

Testimony for Larry Halloran, Vice President of Kansans for Liberty and Chairman of the Wichita – South Central Kansas 912 Group

House Education Committee briefing on Common Core Standards for K-12 Education

Chairwoman Kelley and members of the Education Committee,

I appreciate the opportunity to speak against the implementation of Common Core Standards (CCS) for K-12 Education in Kansas. The members of our organizations are parents and grandparents which are deeply concerned with the education of all Kansas children.

Kansas has long recognized the **natural right and authority of parents** to choose the source and scope of their children's education through home schooling, private or public institutions. Parents electing to enroll their children in the public school system do not surrender their authority, nor do our existing state statutes or constitution provide a grant of authority to any entity of the state to usurp the natural rights and authority of those parents. To the contrary, existing state statute protects those rights by (a) excluding the state board from selecting textbooks (see excerpt from 72-7513) and (b) ensuring the authority for text book and content selection remain at the local level where not only parents but any resident of the local district have a right to contest the selection and content (see excerpt from 72-8205 pertaining to local boards of education and attachment one, USD 263 Board Policies regarding text book selection and challenges of materials). USD 263 is my local school district and other districts will reflect their own policy.

72-7513: General powers of state board. In general, but not by way of limitation, consonant with other applicable statutory provisions, the state board of education shall:

(a) Adopt and maintain standards, criteria, guidelines or rules and regulations for the following:

(1) School libraries and other educational materials **with the exception of textbooks;**

72-8205: Boards of education; meeting times; quorum; abstention from voting; general powers; legal counsel for officers and employees.

(c) **The board shall have authority to prescribe courses of study for each year of the school program and to adopt rules and regulations for teaching in the school district and general government thereof, and to approve and adopt suitable textbooks and study material for use therein subject to the plans, methods, rules and regulations of the state board of education.**

(e) (1) The board may transact all school district business and adopt policies that the board deems appropriate to perform its constitutional duty to maintain, develop and operate local public schools.

(2) The power granted by this subsection shall not be construed to relieve a board from compliance with state law.

The power granted by this subsection shall not be construed to relieve any other unit of government of its duties and responsibilities which are prescribed by law, nor to create any responsibility on the part of a school district to assume the duties or responsibilities which are required of another unit of government.

Any of us that have raised children or found ourselves in a supervisory or leadership position in business, the military or elected office understand and can appreciate the necessity to delegate duties and responsibility to others and the measured authority to carry out those assigned actions. However, we never relinquish the ultimate authority for our position nor can we, unless we are properly relieved of our duties and responsibilities.

Our Kansas Constitution only created three branches of Government, defining the authority and relationship of each with the other and with those they represent. The legislative branch (as our direct representatives) was charged with the greater responsibility for 1) establishing the laws and regulatory framework for our governance, 2) accepting financial obligations on our behalf and 3) levying taxes or fees for and specific to the satisfaction of those financial obligations.

Article Six of our State Constitution related to Education establishes the authority of the State Legislature to **facilitate** the education of our children. Section one does not usurp the ultimate authority reserved for the parent with regard to public education nor does it cede the ultimate authority of the Kansas Legislature to facilitate or manage our educational interest to the State Board of Education created in Article Six section two.

Article Six, Section 1: Schools and related institutions and activities. The legislature shall **provide** for intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools, educational institutions and related activities which may be organized and changed in such manner as may be provided by law.

2: State board of education and state board of regents.

- (a) The legislature shall provide for a state board of education which **shall have general supervision** of public schools, educational institutions and all the educational interests of the state, except educational functions delegated by law to the state board of regents. The state board of education shall perform such other duties as may be provided by law.

Section two of the State Constitution merely creates a subordinate of the Legislature to assist with carrying out the duties and responsibilities of the Legislature on behalf of those they represent.

In the coming weeks, this committee will be asked to weigh in on subject matters of extreme importance to all Kansans and especially parents as they relate to education and the boundaries of established authority. We have all delegated authority and responsibility at some time in our lives to our children as they grew older, to subordinates on the job or as elected officials to subordinate agencies. Many times, as painful as it might be, we have found it necessary to reign in that authority and reestablished the ground rules.

We ask you to consider carefully the State Boards plans to implement Common Core Standards in Kansas education and whether **you are prepared to usurp the authority of parents**. When fully implemented, with curriculum, textbooks and test prepared and distributed for national consumption, just where will the parent, the local school board or an individual state have the authority to affect the education of our children?

