when this is the intended role of the PMD.

Fortunately, we were able to have modifications made to this policy in my school district, but how many other schools still have this policy in place?

Item 5: The right to determine the names and pronouns used for the child while at school. For this I will reference Germantown School District policy #5900, relating to transgender students. This policy states, “when reasonable under the circumstances, the District will seek to include a student’s parent(s) or guardian(s) in discussions with the student that relate to the student’s transgender status. As a general practice, District personnel should speak with a student to obtain the student’s consent prior to discussing a student’s transgender status with the student’s parent(s) or guardian(s)”. This policy clearly gives the discretion to the school to determine if, and when, they ultimately inform the parent of this practice at school. This is a reckless and dangerous practice, for the school to align itself as taking the moral high ground with the student and to deceive the parent.

Items 6 & 7: The right to review instructional materials and to access any education-related information. Curriculum transparency as a whole has been a main point of concern for myself and many other parents. In my home district we have made multiple attempts to have full curriculum transparency, but have met resistance from our superintendent and former director of learning and teaching. Parents should not have to file endless FOIA requests to see the materials shown to their student. Likewise, schools must be accountable for the curriculum they are purchasing and implementing with stakeholder dollars. An example of this is the SEL materials purchased through Second Step and CASEL. SEL programs represent a fundamental shift in the role of teachers from educators to therapists and expand the reach of government into domains of the family. Some schools may use SEL programs to assume powers over students’ mental health development beyond their training, expertise and authority. This is not the role of teachers, and again, this highlights the blurring of boundaries where the school is now assuming the roles and responsibilities of the parent.

Item 12: The right to engage with locally elected school board members and participate at regularly scheduled school board meetings. In the Whitefish Bay School District following the meeting on 12/8/21 where parents gathered and spoke up on the school’s masking policy and other COVID measures, the school board updated its Public Participation at School Board Meetings Guidelines, in essence trying to silence parents and giving the board president full control of the agenda and control of what the parents can and cannot speak to. This new policy does not allow for any personal criticism, and speakers are only allowed to speak to items that are on the meeting agenda. If a parent wants to speak to an issue that is not on the agenda, the board president will decide if it is allowed.

Item 15: The right to be timely informed of any acts of violence or crimes occurring on grounds of the child’s school. In Germantown School District, a physical altercation occurred between 2 students in the cafeteria, resulting in a girl bleeding from her face and having her glasses broken. Parents became aware of this fight by hearing it firsthand from their student, and received no communication from the principal, superintendent or district administrators. In addition, the principal and superintendent decide if, and when, this information is shared with the school

board. The board is typically only made aware of disciplinary issues when a student is brought to the board for expulsion. Whenever a student witnesses an act of violence on school grounds, or transportation (as buses are an extension of the school), district administration must be transparent and proactively communicate these incidents with parents, so that they do not need to hear of it firsthand from their child. In addition, parents need to have this knowledge so they can appropriately discuss it with their child, as no child should have to witness an act of violence, and should receive proper counseling. Also in Germantown, 2 students had a physical altercation on the bus. The bus driver had to pull over and call the police, which resulted in the arrest of both students. Parents were made aware of this fight through their child and fellow parents, and not made aware from district administrators.

Lastly, and most disturbingly, I share an incident from West Bend School District. On Monday night a mother gave a heartbreaking story of her son repeatedly bullied and physically assaulted on the bus. First he was punched in the back of the head and mouth causing blood drawn. It was reported to administration, but mother wasn't contacted. On a second occasion this same student attacked this boy, along with 3 other boys, and again, parents not notified. Two weeks ago, this same student brought a wooden shank on the bus, stabbed the seat in front of the boy, knocked off the boy's glasses, and then attempted to stab the boy in the neck and chest. It was reported to administration, but mother never contacted. Then as of last Wednesday, this same student hid a fiberglass snow stake in his jacket, boarded the bus, poked other students in the head with the stick, and then hit this same boy in the head and neck with the stick. 4 separate incidents of assault, and district administrators never contacted the parents of the affected child.

Schools will use student confidentiality as an excuse to hide behind not informing parents of these issues. However, a child witnessing these acts of violence and not being able to properly process or understand what happened, is emotionally damaging and traumatizing. Children will internalize this fear and trauma, leading to them having behavioral changes and become withdrawn. It leads to the normalization of this violent behavior which has no business occurring in schools. At a minimum, districts must report acts of violence so that parents are informed, can intervene appropriately with their child, while maintaining the privacy and confidentiality of minor(s) involved.

Children are the un-consenting subjects of progressive social experiments, and our schools have become ground zero for these experiments. Our participation in our children's education is the most critical factor in assuring school accountability under the law. This Parents' Bill of Rights provides a roadmap for parental engagement and serves as a resource for our participation in our children's educational future. Thank you.

Alyssa Pollow  
Germantown, WI  
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February 23, 2022

Thank you, Senator Darling, and Representative Gundrum, for introducing this Bill and thank you to those of you who brought it here to the Senate today.

My name is Julie Zaccaria, I am a resident of Brookfield, WI and I have 2 children in high school.

I am here to provide support for SB962, regarding "parental rights".

