

2021 Special Committee on Education Resources



900 S.W. Jackson Street, Suite 600
Topeka, Kansas 66612-1212
(785) 296-3203
www.ksde.org

Janet Waugh
District 1

Melanie Haas
District 2

Michelle Dombrosky
District 3

Ann E. Mah
District 4

Jean Clifford
District 5

Dr. Deena Horst
District 6

Ben Jones
District 7

Betty Arnold
District 8

Jim Porter
District 9

Jim McNiece
District 10

2022 Legislative Positions – Kansas State Board of Education

It is our desire to work in concert with legislators to improve PreK-12 educational opportunities for each Kansas student. The Kansas State Board of Education has exclusive constitutional authority for general supervision of public schools which includes setting, but not limited to, course standards, determining high school graduation requirements and licensure of PreK-12 educators. The vision of the State Board is to lead the world in the success of each student. As an elected body of 10 members, the State Board has, by general consensus, established the following positions supporting existing and potential legislative issues of educational interest.

Academic Support Efforts: The Kansas State Board of Education supports the following:

- The recommendation of the Legislative Task Force on Dyslexia including to provide funding for a Dyslexia coordinator position at KSDE.
- The goal of moving toward providing the first 15 post-secondary credit hours, tuition-free, during high school.
- Extending special education learning services to age 22, for one year, to accommodate learning loss because of COVID.

Social and Emotional Issues: The Kansas State Board of Education supports:

- The ongoing work and recommendations of the School Mental Health Advisory Council, including, but not limited to: bullying prevention; efforts for suicide prevention and awareness; and child abuse and neglect.
- The expansion of the mental health intervention pilot.

Health and Safety Issues: The Kansas State Board of Education supports the following:

- The passage of Tobacco 21 legislation, plus bans on flavoring for electronic nicotine.
- The legislative recommendations of the School Bus Stop Arm Violation Committee.
- The efforts of the Attorney General to reduce human trafficking in Kansas.
- All efforts to reduce the Opioid epidemic in Kansas.
- Updating the school vision screening statute.
- The ongoing work of the Juvenile Justice Oversight Committee.

[continued]

Kansas leads the world in the success of each student.

Funding Issues: The Kansas State Board of Education is supportive of the following:

- The recommended funding levels approved by the Kansas Supreme Court and is appreciative of the Legislature's efforts to date to meet that agreement.
- Education public funds being provided to only public schools.
- Following state statute and moving toward funding 92% of the excess cost of special education.
- Continued coordination and investment in career and technical education programs that are aligned to workforce needs.
- Of opportunities to expand early childhood and kindergarten readiness.
- Of funding transportation of students in all unsafe situations, regardless of mileage.
- Amending the Capital Improvement State Aid Formula by removing USD 207 (Ft. Leavenworth), thereby providing more equitable funding for capital improvement projects.

Meeting Student Needs: The Kansas State Board of Education supports the following:

- The concept of public-private partnerships with business, and industry, etc. to allow for internships, mentoring, etc.
- Finding a solution to liability issues for work-place learning opportunities for students.
- The legislation which requires that the State Board of Education and the Legislature work together to monitor the success of the Foster Child Report Card.

Education Policy Governance: The Kansas State Board of Education supports:

- The constitutional authority given to the State Board of Education.
- The governance responsibilities assigned to the Kansas State High School Activities Association.
- The authority of local boards of education.

Disaster Issues: The Kansas State Board of Education is supportive of:

- Adjusting statutes to include more flexibility when responding to natural disasters, including the current pandemic, as it relates to required hours and/or days of instruction.

The Kansas State Board of Education looks forward to working with the Legislature on initiatives proven to mold a successful Kansas high school graduate including academic preparation, kindergarten readiness, social-emotional learning, individualized plan of study and civic engagement. Working together, Kansans Can lead the world in the success of each student.



