

DATE: March 8, 2023

RE: House Education and the Workforce Committee H.R. 734, Protection of Women and Girls in Sports Act of 2023 & H.R. 5, Parents Bill of Rights Act Markup

Overview

On Wednesday, March 8, 2023, the House Education and the Workforce Committee held a markup to consider H.R. 734, the Protection of Women and Girls in Sports Act of 2023, and H.R. 5, the Parents Bill of Rights Act. See the full hearing materials [here](#).

Legislation

- [H.R. 734](#), Protection of Women and Girls in Sports Act of 2023
- [H.R. 5](#), Parents Bill of Rights Act

Opening Statements:

- **Chair Virginia Foxx (R-NC)**
 - Title IX is now a tool used by the education bureaucracy to enforce inequality and unfairness.
 - The Biden administration's Title IX rewrite now denies equal opportunity to women.
 - H.R. 734 should be passed.
 - Parents' voices should not be censored under the first amendment.
 - Parents have the right to know what schools are teaching their children.
 - Parents have the right to protect their child's privacy.
 - Parents have the right to be heard.
 - Parents have the right to see their child's school's budget and spending reports.
 - Parents have the right to be updated on violent school activity.
 - The Parents Bill of Rights Act protects these constitutional rights.
- **Ranking Member Bobby Scott (D-VA)**
 - Neither of the proposed bills addresses the real issues facing students, parents, and educators.
 - Transgender youth comprise a small fraction of youth in America and an even smaller fraction on athletics.
 - There are only 34 documented instances of transgender athletes competing at the collegiate level.
 - Parental engagement in schools is closely linked to better student behavior, higher academic achievement, and advanced social skills.
 - H.R. 5 does not take any meaningful steps to support parental engagement.
 - H.R. 5 would create unnecessary and burdensome reporting requirements.

(H.R. 5) Parents Bill of Rights Act

- Rep. Julia Letlow (D-LA) introduced an Amendment in the Nature of a Substitute (AINS) to H.R. 5.
- **Rep. Julia Letlow (R-LA)**
 - This AINS adds language to the Title 1 Parents' Right to Know provisions to ensure parents can inspect books and materials in school libraries.
 - This amendment also makes one technical change.
 - The Parents Bill of Rights Act is about one fundamental issue that parents should always have a seat at the table when it comes to their child's education.
 - When schools attempt to educate children without buy-in from parents, it leads to disastrous results.

- According to the Centers for Disease Control (CDC), 37% of children experienced poor mental health during the COVID-19 pandemic.
- **Rep. Alma Adams (D-NC)**
 - The Parents Bill of Rights Act is a dangerous set of policies that seeks to further pin parents against teachers.
 - The bill does not address challenges students, parents, and teachers have raised as barriers to communication and collaboration.
 - This bill sends schools down a slippery slope of mandates.
 - H.R. 5 does not provide clear definitions for much of the terminology used.
 - This bill does nothing to equip underfunded schools with additional resources to accomplish the mandates.
- Owens Amendment 008 to the AINS to H.R. 5
 - **Rep. Burgess Owens (R-UT)**
 - Parental rights are non-negotiable, and should not be forced to relinquish their rights to the government.
- **Rep. Mark Takano (D-CA)**
 - Congress must avoid a misguided education policy that widens the gap between parents and educators.
 - There are elements of this bill that put children in danger.
 - There is a danger of LGBTQI+ children being outed to an unsupportive home because of the vagueness of this bill.
- **Rep. Mary Miller (R-IL)**
 - Parents should be responsible for their children’s education, not left-wing radicals.
- **Rep. Frederica Wilson (D-FL)**
 - This bill fosters a toxic relationship between educators and parents.
 - This bill continues the foolish, misguided games being played out in school board meetings across the country.
 - This Bill of Rights needs to guarantee that teachers will make a minimum wage of \$60,000 and ensure children have a warm and safe house to go home to.
- **Rep. Jamaal Bowman (D-NY)**
 - This Parents Bill of Rights is repetitive, redundant, unnecessary, and a waste of time.
 - School districts are governed by local school boards.
- **Rep. Suzanne Bonamici (D-OR)**
 - The so-called Parents Bill of Rights misses the mark.
 - This bill has discriminatory undertones, would not improve public education, and would pit parents and families against schools.
- **Rep. Mark Takano (D-CA)**
 - This bill puts an undue burden on teachers by requiring two meetings for teachers and parents per student annually.
- **Rep. Jahana Hayes (D-CT)**
 - Parents are involved at every level of decision-making regarding schools through committees, boards, and meetings.
- **Rep. Haley Stevens (D-MI)**
 - This bill does not address the pressing crises impacting education in this country.
- *Rep. Suzanne Bonamici (D-OR) introduced an Amendment for a Substitute to the AINS to H.R. 5 introduced by Letlow.*
 - **Rep. Suzanne Bonamici (D-OR)**