I provided written testimony a couple weeks ago to support this Bill which is being proposed to protect children and their family unit, by establishing meaning to several imperative "parental rights". This Bill is a common-sense addition to The Children's Code as practically speaking, meaning of the words "parental rights" is required.

I have read through much of The Children's Code. The term "parental rights" is used approximately 238 times. This term, these words, are mainly used in regards to the termination of "parental rights", in order to protect children from "unfit" parents. In fact, I only saw "parental rights" without the words "the termination of", less than 15 times. But nowhere could I find a reference what those "parental rights" are.

I suppose one could argue a definition is not really needed when terminating parent's rights, because in actuality, it means placing the responsibilities of raising a child, in someone else's hands.

It seems the Supreme Court's TROXEL case disrupted the previously held interpretations and set standards from our Constitution as to what constitutes "parental rights".

Please make no mistake, this Bill is not needed to protect children from their grandparents, or any other blood relative. It is needed to protect them from outside forces that are attempting to take away their lives, and their parent's liberties.

The purpose of The Children's Code is pretty clear:

Section 48.01 states the purpose is to put the best interests of children as the primary consideration, to protect children, to preserve their family unit, to strengthen family life, and to assist parents in fulfilling their responsibilities of putting the best interests of their children as the primary consideration.

Interestingly, "parental rights" is not even defined in section 48.02.

Without this Bill, the term "parental rights" has little legal meaning for parents who are upholding their legal responsibilities and are "fit" to maintain and manage what is in their children's best interests. Parents are not getting the assistance they need to defend their position of what is clearly in their children's best interests.

Both the Medical Industry and the Educational Institutes are operating in a manner that breaks up family unity, diminishes the value of family, and harms children educationally, emotionally, psychologically, and possibly, secondarily, physically in the long-term.

These systems are harming children through the long, established lens of psychology.





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**TESTIMONY IN SUPPORT OF SENATE BILL 962**  
**SENATE COMMITTEE ON EDUCATION**  
**WEDNESDAY, FEBRUARY 23, 2022**  
**JULAIN K. APPLING, PRESIDENT**

Thank you, Chairman Darling and committee members, for the opportunity to testify on Senate Bill 962. I am Julaine Appling, president of Wisconsin Family Action. Wisconsin Family Action supports SB 962.

This bill deserves some historical context because the idea of a bill deemed a parents' bill of rights should give most citizens pause. We should all be asking, "Why is this bill necessary?" Followed by, "Of course parents have rights related to their children. After all, children belong to parents. It is the responsibility of parents, not anyone else, to rear their children, to make important decisions for them, to care for them, to know anything and everything that concerns them."

That's the self-talk and the across-the-backyard-fence talk that should be happening upon hearing about this bill. To be blunt, a bill of this nature should not be necessary in Wisconsin or anywhere else in this country. And yet, in recent years a number of states have enacted laws similar to the provisions in SB 962. Talk of a federal parents' bill of rights is ramping up.

We assert that parents absolutely have every right enumerated in this bill—and even more importantly, as this bill appropriately states: "A parent of a child in this state has inalienable rights that are more comprehensive than those listed in this section, unless such rights have been legally waived or terminated" (p. 5, ll, 8-10).

"Inalienable rights" – defined legally as rights that "are not transferable or capable of being taken away or nullified." Our Declaration of Independence speaks of "inalienable rights": "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights...." This founding document actually acknowledges the source for "inalienable rights": our Creator, who is, as the founders would acknowledge, God. Frankly, their source is what makes "inalienable rights" inalienable. Because government doesn't create or bestow these rights, government cannot revoke or transfer them.

When the Declaration was written and 100 years later when the US Constitution was signed and ultimately ratified, parents having rights—inalienable rights—when it came to their children was considered to be "self-evident." That's why the Constitution doesn't spell out any parents' rights. Our founders couldn't imagine that a bill of this nature would ever be necessary.

But the times, they have definitely changed—and today, sadly, maybe even tragically, we need to specifically codify certain rights parents have. Senate Bill 962 does that with the 15 delineations it contains. Why these 15? Because we have seen multiple times and places where the state and/or its agents have abused their power and encroached on these rights of parents when it comes to their children. You can go down the list on pages 3 and 4 and most of us can immediately recall recent incidents where egregious wrongs were done to parents and their children in each cited right—whether regarding a child's education, medical care, or mental health.

Children are not wards of the state or any of its agents. But time and again, the state and its agents are acting as if they have territorial, legal rights that trump those of parents. This bill is designed to make sure these entities and agents, as well as the courts, are very clear about where the right to decide for and know about children rests—and it is with parents.

This bill has been introduced as a part of a package of education bills, and I believe that is appropriate given that several of the delineated rights have to do with education.

Horror stories abound today about how schools, for instance, have withheld critically important information from parents about what is happening with their child at school. Some schools even have policies informing school personnel that it is fine (even expected) to lie to parents in some instances. Fortunately, our friends at Wisconsin Institute for Law and Liberty are suing a couple of these schools on behalf of aggrieved parents—and I hope these lawsuits prevail and cause other schools in this state to closely examine their policies and practices.