National School Boards Association
1680 Duke St. FL2, Alexandria, VA 22314-3493
Phone: (703) 838.6722 • Fax: (703) 683.7590
www.nsba.org

MEMORANDUM

TO: NSBA Members
FROM: NSBA Board of Directors
DATE: October 22, 2021
RE: Message to NSBA Members

As you all know, there has been extensive media and other attention recently around our letter to President Biden regarding threats and acts of violence against school board members. We wanted to write to you directly to address this matter.

On behalf of NSBA, we regret and apologize for the letter. To be clear, the safety of school board members, other public school officials and educators, and students is our top priority, and there remains important work to be done on this issue. However, there was no justification for some of the language included in the letter. We should have had a better process in place to allow for consultation on a communication of this significance. We apologize also for the strain and stress this situation has caused you and your organizations.

As we've reiterated since the letter was sent, we deeply value not only the work of local school boards that make important contributions within our communities, but also the voices of parents, who should and must continue to be heard when it comes to decisions about their children's education, health, and safety.

We are going to do better going forward. We are engaged in a formal review of our processes and procedures. We will announce specific improvements soon to ensure there is improved coordination and consultation among our staff, our board, and our members across the country. The review will include not only the proceedings leading to the letter, but also other related concerns raised by members even before the letter was sent.

We will have more to share with you soon as our review continues. If you have any questions, please don't hesitate to contact us. Thank you.



The leading advocate for public education



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September 29, 2021

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Re: Federal Assistance to Stop Threats and Acts of Violence Against Public Schoolchildren, Public School Board Members, and Other Public School District Officials and Educators

Dear Mr. President:

America's public schools and its education leaders are under an immediate threat. The National School Boards Association (NSBA) respectfully asks for federal law enforcement and other assistance to deal with the growing number of threats of violence and acts of intimidation occurring across the nation. Local school board members want to hear from their communities on important issues and that must be at the forefront of good school board governance and promotion of free speech. However, there also must be safeguards in place to protect public schools and dedicated education leaders as they do their jobs.

NSBA believes immediate assistance is required to protect our students, school board members, and educators who are susceptible to acts of violence affecting interstate commerce because of threats to their districts, families, and personal safety. As our school boards continue coronavirus recovery operations within their respective districts, they are also persevering against other challenges that could impede this progress in a number of communities. Coupled with attacks against school board members and educators for approving policies for masks to protect the health and safety of students and school employees, many public school officials are also facing physical threats because of propaganda purporting the false inclusion of critical race theory within classroom instruction and curricula.¹ This propaganda continues despite the fact that critical race theory is not taught in public schools and remains a complex law school and graduate school subject well beyond the scope of a K-12 class.

On behalf of our state associations and the more than 90,000 school board members who govern our country's 14,000 local public school districts educating more than 50 million schoolchildren, NSBA appreciates your leadership to end the proliferation of COVID-19 in our communities and our school districts. We also appreciate recent discussions with White House and U.S. Department of Education staff on many critical issues facing public schools, including threats school officials are receiving.

¹ The Armed Conflict Location & Event Data Project (ACLED), "Fact Sheet: Demonstrations over Critical Race Theory in the United States," July 14, 2021, https://acleddata.com/acleddatanew/wp-content/uploads/2021/07/ACLED_Fact-Sheet_CRT-Demos_2021.pdf.

In addition, we applaud your actions to restore resources to school districts that have not yet received their education stabilization funding through the Project SAFE (Supporting America's Families and Educators) grant program for coronavirus recovery efforts, including the use of face masks and other precautions to help prevent COVID-19 infections among students and educators. Now, we ask that the federal government investigate, intercept, and prevent the current threats and acts of violence against our public school officials through existing statutes, executive authority, interagency and intergovernmental task forces, and other extraordinary measures to ensure the safety of our children and educators, to protect interstate commerce, and to preserve public school infrastructure and campuses.