- The AINS introduced by Letlow does nothing to address the real issues affecting students and their parents.
 - The Parents Bill of Rights Act encourages parental micromanagement, sets a hostile tone, and creates an adversarial relationship between parents and educators.
 - **Ranking Member Bobby Scott (D-VA)**
 - The Parents Bill of Rights Act is redundant with existing laws and requires extra reports with no new rights.
 - *Final reporting to the full committee of Bonamici Amendment for a Substitute to the AINS to H.R. 5 was not passed by way of a roll-call vote. Recorded vote of 17-25.*
- Owens Amendment 008 to the AINS to H.R. 5
 - **Rep. Burgess Owens (R-UT)**
 - Parental rights are non-negotiable, and should not be forced to relinquish their rights to the government.
 - This amendment will ensure that parents are never surprised by the people their children learn from.
 - **Rep. Jahana Hayes (D-CT)**
 - Parents already have jurisdiction over whom their children learn from by way of permission slips for guest speakers.
 - This amendment does not do anything to promote student success.
 - **Ranking Member Bobby Scott (D-VA)**
 - This amendment would cause an unnecessary administrative burden.
 - **Rep. Mark Takano (D-CA)**
 - The issues brought up in this bill and the amendment is unnecessary for federal involvement.
 - **Rep. Suzanne Bonamici (D-OR)**
 - This amendment would cause an unnecessary administrative burden.
 - The language in this amendment is very broad.
 - *Final reporting to the full committee of Owens Amendment 008 to the AINS of H.R. 5 was passed by way of roll-call vote. Recorded vote of 25-17.*
- Hayes Amendment to the AINS to H.R. 5
 - **Rep. Jahana Hayes (D-CT)**
 - This amendment would allocate \$117 million to improve the quality and effectiveness of teachers, invest in preparation training, and recruitment of teachers, and improve overall academic achievement.
 - **Chair Virginia Foxx (R-NC)**
 - The amendment offers no guarantee that funds will be used to produce better results.
 - **Rep. Suzanne Bonamici (D-OR)**
 - One way to improve teacher and parent communication is to provide teachers with more allocated planning time.
 - **Rep. Mark Takano (D-CA)**
 - Funding for teachers has value.
 - There is a teacher shortage.