I am sure lawyers can cite numerous court decisions and pertinent case law that show specific rights of parents being recognized and protected. Some of these rights are included elsewhere in state and federal law. In light of this, some might argue this bill is unnecessary. We disagree. Putting these rights together in this specific place and way and spelling out these certain rights to make it abundantly clear about the limitations of the state and any of its agents is necessary for all the reasons I've just mentioned and more.

Furthermore, clarifying the legal standard by which to assess whether parents' rights have been abrogated and creating a cause of action for parents is imperative. This is prudential law. No parent should be left defenseless when government tries to strip them of their right to decide what is best for their child. This parental rights bill creates a balancing test that directs judges to take seriously in court every parent's right to determine what is best for their child.

One aspect of the bill that I've already mentioned bears repeating, and that is that parents retain other inalienable rights that are not delineated in this bill. If there were time, I would discuss more in depth how this relates to the little-understood and little-invoked Ninth Amendment of our US Constitution, which says, "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." This amendment should be invoked and language such as is included in SB 96~~2~~ should be included more and more as we see our self-evident, Creator-endowed, inalienable rights stripped away by every level and every branch of government—including the rights of parents to bring up their children.

We urge the committee to support SB 96~~2~~ and move it to the full Senate expediently.

Thank you for your time today and for your careful consideration of our position on this bill.





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February 23, 2022

Madame Chair Darling and members of the Senate Committee on Education,

Thank you for the opportunity to testify today on Senate Bill 962, the parent bill of rights legislation introduced by Sen. Darling and Rep. Gundrum. My name is Libby Sobic and I am an attorney and Director of Education Policy at the Wisconsin Institute Law & Liberty. WILL is a non-profit law and policy organization. Over the last several years, we have represented public school parents as they navigated their public-school administrations while fighting for the best interests of their children.

SB 962 addresses specific obstacles that public-school parents navigate daily. In response to these challenges, this bill creates a statutory and legal right for parents and guardians to make the best decisions for their individual child and their education.

In support of this legislation, my testimony today will be broken into two sections. The first will address specific provisions of the bill with examples of issues from when WILL has either represented a public-school parent or issues that have been publicized by the media. The second half of my testimony will discuss the impact of this legislation; specifically, how it empowers parents and taxpayers.

1) **SB 962 is a response to Wisconsin parents' experiences with the public-school system.**

Unfortunately, local public schools have established policies and procedures that undermine Wisconsin's parental rights to make decisions about their child's education, healthcare and overall welfare. SB 962 is a response to specific concerns raised by Wisconsin parents, including:

*The right to determine the names and pronouns used for the child while at school*

WILL has two active lawsuits representing public-school parents against the Madison Metropolitan School District and Kettle Moraine School District regarding the districts' policies regarding gender pronouns and student nicknames. Both districts, as well as others across the state, have a policy that requires teachers and school administrators to treat children as though they are the opposite sex while they are at school by using any name and pronouns they want, without parental notice or consent, and even if the parents disagree. In addition to our clients, we've been contacted by at least three more parents from around the state with children who have secretly transitioned at school without their knowledge or consent.



Included in my testimony today is a letter from our client, a mom whose daughter attended Kettle Moraine School District and was subjected to this harmful policy.<sup>1</sup>

These policies are harmful to our clients' children and all public-school children. Many experts in this area believe that transitioning to a different name and pronouns during childhood, when reinforced by respected adults, can become self-reinforcing and do long-term harm. Gender dysphoria is also a serious medical condition. If a child is experiencing gender dysphoria, they need access to medical care and psychotherapy support that cannot be provided within the public-school systems. To withhold this information from parents is without a doubt harmful to the overall wellbeing of the child because it may delay access to critical medical care that is needed.

SB 962 ensures that schools will defer to parents on this serious issue, and that parents will no longer be kept in the dark about important medical decisions regarding their child.

*The right to review educational materials and access to learning materials*

This legislation empowers parents to have access to the learning materials used in the education of their child. Parents have this right under the state's public records laws and the pupil rights amendment, a federal law. However, there has been news story after story about parents attempting to get information from their local school districts without avail due to barriers such as long delays or expensive fees. Other parents have been denied access by their district.

For example, Fox6 News Milwaukee covered this issue in April 2021 and interviewed parents attempting to get information from their children's public schools.<sup>2</sup> Specifically, the Waukesha parent submitted a public records request to the district about student performance data, such as hours of absences and average GPA, etc. But the district asked for over \$500 to cover location fees.

WILL faced similar challenges when submitting records for classroom materials. When WILL submitted narrowly tailored requests for key terms for two high-school classes at districts across the state, fees ranged from \$351 (from Appleton Area School District) to over \$10,000 (from Madison Metropolitan).<sup>3</sup> Even worse, some districts, like Sheboygan Area School District, never responded to our public records request. Classroom materials should not be inaccessible due to high fees or districts ignoring public records laws.

This legislation ensures that parents have access to materials related to their child's learning. This provides vital access as parents engage with their child's teachers and school administrators.

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<sup>1</sup> See attached testimony from our client in *B.F. v. Kettle Moraine School District*. The family sought professional and medical support for her, and after extensive research, decided that immediately transitioning would not be in her best interest. But the Kettle Moraine School District refused to honor their decision. The principal informed them that it was district policy that if their daughter returned to school, school staff would refer to her using whatever name and pronouns she wanted while at school, even over her parents' objection.