While local and state law enforcement agencies are working with public school officials in several communities to prevent further disruptions to educational services and school district operations, law enforcement officials in some jurisdictions need assistance – including help with monitoring the threat levels. As these threats and acts of violence have become more prevalent – during public school board meetings, via documented threats transmitted through the U.S. Postal Service, through social media and other online platforms, and around personal properties – NSBA respectfully asks that a joint collaboration among federal law enforcement agencies, state and local law enforcement, and with public school officials be undertaken to focus on these threats.² NSBA specifically solicits the expertise and resources of the U.S. Department of Justice, Federal Bureau of Investigation (FBI), U.S. Department of Homeland Security, U.S. Secret Service, and its National Threat Assessment Center³ regarding the level of risk to public schoolchildren, educators, board members, and facilities/campuses. We also request the assistance of the U.S. Postal Inspection Service to intervene against threatening letters and cyberbullying attacks that have been transmitted to students, school board members, district administrators, and other educators.

As these acts of malice, violence, and threats against public school officials have increased, the classification of these heinous actions could be the equivalent to a form of domestic terrorism and hate crimes. As such, NSBA requests a joint expedited review by the U.S. Departments of Justice, Education, and Homeland Security, along with the appropriate training, coordination, investigations, and enforcement mechanisms from the FBI, including any technical assistance necessary from, and state and local coordination with, its National Security Branch and Counterterrorism Division, as well as any other federal agency with relevant jurisdictional authority and oversight. Additionally, NSBA requests that such review examine appropriate enforceable actions against these crimes and acts of violence under the Gun-Free School Zones Act, the PATRIOT Act in regards to domestic terrorism, the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, the Violent Interference with Federally Protected Rights statute, the Conspiracy Against Rights statute, an Executive Order to enforce all applicable federal laws for the

² The Herald Editorial Board, *HeraldNet*, “Editorial: Mob’s actions at school board meeting unacceptable,” September 1, 2021, <https://www.heraldnet.com/opinion/editorial-mobs-actions-at-school-board-meeting-unacceptable/>.

³ U.S. Secret Service, National Threat Assessment Center, “Averting Targeted School Violence,” March 2021, <https://www.secretservice.gov/sites/default/files/reports/2021-03/USSS%20Averting%20Targeted%20School%20Violence.2021.03.pdf>.

protection of students and public school district personnel, and any related measure. As the threats grow and news of extremist hate organizations showing up at school board meetings is being reported, this is a critical time for a proactive approach to deal with this difficult issue.

These threats or actual acts of violence against our school districts are impacting the delivery of educational services to students and families, as many districts receive federal funds and subsidies for services to millions of students with disabilities, health screenings and supplemental supports for disadvantaged students, child nutrition, broadband connectivity, educator development, school safety activities, career and technical education, and more. School board meetings have been disrupted in California⁴, Florida⁵, Georgia⁶, and other states⁷ because of local directives for mask coverings to protect students and educators from COVID-19.

An individual was arrested in Illinois for aggravated battery and disorderly conduct during a school board meeting.⁸ During two separate school board meetings in Michigan⁹, an individual yelled a Nazi salute in protest to masking requirements, and another individual prompted the board to call a recess because of opposition to critical race theory.

⁴ Elizabeth Marie Himchak, *Poway News Chieftain/ Rancho Bernardo News Journal*, "Protesters disrupt Poway Unified board meeting, cause its adjournment," September 9, 2021, <https://www.sandiegouniontribune.com/pomerado-news/news/schools/story/2021-09-09/protesters-disrupt-poway-unified-board-meeting-force-its-ag>.

⁵ Ryan McKinnon, *Sarasota Herald-Tribune*, "Sarasota school board may limit public input after some meetings get disorderly," September 20, 2021, <https://www.heraldtribune.com/story/news/education/2021/09/20/sarasota-school-board-may-limit-public-input-after-meetings-gone-wild/8417784002/>.

⁶ Alia Malik, *The Atlanta Journal-Constitution*, "Anti-mask crowd disrupts Gwinnett school board meeting," May 21, 2021, <https://www.ajc.com/news/anti-mask-crowd-disrupts-gwinnett-school-board-meeting/IYO7R6GHJ5DTLEFCQHER7V3GBA/>.

⁷ Julie Wootton-Greener, *Las Vegas Review-Journal*, "School board meeting turns contentious over COVID-19 policies," August 12, 2021, <https://www.reviewjournal.com/local/education/school-board-meeting-turns-contentious-over-covid-19-policies-2418652/>.