- **Rep. Jahana Hayes (D-CT)**
 - Research has proven that teachers who engage in professional development are more likely to have successful students.
- *Final reporting to the full committee of Hayes Amendment to the AINS of H.R. 5 was not passed by way of en bloc voting. Recorded vote of 17-25.*
- Kiley Amendment to the AINS to H.R. 5
 - **Rep. Kevin Kiley (R-CA)**
 - This bill is about putting the power back in the hands of parents.
 - School choice is the single most powerful tool for advancing educational choice.
 - This amendment is powerful in advancing the options parents have for where they send their children to school.
 - Parents deserve a right to see all public school options that are available to them.
 - **Ranking Member Bobby Scott (D-VA)**
 - If there is only one good school in each district, every parent will want to send their child there.
 - This amendment does not improve anything except for the privileged few that get the first choice before the best school fills up.
 - **Rep. Burgess Owens (R-UT)**
 - Children should not be stuck in failing public schools.
 - **Rep. Jahana Hayes (D-CT)**
 - This bill fails to recognize that other means can contribute to student success.
 - Not every child has a parent to advocate for them.
 - **Rep. Mark Takano (D-CA)**
 - The underlying bill is structured to mimic attacks on public education.
 - **Rep. Suzanne Bonamici (D-OR)**
 - Schools should tell Congress what they need.
 - **Rep. Kevin Kiley (R-CA)**
 - The amendment states that parents should have the right to know what options are available to them for where they send their child to school.
 - This amendment is not seeking to expand those options in any way.
 - *Final reporting to the full committee of Kiley Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
- Scott Amendment to the AINS to H.R. 5
 - **Ranking Member Bobby Scott (D-VA)**
 - [The Strength in Diversity Act](#) is a grant program to help school districts that want to voluntarily desegregate their schools.
 - The Government Accountability Office (GAO) found that segregation in public schools is as bad as it was in the 1960s.
 - This amendment would ensure public schools have the tools to voluntarily desegregate their schools.
 - **Chair Virginia Foxx (R-NC)**
 - This amendment would create a new grant program, but this bill is to increase transparency.
 - **Rep. Suzanne Bonamici (D-OR)**

- De facto segregation exists.
 - Federal resources should be allocated towards supporting voluntary integration.
 - *Final reporting to the full committee for the Scott Amendment to the AINS to H.R. 5 was not passed by way of en bloc vote. Recorded vote of 17-25.*
- Scott Amendment to the AINS to H.R. 5
 - **Ranking Member Bobby Scott (D-VA)**
 - Firearms should be kept out of schools.
 - **Chair Virginia Foxx (R-NC)**
 - This bill has nothing to do with federal funding for guns.
 - *Final reporting to the full committee for the Scott Amendment to the AINS to H.R. 5 was not passed by way of a roll call vote. Recorded vote of 17-25.*
- Grijalva Amendment to the AINS to H.R. 5
 - **Rep. Raúl M. Grijalva (D-AZ)**
 - By curating bookshelves, extreme politicians are depriving and limiting students from reaching full academic development.
 - Data show that school libraries make a big difference in giving children the skills and inspiration to become enthusiastic readers.
 - This amendment would prohibit elementary and secondary schools from requiring the banning or censorship of books.
 - **Chair Virginia Foxx (R-NC)**
 - This amendment has nothing to do with the underlying bill.
 - **Rep. Pramila Jayapal (D-WA)**
 - Banning books erases the history of people of color.
 - **Rep. Mark Takano (D-CA)**
 - Republicans should accept this amendment to eliminate all-partisan language in the underlying bill.
 - **Rep. Jahana Hayes (D-CT)**
 - 40% of the books banned from July 2021 to June 2022 had protagonists or main characters who are people of color.
 - 41% of the books banned from July 2021 to June 2022 had protagonists or main characters who are LGBTQI+.
 - *Final reporting to the full committee for the Grijalva Amendment to the AINS to H.R. 5 was not passed by way of an en bloc vote. Recorded vote of 17-25.*
- Walberg Amendment to the AINS to H.R. 5
 - **Rep. Tim Walberg (R-MI)**
 - The [Protect Kids Act](#), introduced with Senator Tim Scott (R-SC) would require federally funded public elementary and middle schools to obtain parents' consent before changing the student's gender markers, pronouns, or sex-based accommodations, such as bathroom assignments.
 - The language in the Protecting our Kids Act does not apply to high school students.
 - **Ranking Member Bobby Scott (D-VA)**
 - Classrooms must be a safe and inviting environment for all students' success.
 - The amendment is a one size fits all approach which is not beneficial.
 - **Rep. Nathaniel Moran (R-TX)**
 - This amendment would safeguard the rights of parents.
 - Politics should be left out of the classroom.
 - **Rep. Mark Takano (D-CA)**