<sup>2</sup> Fox 6 News, April 22, 2021, "So you want information about your child's school; got \$500?" <https://www.fox6now.com/news/so-you-want-information-about-your-childs-school-got-500>

<sup>3</sup> Opening the Schoolhouse Door, WILL Report, [https://will-law.org/wp-content/uploads/2021/05/OpeningTheSchoolhouseDoor\\_FINAL.pdf](https://will-law.org/wp-content/uploads/2021/05/OpeningTheSchoolhouseDoor_FINAL.pdf)





*Right to be notified about surveys to students*

SB 962 also puts some existing federal rights into state law for public-school parents. This is important because there have been recent examples of districts violating parents' federal rights.

Federal law protects students from being required to participate in any sort of “survey, analysis, or evaluation” that divulges information concerning, among other things, political affiliations or beliefs of the student or the student’s parent; legally recognized privileged relationships, such as that between a physician and a patient; and religious practices, affiliations, or beliefs of the student or student’s parent.” 20 U.S.C. § 1232h(b)(1), (6), (7). Federal law also requires that any survey on these otherwise-prohibited subjects require prior parental notice and consent. 20 U.S.C. § 1232h(c)(2)(C)(ii)

In August 2021, WILL sent a letter<sup>4</sup> to Milwaukee Public Schools when a parent shared that a geometry teacher at Rufus King High School issued a survey on the first day of classes asking students about their vaccination status and requiring that those who were not vaccinated provide the teachers with reasons why they were not. Neither the teacher nor the school complied with federal law when issuing this survey to high-school students. SB 962 includes a provision that will ensure that public schools are following federal law and providing important advanced notice to parents.

*The right to opt-out and be notified about educational topics*

In Wisconsin, as well as other states across the country, parents have been leading the discussion about curriculum and parents' concerns about age-appropriate material used in the classroom. This legislation does not require the removal of controversial curriculum. Rather this legislation provides parents with options to decide their own child's educational experience and learning materials based on whether that material violates the parent's religious or personal convictions.

Existing law gives parents a limited ability to opt their child out of some requirements. Specifically, parents may opt-out of human growth and development courses and state-manded assessments. Districts may have an additional policy that allows parents to opt-out of classes but that is not a consistent policy across the state. SB 962 provides all parents access to information about what is being taught in the classroom and the ability to decide whether it is appropriate for their child in accordance with their beliefs.

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<sup>4</sup> WILL letter to Milwaukee Public Schools regarding survey, August 27, 2021, <https://will-law.org/wp-content/uploads/2021/08/2021-08-27-Letter-to-MPS-re-vaccination-quiz-FINAL.pdf>



*The right to visit the child at school during school hours, consistent with school policy*

WILL represented a parent who wanted to visit her child’s classroom at Kenosha School of Technology Enhanced Curriculum in September 2021. Her son was struggling academically and telling his mother of disruptive behavior in the classroom. In an attempt to better understand her son’s experience and struggles, she made a request to visit the classroom consistent with school board policy and federal law. But after several requests to observe her son’s classroom in person, the district continued to deny our client. Only after months of repeated attempts and a letter from WILL<sup>5</sup> explaining the federal law’s explicit requirement for districts to have a policy for parents to “observe classroom activities” did the district permit our client access.<sup>6</sup>

This provision will ensure that school administrators are following federal law, including implementing their own policies for parents to visit the child during school hours.

*The right to engage with local school-board members*

Without a doubt, the pandemic has empowered parents to ask questions to their local districts in a way that many school boards and school administrators have never experienced before. Unfortunately, there continues to be a power struggle of sorts between districts and parents.

As school boards decide how to best engage parents and taxpayers, it is important to remember that they must remember that parents do indeed have a right to engage school-board members in the district where their child attends school. However, parents do not have the right to speak at all times or in all places. The state and districts can impose reasonable time, place and manner limitations on parent speech. This provision ensures that districts meet this requirement.

*The right to be notified about student safety and incidents of violence*

SB 962 addresses the important issue of student safety. Specifically, the legislation requires a school to notify parents about security updates, disciplinary actions taken against their child and if crimes or acts of violence occur on a school campus.

Student safety is an important topic to parents and students. We know this because a multi-year survey by University of Wisconsin-Milwaukee asks Milwaukee Public School students, among other things, about their feelings of safety across a number of different dimensions including in hallways, classrooms, bathrooms, and walking to school.<sup>7</sup> Many middle and high-school students reported that they felt “not safe” in a number of locations in and around their school.<sup>8</sup>

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<sup>5</sup> WILL letter to Kenosha Unified School District regarding access to classroom, November 3, 2021, <https://will-law.org/wp-content/uploads/2021/11/Letter-to-KUSD-re-Parental-Access-to-Classrooms-FINAL.pdf>

<sup>6</sup> WILL resolves issue with Kenosha Unified School District, November 8, 2021, <https://will-law.org/kenosha-schools-to-allow-parent-to-observe-classroom-after-will-letter/>

<sup>7</sup> Using School Climate data to Improve Milwaukee Public Schools, <https://www.udisp.com/schools>

<sup>8</sup> 2020 survey results with more than 50% of high school and middle school student responses: Audubon High School, Milwaukee High School of the Arts, and Roosevelt Middle School.