WAVY.com, "Norfolk school officials, police monitoring threats made toward Norview schools," September 21, 2021, <https://www.wavy.com/news/local-news/norfolk/norfolk-school-officials-police-monitoring-threats-made-toward-norview-schools/>.

WBTV-Charlotte, "Gov. Roy Cooper addresses 'threats, bullying, intimidation' at school board meetings over mask requirements," September 21, 2021, <https://www.wbvtv.com/2021/09/21/gov-roy-cooper-address-fight-against-covid-19-north-carolina/>.

⁸ WGEM, "Mendon man arrested following disruption at Unity School board meeting," September 2, 2021, <https://wgem.com/2021/09/02/mendon-man-arrested-following-disruption-at-unity-school-board-meeting/>.

⁹ Steve Neavling, *Detroit Metro Times*, "Nazi salute, insults hurled at chaotic Birmingham schools meeting over mask mandate," August 19, 2021, <https://www.metrotimes.com/news-hits/archives/2021/08/19/nazi-salute-insults-hurled-at-ruckus-birmingham-schools-meeting-over-mask-mandate>.

Kalie Marantette, *WLNS.com*, "Grand Ledge school board goes into recess due to public 'disruption,'" June 16, 2021, <https://www.wlns.com/news/grand-ledge-school-board-goes-into-recess-due-to-public-disruption/>.

In New Jersey¹⁰, Ohio¹¹, and other states¹², anti-mask proponents are inciting chaos during board meetings. In Virginia¹³, an individual was arrested, another man was ticketed for trespassing, and a third person was hurt during a school board meeting discussion distinguishing current curricula from critical race theory and regarding equity issues. In other states including Washington¹⁴, Texas¹⁵, Wisconsin¹⁶, Wyoming¹⁷, and Tennessee¹⁸, school boards have been confronted by angry mobs and forced to end meetings abruptly. A resident in Alabama, who proclaimed himself as “vaccine police,” has called school administrators while filming himself on Facebook Live.¹⁹

¹⁰ Joe Strupp, *Asbury Park Press*, “NJ mask mandate for students sparks school board disruption, suspends meeting,” August 26, 2021, <https://www.app.com/story/news/education/in-our-schools/2021/08/26/nj-school-mask-mandate-sparks-disruption-boe/5585283001/>.

¹¹ Maia Belay, Fox8, “Sheriff deputies called to tense Nordon Hills school board meeting due to mask policy,” August 31, 2021, <https://fox8.com/news/sheriff-deputies-called-to-tense-nordon-hills-school-board-meeting-due-to-mask-policy/>.

¹² Pete Bannon, *The Delaware County Daily Times*, “Mask protest brings police to Garnet Valley School Board meeting,” August 25, 2021, Updated August 26, 2021, <https://www.delcotimes.com/2021/08/25/mask-protest-brings-cops-to-garnet-valley-school-board-meeting/>.

Brenley Goertzen, Salon.com, “Anti-mask mob swarms school board meeting,” August 12, 2021, <https://www.salon.com/2021/08/12/anti-mask-mob-swarm-school-board-meeting/>.

¹³ Drew Wilder, Jackie Bensen, Andrea Swalec and NBC4 Washington Staff, NBCWashington.com, “‘The Meeting Has Degenerated’: 1 Arrest, 1 Injury at Loudoun Schools Meeting on Equity,” June 22, 2021, Updated June 23, 2021, <https://www.nbcwashington.com/news/local/northern-virginia/loudoun-school-board-transgender-student-policy-race-equity/2708185/>.

Adele Uphaus, *The Free Lance-Star*, “Unruly crowd causes Spotsylvania School Board meeting to adjourn after 13 minutes,” August 24, 2021, https://fredericksburg.com/news/local/unruly-crowd-causes-spotsylvania-school-board-meeting-to-adjourn-after-13-minutes/article_1d39b83c-fa43-5626-acca-4e2768a811de.html.