- There does not need to be a one size fits all mandate with federal funding.
 - **Rep. Suzanne Bonamici (D-OR)**
 - About 40% of homeless youth are members of the LGBTQI+ community because they do not come from a supportive family.
 - *Final reporting to the full committee for the Walberg Amendment to the AINS of H.R. 5 was passed by way of oral vote.*
- Courtney Amendment to the AINS to H.R. 5
 - **Rep. Joe Courtney (D-CT)**
 - The Department of Education is not the board of education for the entire country.
 - Local government is better designed to control and watch over schools in their respective districts.
 - *Final reporting to the full committee for the Courtney Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
- Good Amendment to the AINS to H.R. 5
 - **Rep. Bob Good (R-VA)**
 - Schools should not charge fees for access to school curriculum information.
 - **Ranking Member Bobby Scott (D-VA)**
 - Schools should not charge fees for access to school curriculum information.
 - *Final reporting to the full committee for the Good Amendment to the AINS to H.R. 5 was passed by way of an oral vote.*
- Grijalva Amendment to the AINS to H.R. 5
 - **Rep. Raúl M. Grijalva (D-AZ)**
 - Latino, black, brown, and minority studies cannot be eliminated in public school history curriculums.
 - *Final reporting to the full committee for the Grijalva Amendment to the AINS to H.R. 5 was not passed by way of an en bloc vote. No recorded vote.*
- Good Amendment to the AINS to H.R. 5
 - **Rep. Bob Good (R-VA)**
 - Schools should not be able to mandate that students receive vaccines.
 - *Final reporting to the full committee for the Good Amendment to the AINS to H.R. 5 was passed by way of an oral vote.*
- Grijalva Amendment to the AINS to H.R. 5
 - **Rep. Raúl M. Grijalva (D-AZ)**
 - This amendment is to ensure that no one can remove the history of Latino American history.
 - *Final reporting to the full committee for the Grijalva Amendment to the AINS to H.R. 5 was passed by way of an en bloc vote. Recorded vote of 17-25.*
- Good Amendment to the AINS to H.R. 5
 - **Rep. Bob Good (R-VA)**
 - Parents should be able to exercise their rights to improve the education system and encourage the development of students.
 - **Rep. Jahana Hayes (D-CT)**
 - Removing curriculum is dictating curriculum.
 - *Final reporting to the full committee for the Good Amendment to the AINS to H.R. 5 was passed by way of an oral vote.*
- Bowman Amendment to the AINS to H.R. 5
 - **Rep. Jamaal Bowman (D-NY)**

- Empathy is essential for a healthy democracy.
 - African American history needs to be taught in schools.
 - **Chair Virginia Foxx (R-NC)**
 - Congress cannot dictate curriculum.
 - *Final reporting to the full committee for the Bowman Amendment to the AINS to H.R. 5 was defeated by way of en bloc vote. Recorded vote of 17-25.*
- Good Amendment to the AINS to H.R. 5
 - **Rep. Bob Good (R-VA)**
 - This amendment will clarify that the Biden administration and executive agencies cannot target parents for wanting to have a say in their child's education.
 - Democrats believe the state should have more control over children than their parents.
 - Scott Amendment to the Amendment to the AINS to H.R. 5
 - **Ranking Member Bobby Scott (D-VA)**
 - In the event of an emergency or other credible threat, public safety officers should be called.
 - **Rep. Bob Good (R-VA)**
 - Agreed with Scott's amendment.
 - *Final reporting to the full committee for the Scott Amendment to the Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
 - *Final reporting to the full committee for the Good Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
- Takano Amendment to the AINS to H.R. 5
 - **Rep. Mark Takano (D-CA)**
 - Nothing in this bill should be used to censor lessons about LGBTQI+ people or students.
 - *The amendment will be voted on by way of a roll-call vote and has been postponed.*
- Bonamici Amendment to the AINS to H.R. 5
 - **Rep. Suzanne Bonamici (D-OR)**
 - The Parents Bill of Rights clarifies what should not be taught in schools.
 - *The amendment will be voted on by way of a roll-call vote and has been postponed.*
- Jayapal Amendment to the AINS to H.R. 5
 - **Rep. Pramila Jayapal (D-WA)**
 - This amendment protects the education of Asian American Pacific Islander (AAPI) history in school curriculum.
 - *The amendment will be voted on by way of a roll-call vote and has been postponed.*
- Jayapal Amendment to the AINS to H.R. 5
 - **Rep. Pramila Jayapal (D-WA)**
 - This amendment would require the government accountability office (GAO) to verify that H.R.5 will lead to improved school grades.
 - *The amendment will be voted on by way of a roll-call vote and has been postponed.*
- Burlison Amendment to the AINS to H.R. 5
 - **Rep. Eric Burlison (R-MO)**
 - This amendment would add professional development materials to the list of items parents can review.
 - *Final reporting to the full committee for the Burlison Amendment to the AINS to H.R. 5 was passed by way of oral vote.*