This matches the trend for MPS schools on average that students reported feeling “not safe” while at school.<sup>9</sup>

The importance of SB 962 provisions was also highlighted by a recent news reports out of Milwaukee. WISN 12 reported that the district failed to notify parents about the shooting of five individuals, including several students, outside of Rufus King High School last week.<sup>10</sup> Instead, many parents found out about the incident on the news. But this issue is not specific to just Milwaukee.

The University of Wisconsin-Milwaukee data is informative. Unfortunately, not every public-school parent has access to this sort of the information about the overall safety environment of their child’s school. Particularly in our urban schools, student safety is often a primary concern – even above things like academics. This legislation will help ensure that parents have the information they need in evaluating school safety.

**2) SB 962 creates a statutory parental right to direct the education of their child.**

This legislation creates a legal standard for state infringement on fundamental rights of parents and guardians through specific items enumerated in the bill. It also gives parents and guardians a way to hold the district accountable for their actions if the district is found to fail to meet the requirements of this legislation. As explained in my testimony, these provisions are important because districts are not meeting these requirements today.

This legislation includes protections against an individual who may attempt to use these fundamental rights in an effort to harm a child. School administrators and teachers continue to be mandated reporters for any concerns of harm towards the child and courts continue to have the power to restrict or terminate parental rights.

While the hope is that local school districts would be responsive to parents’ questions and concerns, our examples today show that all too often that is not the case. This legislation will help change the dynamic – empowering parents to know more information about their child and ensuring that the district is treating the parents as an equal partner in the education of their child.

I would be happy to answer any questions.

Libby Sobic  
[libby@will-law.org](mailto:libby@will-law.org)  
Wisconsin Institute for Law & Liberty

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<sup>9</sup> 2020 survey results MPS average: MPS school average for “in the hallways at school” was 11% students reporting feeling “not safe.” MPS school average for “in the bathrooms of the school” was 15% of students reporting feeling “not safe.” MPS school average for “outside around the school” was 19% of students reporting feeling “not safe.”

<sup>10</sup> WISN 12, February 7, 2022, “Parents: District failed to properly communicate shooting outside school,” <https://www.wisn.com/article/rufus-king-parents-say-district-failed-to-properly-communicate-shooting-outside-school/39007319#>

February 23, 2022  
To: Senate Committee on Education  
Re: Testimony in support of SB 962

Kathy Adamson  
Hartland, WI

Esteemed Committee Members,

I support the Parents Bill of Rights.

Why do I support this bill? Because it helps families, schools, and state government.

#### How the Bill Helps Families

It gives parents leverage in the debate about public education in Wisconsin. Parents support public schools through property taxes and by sending their children to public school, which adds to the student count considered when state and federal funds are granted. So, parent voices should count.

Parents thought they had leverage. They thought the state department of instruction, school administrators, and teachers respected and sought parent input. Some do. Some don't - as a cursory look at the national news can tell you. There are numerous instances of parents being dismayed upon realizing that school staff called their child by a new name or pronoun, or segregated their child by skin color and labeled them a victim or an oppressor, or discussed online the need to promote gender diversity in elementary-age kids while intentionally hiding such content from parents.

There are many instances of parents disrespecting school administrators and staff, too. That is equally counterproductive.

All the disrespect from every direction must stop. The bill, once made law, would hold schools accountable to a minimum standard of respect. It would incentivize schools to listen and earnestly consider parents' views.

#### How the Bill Helps Schools

The bill, if enacted as law, would take pressure off of schools and give them an avenue to pursue parent-friendly alternatives to the Department of Instruction recommendations regarding teacher trainings and school board policies. If passed, this bill would support school administrators and staff by relieving them of some possibly unwanted responsibility (personal, professional, and legal). It would give the schools clear guidelines to reference when making decisions on these topics. Further, the school administrators and staff would have confidence knowing all schools in the state follow the same rules. Most importantly, it will help repair the bond between parents and educators. Once the bill is passed, parents can relax knowing policy supports them as the main decision-maker in their kids' lives. Parents will also take comfort in knowing they can access, and express opinions on, educational materials without feeling like they're opposing school rules. Parents will have more trust in the establishment again.

#### How the Bill Helps State Government

This bill would help the state government by bolstering its currently unsteady standing in the eyes of many Wisconsin voters. Parents are a large voting bloc. Many parents have some concerns about the

direction public education appears to be heading in this country. Elected officials who support this bill will buoy parent confidence in Wisconsin government.

To: Legislature

Re: TESTIMONY for AB963/SB974 — PARENTAL BILL OF RIGHTS

Date: Friday, February 18, 2022

From: Mrs. Jody Geenen (1511 Primrose Lane, West Bend, WI 53090; 262-343-3486; [jodygeenen777@gmail.com](mailto:jodygeenen777@gmail.com))

This is my written testimony in SUPPORT of AB963/SB974 — PARENTAL BILL OF RIGHTS.