¹⁴ Emily Gilbert, *Whidbey News Times*, “Oak Harbor school board clears the room after audience shouts disrupt meeting,” August 13, 2021, <https://www.whidbeynewstimes.com/news/oak-harbor-school-board-clears-the-room-after-audience-shouts-disrupt-meeting/>.

¹⁵ Talia Richman and Brayden Garcia, *The Dallas Morning News*, “‘Critical race theory’ roils Fort Worth school board meeting as Texas braces for continued fight,” June 22, 2021, <https://www.dallasnews.com/news/education/2021/06/22/critical-race-theory-roils-fort-worth-school-board-meeting-as-texas-braces-for-continued-fight/>.

¹⁶ WBAY news staff and Jason Zimmerman, WBAY.com, “Oshkosh School Board meeting postponed after protesters disrupt it, argument breaks out,” August 25, 2021, Updated August 26, 2021, <https://www.wbay.com/2021/08/25/oshkosh-school-board-meeting-called-off-after-protesters-enter-board-members-walk-out/>.

¹⁷ Margaret Austin, Wyoming Tribune Eagle via Wyoming News Exchange, *Pinedale Roundup*, “School board meeting over COVID stopped after disruption,” August 4, 2021, <https://pinedaleroundup.com/article/school-board-meeting-over-covid-stopped-after-disruption>.

¹⁸ Jackie Delpilar, WZTV Nashville, “Anti-mask protesters show lack of empathy at recent Middle Tennessee school meetings,” September 12, 2021, <https://fox17.com/news/local/anti-mask-protesters-show-lack-of-empathy-at-recent-middle-tennessee-school-meetings>.

¹⁹ Aubrey Bailey, WHNT.com, “‘If you give one more shot, you yourself will be executed’ Alabama man tells Missouri pharmacists,” August 24, 2021, <https://whnt.com/news/alabama-news/if-you-give-one-more-shot-you-yourself-will-be-executed-alabama-man-tells-missouri-pharmacists/>.

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Other groups are posting watchlists against school boards and spreading misinformation that boards are adopting critical race theory curriculum and working to maintain online learning by haphazardly attributing it to COVID-19.²⁰

In Ohio, an individual mailed a letter to a school board member labeling the return address on the envelope from a local neighborhood association and then enclosing threatening hate mail from another entity.²¹ This correspondence states that, “We are coming after you and all the members on the ... BoE [Board of Education].” This hate mail continues by stating, “You are forcing them to wear mask—for no reason in this world other than control. And for that you will pay dearly.” Among other incendiaries, this same threat also calls the school board member a “filthy traitor,” implies loss of pension funds, and labels the school board as Marxist. Earlier this month, a student in Tennessee was mocked during a board meeting for advocating masks in schools after testifying that his grandmother, who was an educator, died because of COVID-19.²² These threats and acts of violence are affecting our nation’s democracy at the very foundational levels, causing school board members – many who are not paid – to resign immediately and/or discontinue their service after their respective terms.²³ Further, this increasing violence is a clear and present danger to civic participation, in which other citizens who have been contemplating service as either an elected or appointed school board member have reconsidered their decision.

NSBA believes public discussions and transparency by local school board members are important for the safe and effective operations of schools.²⁴ It is vital that public discourses be encouraged in a safe and open environment, in which varying viewpoints can be offered in a peaceful manner. Our children are watching the examples of the current debates and we must encourage a positive dialogue even with different opinions. However, with such acute threats and actions that are disruptive to our students’ well-being, to the safety of public school officials and personnel, and to interstate commerce, we urge the federal government’s intervention against individuals or hate groups who are targeting our schools and educators.

²⁰ Nick Surgery, *Documented*, “TPUSA launches project targeting school board members,” August 20, 2021, <https://substack.documented.net/p/tpusa-school-board-watchlist>

²¹ Lindsey Mills, WBNS, “‘Disturbing’: Worthington school board member receives threats for masks in schools,” September 21, 2021, <https://www.10tv.com/article/news/local/worthington-school-board-member-receives-threats-for-masks-in-schools/530-f3c04240-76b4-456b-aad9-8555397b5427>.

