



To: Pennsylvania House of Representatives
From: Pennsylvania School Boards Association (PSBA)
Re: Opposition to House Bill 1332

On behalf of the more than 5,000 school directors and administrators governing the state's school districts, intermediate units and career and technology centers **PSBA is opposing House Bill 1332 and urges all legislators to reject this significant and unfeasible new unfunded mandate on public schools.**

PSBA and our members strongly support public transparency. We work diligently to review curriculum for our students during public meetings, as well as comply with current regulations under 22 PA Code Section 4.4 by ensuring that parents have access to review the curriculum used in classrooms and the ability to have their children excused from instruction that conflicts with religious beliefs. Our members believe that such access and decision-making power is absolutely within a parent's rights. However, this bill as amended goes far beyond the regulations and provides zero clarity or limitation regarding what information and materials must be posted on public websites. Such a mandate will present a substantial administrative burden and financial cost, result in various and conflicting interpretations by each public school entity, and will likely leave the decision to the courts, at taxpayers' expense, to determine how to appropriately comply with the law.

The amendment adopted on the Floor yesterday expands upon already unclear language in the bill to an unmanageable degree by adding the undefined terms "instructional materials", "academic standards to be achieved", and "assessment techniques" to the undefined term "curriculum". While some may point to such language in the regulations, it is crucial to note that the regulations require a policy to be developed by public schools to provide parental access, not the electronic posting of any materials that may fit within these ambiguous terms. It does not work to copy language, without definition, from one regulatory provision into a completely different statutory mandate without considering how such a mandate would need to be implemented in public schools.

The sheer volume of the materials that could fit into the mandate to post "curriculum" and "instructional materials" on school district websites is incredible; from textbooks to PowerPoint presentations, worksheets to class notes, science labs to physical learning objects, computer programs to tools and equipment information, films and instructional videos to pop quizzes, the list is endless. This mandate will require website development and untold hours of administrator and teacher time in order to comply and will require the expenditure of precious taxpayer resources that could be used in classrooms.

In addition, these completely ambiguous requirements would likely create issues related to copyright law for published works and proprietary materials which under current law can simply be shown to individuals rather than published on public websites. Through the current process,

parents can physically see and read textbooks and other materials to get a true sense of what their children are being taught without putting public schools in danger of breaching intellectual property rights.

Additional transparency via electronic access is achievable through a thoughtful approach that includes stakeholders in a process of developing a viable proposal that would provide more immediate access to information about instruction. That said, PSBA does not believe that House Bill 1332 accomplishes the goal of practical and achievable public transparency. As such, PSBA is opposed to House Bill 1332 and the unfeasible new mandate it places on public schools.