The Covid pandemic has brought the inherent need for parents to re-establish their God-given rights to govern their children in ALL matters including religion, medical care and records (both mental health and physical health), and education.

For example, parents are still dealing with trying to unmask their children in schools and other places. Masks can pose mental and physical harm to children. If masks work, then those who want them will be protected by their own mask. There is no need to force parents to endure having their children being harmed by the masks. Masks can also oppose religious beliefs such as covering up the beautiful faces that were created in the image of God.

Parents are also put in a position these days to worry about sending their children to school for fear that their children will be indoctrinated to believe that vaccines are saviors with no harms. I have seen several academic resources up for consideration in our school district that are doing that. Vaccines are pharmaceuticals, and just like all pharmaceuticals, they come with harms. Moreover, schools around our nation have been luring children into getting the Covid shots without parental knowledge or consent. This must end for all vaccines, Covid-related or not.

Likewise, schools and medical providers have been known to provide sex and gender counseling and contraception without parental knowledge or consent. This is stepping on religious, educational, and medical boundaries that belong to the parents and it must end. I have witnessed these things happening with my own children when they were minors.

As a school board candidate twice and a concerned citizen, I have been reviewing educational resources and have been appalled by the indoctrination that they contain. The indoctrination steps on religious bounds, mental and physical healthcare, and much more. Parents need to have access to the resources and curriculum so they will know when to opt their children out of these classes or talk to their children to try and alleviate some of the harms done at school.

In addition, many parents have told me that when their children have been sent to the office for discipline, they have not been notified by the schools about such incidents. Parents have the right to know these matters.

This bill covers all of these matters of concern and much more. Please SUPPORT this bill. Thank you for your time and consideration.

February 23, 2022

To: Senate Committee on Education

Re: Testimony in support of SB 964 and SB 962

Senator Darling and Fellow Committee Members,

Thank you for today's hearing. I come before you today in support of Senate bill 962, and Senate Bill 964, and ask for your support as well. These bills are inextricably linked in my opinion, and that is why I want to address them in combination.

I am a professional working mother of a 7 year old, and we reside in the New Berlin School District. Like many other parents, I watched as the school closures, mandates, and other overreaching government actions impacted my child and my family, directly. My daughter was shut out of school during her 4K year, and as a result of public school districts taking away the rights of parents to make medical decisions for children - we removed her from the district and she was homeschooled for her Kindergarten year.

It was incredibly difficult for our family, but somehow we managed to make it work. Frankly, we had no choice if we wanted to retain any parental decision making at all with respect to not subjecting her to harmful school medical mandates.

When we discovered that a new charter school would be opening in time for her first grade year, we were elated. We loved the curriculum which focuses on classical teaching of core subjects, and we loved the focus on morals and ethics. Most of all, we loved how Lake Country Classical Academy promised to partner with us, and make us a partner in the education of our child. What a refreshing development!

So we applied, and were wait-listed. I was absolutely devastated. You see - there was no way that I was going to be able to continue to homeschool, and we simply cannot afford private school tuition at this time. I felt hopeless, and like I was going to be handing my child over to be taught things I do not agree with, by educators who have made plain that they prefer to instill their morals and values on students rather than allow that work to be done by parents.

Eventually, we made it in - and we love our school so much. The school is transparent about everything being taught via weekly newsletters and regular reviews of potentially sensitive topics - such as a recent unit about world religions. In an effort to respect everyone's views, the school sent home a detailed plan for this unit, showcasing how all major world religions would be represented equally and discussed in a manner that was not "pushing" any specific one, rather examining it from a historical lens. This type of transparency should be the norm - yet it's not. Parents across the state are begging for information only to be told it's "too much work" or as our state superintendent put it - "micromanaging" for parents to ask.

This is why making it easier for charters to open by creating the Charter School Authorizing Board is so vital - every parent deserves to be able to seek out alternative educational options

within the public school system if the current districts fail to meet the needs of their child or teachers refuse to partner with parents.

This is also why passing the Parents Bill of Rights is so incredibly vital - we must protect the relationship between parent and child, and ensure that medical decisions, educational decisions, and all other decisions are left to the people that know and love them best - their parents.

Nicole Balistreri  
New Berlin, WI  
262-412-8176  
nicole.balistreri@gmail.com



February 23, 2022

Madame Chair Darling and members of the Senate Committee on Education,

Thank you for taking the time to read about what happened to me, which has caused me to believe that Wisconsin needs Senate Bill 962, a Parent Bill of Rights to protect parents against school districts across the state.

During the 2020-2021 school year, my 12-year-old daughter attended 6<sup>th</sup> grade at Kettle Moraine Middle School. As much as I would like to say that she was looking forward to a new school, she was struggling mentally due to the isolation from online learning during her 5<sup>th</sup> grade year and her fear of entering middle school. Shortly after school started, she asked if I could find her a therapist to talk about the anxiety and depression she was having. After several attempts to find therapists in the area, I found that there were waiting lists for up to two months due to the increase in need during the pandemic. I then reached out to the school counselor to make the school aware of what was going on with her and to see if they knew of any therapist in the area that might have openings.