²² Kim Bellware, *The Washington Post*, “Student mocked at school board meeting after sharing that his grandmother died of covid-19,” September 10, 2021, https://www.washingtonpost.com/nation/2021/09/10/grady-knox-tennessee/?utm_campaign=wp_main&utm_medium=social&utm_source=facebook&fbclid=IwAR29rIKzLY0tz4p0yB5VJDk_n_olj5AJp6oiEvzJC1oRAYsMMMOPb8EvjY.

²³ Andy Humbles, *The Nashville Tennessean*, “Jon White resigns as Wilson County School Board member,” September 8, 2021, <https://www.tennessean.com/story/news/local/wilson/2021/09/08/jon-white-resigns-wilson-county-school-board-member/5750949001/>.

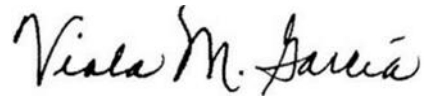
Terri Pederson, *The Daily Citizen*, “Beaver Dam school board member resigns citing safety concerns for family,” September 20, 2021, Updated September 21, 2021, https://www.wiscnews.com/bdc/news/local/education/beaver-dam-school-board-member-resigns-citing-safety-concerns-for-family/article_066fc86c-4356-5a00-9940-187e02eb7340.html.

²⁴ National School Boards Association and AASA, The School Superintendents Association, “NSBA, AASA Issue Joint Statement Calling for End to Threats and Violence Around Safe School Opening Decisions,” September 22, 2021, <https://www.nsba.org/News/2021/end-threats-violence-joint-statement>.

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NSBA is committed to working with you and your Administration as a partner to address this crisis affecting America's public schools, and greatly appreciates your prompt attention to our requests. We stand ready to work with you.

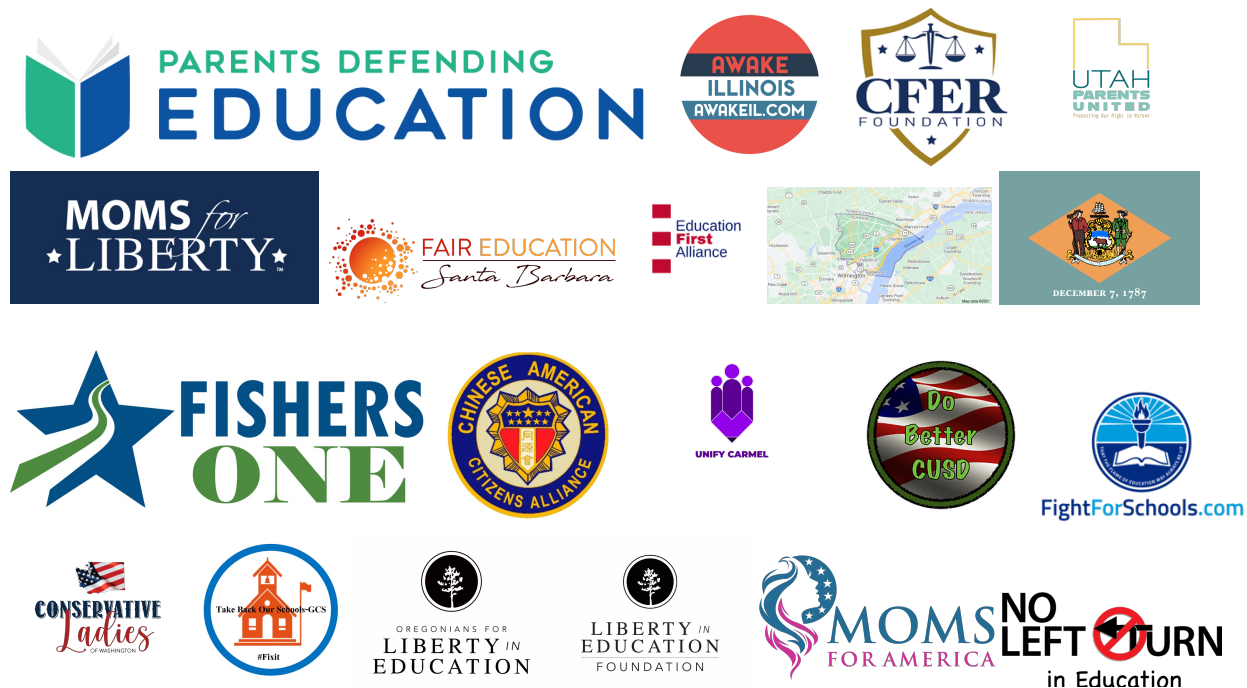
Respectfully,

Handwritten signature of Viola M. Garcia in black ink.