- DeSaulnier Amendment to the AINS to H.R. 5
 - **Rep. Mark DeSaulnier (D-CA)**
 - This amendment would increase the funding given to the Family Engagement Center's Program.
 - *The amendment will be voted on by way of a roll-call vote and has been postponed.*
- Manning Amendment to the AINS to H.R. 5
 - **Rep. Kathy Manning (D-NC)**
 - This amendment would ensure that all students have broadband internet access.
 - *Final reporting to the full committee for the Manning Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
- Hayes Amendment to the AINS to H.R. 5
 - **Rep. Jahana Hayes (D-CT)**
 - This amendment would ensure children have nutritious breakfast and lunch programs.
 - *The amendment will be voted on by way of a roll-call vote and has been postponed.*
- Manning Amendment to the AINS to H.R. 5
 - **Rep. Kathy Manning (D-NC)**
 - Efforts to limit or ban Holocaust education in schools take away one of the most important tools in combatting antisemitism and all other forms of discrimination.
 - **Rep. Suzanne Bonamici (D-OR)**
 - This amendment is not about dictating curriculum but ensuring history is not whitewashed through the banning of books.
 - **Chair Virginia Foxx (R-NC)**
 - There is nothing in this bill that would ban books.
 - **Rep. Mark Takano (D-CA)**
 - This bill is a dog whistle for MAGA Republicans.
 - *The amendment will be voted on by way of a roll-call vote and has been postponed.*
- Williams Amendment to the AINS to H.R. 5
 - **Rep. Brandon Williams (R-NY)**
 - This generation of students needs to learn the truth about the Holocaust.
 - **Rep. Jahana Hayes (D-CT)**
 - This generation of students needs to learn about the Holocaust so that history does not repeat itself.
 - **Rep. Mark Takano (D-CA)**
 - The Holocaust was not just the execution of Jewish people, but also homosexuals and other minority groups.
 - Does Williams recognize that the Holocaust was not just the execution of Jewish people, but also homosexuals and other minority groups?
 - **Rep. Brandon Williams (R-NY)**
 - The Holocaust and the Nazi regime killed the Roma people, people with physical and mental disabilities, homosexuals, and Jews.
 - It is wrong for any society to embrace eugenics.
 - **Rep. Mark Takano (D-CA)**
 - The Williams Amendment is worth supporting on the condition that it is taught inclusively.
 - Is Williams open to expanding the Williams Amendment to include language teaching young children about not only the Holocaust, but also about racism, slavery, and discrimination against other groups.