While waiting for additional information from the school about available therapy, things got much worse. One mid-December evening my daughter asked to go to inpatient care. She said she was struggling with wanting to end her life and that she wasn't sure she was a girl. I told her that I would call right away in the morning and asked if she wanted to tell me why she didn't feel like a girl. She said that she didn't know, but that a teachers aid at school told her that if she wanted to change her name and pronouns at school she only needed to go to the office and fill out some paperwork. My daughter said that she didn't want to do that without me knowing, and the aid told her to go home and discuss it with me.

The next day I admitted her to a mental health facility where she remained inpatient for 8 days and in an intensive outpatient program for a month. During this time, I reached out to the school about my frustration with the lack of communication from them and to find out why school staff was telling her she could change her name and pronouns without me being involved. I then reached out to the counselor and informed her what was going on with my daughter and to have health information released to the school from the mental health facility.

Once released from inpatient care, she insisted she was a boy and decided on a new name. We discussed this as a family and decided to learn more about gender dysphoria before making a decision about a transition at school. While we were learning more about this, my daughter reached out to the staff and let them know of her wishes.

During the four weeks of researching, I learned a lot that raised concerns for my daughter's overall health, while both the school and the mental health professionals were telling me that social transition is not a big thing. Research and opinions from far more credible sources who have been practicing in the field said something completely different. It could have long term consequences should this not be the right decision for her. Because my daughter experienced Rapid Onset Gender Dysphoria, not having any history struggling with her gender, allowing a social transition could hurt more than help her in healing her mental health struggles. After doing research, I informed the school that I wanted staff to refer to my daughter with her birth name and female pronouns. I let both the principle and counselor know that my family would address my daughter's mental health and keep them in the loop, but we

were choosing not to follow the affirmative care model. The principle then informed me that there were staff members that were in support of the change and wanted to honor my daughter's wishes. I let him know that while I appreciated that, my expectation was that all staff would follow the medical treatment her parents have chosen. But the principal informed me that the district's policy was to follow the wishes of my minor child, rather than her parents. I informed the principle she would no longer be attending the district if they refused to follow the approach we chose for our daughter.

I also decided to remove social pressures on this topic. I took all social media away for a time, while finding her a therapist that would be willing to address her underlying comorbidities of depression, anxiety, low self-worth, and feelings to cause harm to herself. In the three weeks of being removed from social media and the district, her demeanor completely changed. She shared with me that the practice of affirmative care "really messed her up." She was told that because I was questioning her choices, I was not a loving parent but rather an obstacle for her to overcome in her transgender journey. The school further enforced this in her mind because they were willing to dismiss the medical care I wanted for my child and go with the affirmative care model being practiced by some today. Since the whole ordeal, we found my daughter a therapist that works with her on her underlying issues and she is now comfortable in her birth sex and has not felt a need to change her name or pronouns.

Had the Parents Bill of Rights already been passed in Wisconsin when I was experiencing this in the Kettle Moraine School District, the medical treatment of my child would not have been challenged by my school district, she would still be attending the school district she was in since 5K, and my family would have more confidence in the current public education system.

*Testimony submitted by anonymous Wisconsin parent and Wisconsin Institute for Law & Liberty client*



2/23/22

February 23<sup>rd</sup>, 2022

Senate Committee on Education  
Sen. Darling, Chair  
State Capitol, Rm 122 S  
Madison, WI 53707

Dear Senator Darling and members of the Committee:

The Wisconsin Board for People with Developmental Disabilities (BPDD) appreciates the opportunity to provide testimony on SB 962, SB 963, SB 964, SB 965, SB 974. We are concerned will disproportionately impact students with disabilities.

### SB 962 (Parental Rights)

Under the bill, all parents would be informed of any acts of violence or crimes occurring in schools, which could include students with disabilities. Many children with disabilities act out or exhibit behaviors to communicate. The bill does not clearly define what is considered an act of violence or crime. Advocates are concerned behaviors of students with disabilities will be reported to other parents and could lead to the student being more isolated or labeled as problematic. It is not clear how the bill would protect the disability status of students with disabilities, which is required under IDEA.

### SB 963 (Reorganizing of Milwaukee's schools)

Under the bill, Milwaukee Public Schools would become four separate districts. 19.6% of Milwaukee's student body are students with disabilities. Currently, parents can choose a school located anywhere in the district that best fits their child's special education needs, even if it is outside their neighborhood. It's unclear what happens to students with disabilities after new district lines are drawn. Creating four separate districts will mean less choice for parents and may result in schools that have higher proportions of students with disabilities and less funding from a smaller local tax base.

### SB 964 and SB 965 (Charter Schools and Charter School boards)

These bills would expand of charter schools. In Wisconsin, charter schools are public schools and must provide special education required under IDEA but often have limited resources available to students who chose these options. Charter schools in Wisconsin may have certain acceptance requirements that may make it difficult for students with disabilities to gain entry. Nationally, 9.5% charter school students have disabilities, while 14.2% of students in Wisconsin's traditional public schools have disabilities.