Viola M. Garcia, EdD
President

Handwritten signature of Chip Slaven in black ink.

Chip Slaven, Esq.
Interim Executive Director & CEO



October 1, 2021

Ms. Viola M. Garcia and Mr. Chip Slaven
National School Board Association
1680 Duke St Fl. 2
Alexandria, VA 22314

Sent via Electronic Mail (info@nsba.org)

Dear Ms. Garcia and Mr. Slaven,

On behalf of our 427,000 members, the undersigned organizations write in response to your September 29th letter to President Biden requesting “federal assistance to stop threats and acts of violence” against school board members, school officials, and teachers.

In that letter you requested that the federal government “investigate, intercept, and prevent the current threats and acts of violence against our public school officials through existing statutes, executive authority, interagency and intergovernmental task forces, and other extraordinary measures” and that the government leverage “the expertise and resources of the U.S. Department of Justice, Federal Bureau of Investigation (FBI), U.S. Department of Homeland Security, U.S. Secret Service, and its National Threat Assessment Center.”

NSBA cites a tiny number of minor incidents in order to insinuate that parents who are criticizing and protesting the decisions of school boards are engaging in, or may be engaging in, “domestic terrorism and hate crimes.” NSBA even invokes the PATRIOT Act. The association of legitimate protest with terrorism and violence reveals both your contempt for parents and your unwillingness to understand

and hear the sincere cries of parents on behalf of their children. To equate parents with terrorists dishonors the thousands of victims of actual terrorism around the world. Have you no shame?

Your letter to President Biden is a thinly veiled threat, intended to intimidate into silence and submission the very constituents *that your members ostensibly represent*.

Our organizations unequivocally oppose violence and find it deeply troubling that you imply otherwise about concerned citizens who care deeply about their community's children – and who are concerned by the direction that America's schools have taken.

Citizens are angry that school boards and school officials around the country are restricting access to public meetings, limiting public comment, and in some cases conducting business via text messages in violation of state open meetings laws. They are angry that schools are charging them thousands of dollars in public records requests to view curriculum and training materials that impact their children and that should be open to the public by default. They are angry that pandemic-related learning losses have compounded the already-low reading, writing, and math proficiency rates in America's schools. They are angry that rather than focusing on declining student achievement, large numbers of districts have chosen to fund, often with hundreds of thousands of dollars in taxpayer money, "social justice" and "diversity, equity, and inclusion" programs with finite resources.

Your members refuse to listen to these concerns – and your association has chosen to smear their constituents rather than engage with them in good faith. It is appalling that you would choose to threaten your fellow Americans for having the courage to hold you accountable for your failures.

We will not be bullied. We will not have our speech chilled. We have a constitutional right to petition our elected officials, and we will continue to do so.

We ask that your organization – and your members – engage respectfully and constructively with the country's parents, grandparents, and concerned citizens so that we might work together to address and improve the quality of America's public education system for all children.

Sincerely,

Parents Defending Education
Awake IL
CACAGNY
California Foundation for Equal Rights
Citizens for Brandywine School District
Conservative Ladies of Washington
Education First Alliance
Fair Education Santa Barbara
Fight for Schools
Fishers One
Moms for America
Moms for Liberty
New Castle Patriots for Delaware School
Committee
No Left Turn

Olentangy For Students
Oregonians for Liberty in Education and Liberty
in Education Foundation
Recall MTSD School Board
Take Back Our Schools GCS
Unify Carmel
Utah Parents United
We the Parents Coronado