You have a duty to protect the natural rights and authority of those you were elected to represent. To our knowledge, you have not been relieved of that duty. Thank you for your service and consideration.

Attachment 1: Testimony of Larry Halloran on Common Core Standards for K-12 Education

USD 263 Board Policy

<http://www.usd263.com/vnews/display.v/SEC/DistrictPolicy%3E%3EBoard%20Policy%20Book>

IC Educational Program (See IDA, IDAA, IDAB, IDAC and IJ) IC

The academic program shall assist students to grow intellectually, to master the curriculum objectives, and to prepare for further education or training. The board shall consider the district's basic educational program each year. And, when approved, the program shall constitute the district's basic curriculum.

Curriculum Handbooks

Curriculum handbooks shall contain an outline of each basic course and the learning objectives to be mastered. Each handbook, when approved by the board, shall become a part of these policies and rules by reference.

Educational Goals and Objectives

District educational goals and curriculum objectives for the basic educational program shall be on file in the district office, and available for inspection upon request.

IF Textbooks, Instructional Materials and Media Centers IF (See IKD and KN)

All textbooks, instructional materials and the selection criteria for district media center materials shall be subject to board approval.

Textbooks and instructional materials shall support the district's instructional program. Media center materials shall support and supplement the curriculum, promote wise use of leisure time, develop literary discrimination and appreciation, and encourage students to become productive citizens.

Selection Criteria: Textbooks and Instructional Materials

Textbooks and instructional materials shall provide:

- An effective education for all students;
- Factual knowledge, literary appreciation, aesthetic values and ethical standards;
- Practice for students to develop abilities in critical thinking, communication, mathematics and science skills.

Information which helps students develop an appreciation of American cultural, ethnic and racial diversity and balanced views concerning international, national, state and local issues and problems; and Sufficient flexibility for meeting the special needs of individuals and groups.

The superintendent shall develop selection procedures which meet the above criteria, which shall include a review of available material by appropriate staff members.

Selection Criteria: Media Center Materials

Materials shall be chosen for accuracy, artistic quality, format and authoritativeness. Materials shall be chosen on various reading levels presenting different points of view, including current issues.

Books and other media materials shall be evaluated before purchase, either through direct examination or by using reputable, unbiased, professionally prepared selection tools.

The media center(s) shall obtain, process and circulate materials and equipment and provide references and other services to students and faculty. Media specialists shall work toward providing resources so that students have an opportunity to achieve high levels of performance.

Collection Development

The media collection shall be developed systematically, be well balanced in coverage of subjects, include various types of materials and a variety of content in various formats.

The collection shall reflect, enrich and complement the broad interests represented in the curriculum. The collection should be large enough to allow materials to be placed in classrooms for extended periods of time.

Challenges of Materials

Any person having a complaint about textbooks, media center or other instructional materials shall meet with the principal. If the matter cannot be resolved, the principal shall notify the superintendent and ask the complainant to use a request for review form which is available through building principals or at the district office. After receiving the completed form, the superintendent shall meet with the complainant to discuss the complaint.

If the complaint is not resolved at the meeting with the superintendent, the complainant may request that the board consider the complaint. If the board chooses to consider the complaint, it shall forward all appropriate written materials to a review committee.

Review Committee

When a review committee is established by the board to handle complaints concerning textbooks, media center or instructional materials, the review committee shall be composed of:

The building principal, media specialist, two subject area specialists and two community members.

The committee's charge shall be:

To review the material and prepare a written report containing conclusions and recommendations within 30 days;

To direct a written report to the board; and

To send the complainant a copy of the report.

The Review Committee Shall:

Examine and evaluate the material as a whole; consider the district's policy, procedure and philosophy for selection of textbook, instructional materials and media center materials; and

Weigh strengths and weaknesses and form opinions based upon the selection criteria.

If the complainant is dissatisfied with the committee's recommendation, an appeal of the decision may be made to the board for a hearing and final decision. If an appeal is requested by the complainant, the superintendent shall request that the board schedule an appeal and shall prepare in advance of the appeal all appropriate documentation for the board's study.

Removing Challenged Materials

Challenged materials shall not be removed from use during the review period.

Approved: KASB Recommendation – 6/04; 4/07

BOE Policy Approval Date: 12/13/2010; Effective Date: 1/3/2011