### SB 974 (Choice Income Limits)

This bill eliminates income and enrollment limits for the school choice program in Wisconsin. Private schools are not required to provide supports and services to children with disabilities under IDEA and the ADA. Public schools are required to educate students with disabilities. Often, private schools are not able to meet the needs of children with disabilities, which results in higher proportions of students with



A handwritten signature in cursive script, appearing to read "Beth Swedeen".

disabilities in the local public schools, and funding shortfalls result from serving higher need and higher cost students.

BPDD is charged under the federal Developmental Disabilities Assistance and Bill of Rights Act with advocacy, capacity building, and systems change to improve self-determination, independence, productivity, and integration and inclusion in all facets of community life for people with developmental disabilities<sup>1</sup>.

Thank you for your consideration,

A handwritten signature in cursive script, appearing to read "Beth Swedeen".

Beth Swedeen, Executive Director,  
Wisconsin Board for People with Developmental Disabilities

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<sup>1</sup> More about BPDD [https://wi-bpdd.org/wp-content/uploads/2018/08/Legislative\\_Overview\\_BPDD.pdf](https://wi-bpdd.org/wp-content/uploads/2018/08/Legislative_Overview_BPDD.pdf).

**SENATOR ALBERTA DARLING  
STATE OF WISCONSIN SENATE COMMITTEE ON EDUCATION**

**Senate Bills 974, 964, 965, and 962**

*February 23, 2022*

**IN SUPPORT**

My name is Kristin Franke and I am a resident of Ottawa, WI, wife and mother of three daughters. My youngest daughter attends a new charter school, Lake Country Classical Academy, in Oconomowoc, Wisconsin. I am testifying in favor of Senate Bills 974, 964, 965, and 962.

Regarding SB974, I am in support because it is critical that parents maintain the rights pertaining to their child(ren)'s upbringing, education, religion, health care, and mental health and that measures are in place to prohibit the state from infringing on said rights. The State/Government's duty is to ensure the rights of its citizens, or those of the parents/guardians on behalf of its underage citizens, not make decisions regarding said citizens' upbringing, education, religion, health care, and mental health. Protecting the rights of parents is crucial and necessary in a free society and required to ensure good faith and trust of its citizens towards their government. There have been far too many cases of local school districts taking it upon themselves to override parental requests regarding invoking a gender reassignment protocol and new pronouns, promoting concepts and materials in schools that are inappropriate, and hiding acts of bullying, violence, and medical treatments that occur within the school from the parents. Even if these issues are few and far between, parents should still have access to all aspects of their minor children's lives without impediment. SB974 would be a great start to affirming parents' rights and implementing some safety measures against government interference and overreach in their children's lives.

Regarding SB964, I am in support because it is necessary to expand the ability to authorize independent charter schools in the state of Wisconsin. Wisconsin's charter authorization process is much more restrictive than many other states and has prevented families from the vast opportunities that charter schools can provide. Charter schools, like Lake Country Classical Academy (which already has a waitlist of over 250 families before the end of their first year), can provide families access to a quality of education that is usually only available at high-cost private schools. This enables more students the opportunity for an education that is not only excellent but is chosen because it is a good fit for the student and family. School choice allows families to enroll their students in schools where they want to be, for a variety of reasons, which not only increases diversity in the student population but creates a strong community because people want to be there and are invested in the outcome. They can provide a public education that caters to individual preference and need. Wisconsin citizens pay for the public educational services with our tax dollars and should have input on how that

money is used for the education of our children. We have the right to choose what school and education model is best for our kids and should not be expected to both pay taxes *and* exorbitant private school costs (that are simply not even feasible for the majority of citizens). So many families want this, as is evidenced by the waitlists for these charter schools.

Personally, I can attest that having the option to attend the new charter school, Lake Country Classical Academy in Oconomowoc, Wisconsin, had been an absolute answer to prayer and a blessing for our family and hundreds others. Our family has pursued a classical education model since our 20-year-old became school age. Due to the lack of classical options locally and the high cost of the few private options available, we chose to homeschool our children, which was beautiful but required many sacrifices. With my older children off in high school and college, Lake Country Classical Academy has proven the best option for in-person schooling for our youngest daughter and has far exceeded all of our expectations in terms of the quality of the curriculum, the instructors, the administration, and community. In just a few short months, LCCA has already created an atmosphere that is rich, welcoming, and inculcates a love of that which is true, good, and beautiful in its students. This school is already enriching the lives of more than 400 students from several counties, with hundreds more lined up. This would not have been possible for all of these families without the public charter process, but because of numerous roadblocks in the existing WI charter authorization process, this school almost did not exist. That is why the WI charter authorization process needs to be expanded.

Regarding SB965, I am in support of the proposed modification because it will expand the ability to create more high quality authorized charters. If a charter school is performing at a high level, it follows that the process to open more of those high-performing schools should be simplified and expanded.

Regarding SB962, I am in support because it provides more avenues for school choice by removing income limits for parental choice and participation limits in the WPCP, thus increasing the number of eligible families, as well as providing an education expense reimbursement program that will allow more opportunities and educational options for families.

In closing, I am in support of Senate Bills 974, 964, 965, and 962 because they protect parents' rights regarding their children and allow for more high quality educational opportunities via charter schools and school choice. Thank you for considering this testimony.

Sincerely,



Kristin Franke  
414-403-0902  
kfranke@wi.rr.com