- **Rep. Brandon Williams (R-NY)**
 - The legislation is best when it is narrow and defined. The Holocaust is inextricably linked to the Nazi regime and the 1930s-1945 period.
- *Final reporting to the full committee for the Williams Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
- Livestream Stopped Broadcasting***
- Adams Amendment to the AINS to H.R. 5
 - **Rep. Alma Adams (D-NC)**
 - Parents should have the option to meet with teachers via videoconference.
 - *Final reporting to the full committee for the Adams Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
- Houchin Amendment to the AINS to H.R. 5
 - **Rep. Erin Houchin (R-IN)**
 - Parents should be notified if their children are not grade-level proficient in reading at the end of the third grade.
 - *Final reporting to the full committee for the Houchin Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
- Manning Amendment to the AINS to H.R. 5
 - **Rep. Kathy Manning (D-NC)**
 - This act should not be misconstrued to permit or encourage any educational institutions to require any student to provide reproductive or sexual health information, including information regarding the student's menstrual cycle.
 - *The amendment will be voted on and has been postponed.*
- Chavez-DeRemer Amendment to the AINS to H.R. 5
 - **Rep. Lori Chavez-DeRemer (R-OR)**
 - School districts should be required to provide summarized budget information to parents as well as detailed information already required to be reported under the bill.
 - *Final reporting to the full committee for the Chavez-DeRemer Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
- Bowman Amendment to the AINS to H.R. 5
 - **Rep. Jamaal Bowman (D-NY)**
 - It should be a sense of Congress that every student should be able to access a mental health professional.
 - *The amendment will be voted on and has been postponed.*
- Chavez-DeRemer Amendment to the AINS to H.R. 5
 - **Rep. Lori Chavez-DeRemer (R-OR)**
 - There should be a structure by which parents can review instructional material. Parents should be able to review material, at a minimum, every three weeks, for a minimum of three school days, during which period parents can review material to be used in the next three weeks and any material previously used.
 - *Final reporting to the full committee for the Chavez-DeRemer Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
- Stevens Amendment to the AINS to H.R. 5
 - **Rep. Haley Stevens (D-MI)**
 - There should be a grant program to replace lead pipes in schools.
 - *The amendment will be voted on and has been postponed.*

- Good Amendment to the AINS to H.R. 5
 - **Rep. Bob Good (R-VA)**
 - Parents should have the right to be aware of any attempt by a teacher to affirm their child’s stated gender identity, if that gender identity is incongruent with their child’s biological sex.
 - *Final reporting to the full committee for the Good Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
- Wilson Amendment to the AINS to H.R. 5
 - **Rep. Frederica Wilson (D-FL)**
 - Parents have a right for their teachers to earn a minimum of \$60,000.
 - *The amendment will be voted on and has been postponed.*
- James Amendment to the AINS to H.R. 5
 - **Rep. John James (D-MI)**
 - Parent should have access to information related to school and student safety.
 - *Final reporting to the full committee for the James Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
- Wilson Amendment to the AINS to H.R. 5
 - **Rep. Frederica Wilson (D-FL)**
 - Parents have a right for their children to be taught by teachers who are diverse, and there should be a grant program for teaching education and recruitment.
 - *The amendment will be voted on and has been postponed.*
- James Amendment to the AINS to H.R. 5
 - **Rep. John James (D-MI)**
 - Parents should have the right to review curriculum and any reading materials made available through the school and school libraries without signing non-disclosure agreements.
 - *Final reporting to the full committee for the James Amendment to the AINS to H.R. 5 was passed by way of oral vote.*
- Bowman Amendment to the AINS to H.R. 5
 - **Rep. Jamaal Bowman (D-NY)**
 - There should be increased authorization of the full-service community schools program.
 - *Final reporting to the full committee for the Bowman Amendment to the AINS to H.R. 5 was not passed by way of en bloc vote. Recorded vote of 17-25.*
- Takano Amendment to the AINS to H.R. 5
 - **Rep. Mark Takano (D-CA)**
 - This bill should be renamed the “Ban Books, Censor Teachers, and Endanger Children Act.”
 - *Final reporting to the full committee for the Takano Amendment to the AINS to H.R. 5 was not passed by way of en bloc vote. Recorded vote of 17-25.*
- Scott Amendment to the AINS to H.R. 5
 - **Ranking Member Bobby Scott (D-VA)**
 - There should be a full-time parent coordinator role at public schools.
 - *Final reporting to the full committee for the Scott Amendment to the AINS to H.R. 5 was not passed by way of en bloc vote. Recorded vote of 17-25.*
- Scott Amendment to the AINS to H.R. 5

- **Ranking Member Bobby Scott (D-VA)**
 - Schools should be required to provide an opportunity for parents that do not speak English as their first language to have a qualified translator present at meetings.
- *Final reporting to the full committee for the Scott Amendment to the AINS to H.R. 5 was not passed by way of en bloc vote. Recorded vote of 17-25.*

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