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Rabbi Moti Rieber, Executive Director  
Rev. Rachael Pryor, Board Chair

### **Testimony in Opposition to SB 496**

**Senate Education Committee, Sen. Molly Baumgardner, chair**

February 16, 2022

Mme. Chair, Ranking Member Sykes, Members of the Committee:

My name is Rabbi Moti Rieber; I am executive director of Kansas Interfaith Action, a statewide, multi-faith issue-advocacy organization that educates, engages and advocates on behalf of people of faith and the public regarding various critical racial, economic and climate justice issues. We are an advocacy partner of several of the mainline denominations in Kansas, including the local ELCA Lutheran, UCC, Episcopal, and Unitarian judicatories. I am also part of a coalition of education and justice advocates, community leaders, and clergy called the “Teach the Truth” coalition. I rise in opposition to SB 496

My wife and I put three kids through Shawnee Mission School District, the youngest graduating in 2021. As a member of a religious minority, I knew that they would be exposed to things in school that are not in keeping with our family’s values. (Like the Ayn Rand book that was assigned in middle school ELA to each of my kids in turn. We had some long conversations about that one.) My kids went to Religious School at Congregation Beth Shalom through the age of 15 and they also received extensive religious and moral training at home. I always knew that it was my wife’s and my responsibility to tend to our children’s spiritual development and to discuss issues that came up in school in the context of our family’s values.

If I’d wanted to have more control over their education, I could have put them into the Jewish day school, but we chose not to do that because we believe in the public school system, and because we specifically wanted them to meet people who weren’t like themselves, to rub up against ideas that they might not get at home. Because that’s what the rest of life will be like.

I believe that most elements in the bill of rights part of the bill are already in place. I always felt that I could call the teacher or the school to express my concerns. I always saw my kids’ records. I always knew what they were studying. The idea that things are being taught behind parents’ backs or that teachers or administrators won’t talk to parents is not in keeping with my experience.

My organization is not usually engaged in public education advocacy. The reason we got involved here is because one of our core mission areas is racial justice, and the way the conversation about “critical theory” is happening, here and around the country, strikes me as extremely racially divisive – using racial sensitivities for political advantage.

Our argument is threefold: an education that centers the experiences of those who have unquestionably been oppressed in this society is central to knowing who we are as a people and to building a better, “more perfect union.” Second, and the reason I sent my kids to public school, is that diversity is the world we live in, and the world my kids will live in, and it’s important for them to know how to navigate that. And third, I am convinced that this issue is being ginned up for political advantage and to undermine confidence in public schools, with an eye toward moving its funding elsewhere.

I'm not sure I understand where history ends and "critical theory" begins. Apparently, it's okay to say that Rosa Parks was arrested on a bus, but if I teach that the fact that FHA loans were not given in majority Black neighborhoods, or that Black veterans were excluded from parts of the GI bill, has impacts that last to this day, in wealth not built, in health outcomes, in educational inequities, in environmental exposure, somehow that becomes critical theory. I once saw a chart that overlaid environmental pollution over the historically redlined areas of Wyandotte County, and they were perfectly matched. No doubt that's critical theory too.

I want to point out some particularly problematic elements of the bill:

Section 1(c)(6), in an almost offhand way, institutes a massive policy revision in the area of childhood immunizations. This is a major health policy to be introduced as part of a complicated education policy bill. KIFA supports public school immunization requirements does not believe, with rare exceptions, that there is a "religious" justification for avoiding them.

In the next section, all this language about violating the Civil Rights Act of 1964. There is nothing that's been discussed in this committee that "has been held" to violate the civil rights act of 1964. Not Deep Equity, nothing. The fact that some state legislators, or some parents, or the Heritage Foundation, claim that it does, does not make it a matter of fact, or law. Who is going to adjudicate that? Are you going to sue for the use of Deep Equity as a violation of the CRA? You could do that now. It is language designed to have an emotional impact, and it's stated as a fact, but that doesn't make it one.

Section 1(d)(3): The section about the parent objecting to material that "impairs the family's firmly held beliefs." These are magic words in this building lately -- "firmly held belief." But this section does not contain any kind of exceptions, such as nondiscrimination language. Are all beliefs equal? What happens if the parent is an antisemite and objects to reading Anne Frank? What happens if they really are racist and object to reading about Rosa Parks? The Civil Rights Act of 1964, so prominently featured earlier, banned discrimination on the basis of race, color, religion, sex, and national origin.

It is my opinion that the entire conversation about so-called critical pedagogy, this idea that parents are shut out of their kids' educations, the whole thing – is part of an all-out attack on the public education system by people who sit on committees charged with its management and upkeep. It is using either the prejudices or the insecurities of white parents to undermine public support for public schools. The public school system remains one of Kansas' jewels. I have no doubt that this committee will pass this dangerous bill, but I, like the advocates, community leaders and people of faith in the Teach the Truth coalition, will fight it every step of the way.

Thank you.