

## LEGISLATIVE TESTIMONY

Bill: **HB1256 Discriminatory Concepts in Instruction – Prohibition**

Submitted by: Michele Copper

Position: **UNFAVORABLE**

I am submitting this testimony OPPOSING HB1256, Discriminatory Concepts in Instruction-Prohibition

I am a parent of two children in Wicomico County Public Schools (2<sup>nd</sup> and 9<sup>th</sup> grades) and a university professor (I work professionally under the name Michele Schlehofer) who teaches and conducts research on topics pertaining to diversity and inclusion, to include race, racism, and LGBTQ+ issues. I strongly oppose this bill, both as a parent and as a professor.

While the title of this bill seems innocuous, a close read of the bill finds it is an educational gag order. HB1256 targets primary and secondary school educators teaching topics tied to race and sex, should they cause individuals “discomfort, guilt, anguish, or any other form of psychological distress.” I will outline my oppositional arguments below.

1. Fostering honest classroom learning about structural inequalities and race and sex is beneficial to students and supports learning outcomes. According to a recent resolution from the Maryland Association of University Professors, “Educating about systemic barriers to realizing a multiracial democracy free of misogyny and racism should be understood as central to the active and engaged pursuit of knowledge in the 21st century to produce engaged and informed citizens.” We know from decades of research that such educational endeavors improve student outcomes on multiple levels: They improve critical thinking skills, they provide contextualized information by which to understand the diversity of the human experience, they strengthen intergroup communication skills, and increase empathy for others. Simply put: teaching on topics of race and sex are beneficial to students, even if (and, I would argue, WHEN) at times uncomfortable.
2. What constitutes discomfort, guilt, anguish, or any other form of psychological distress is indeterminate and subjective. Students vary in the extent to which they are comfortable discussing topics of race and racism, and feel discomfort over discussion of such topics for a variety of reasons, including prior familiarity with the material. I witness this with my own students in my college classroom, as well as with my children, who vary in interest and ability to understand and process discussions of race and racism. If any and all classroom-based education about race and sex which elicited feelings of discomfort were banned from the classroom, this would be the equivalent to banning learning about these topics at all. My own children are Black biracial and Black identified, and have at times felt discomfort when learning about this country’s history of slavery, Jim Crow laws, and racial lynchings. Visiting our local Harriett Tubman Museum—which is in regular rotation as an elementary school field trip—is stressful for them. However, I believe—and my children would agree—that it is important to learn about this history, despite any temporary discomfort that they feel. As a parent, I would much rather my children feel temporary discomfort (if any), then not learn about these topics at all.

3. Passing this bill would put a further “chilling” environment on education of social studies topics.  
As a professor who teaches on topics of race and sex, I can tell you first-hand that legislation which seeks to limit classroom instruction around certain topics or provides avenues for retribution for content students find challenging to learn ultimately results in “chilling” the climate under which educators work. That is, it creates a climate in which teachers are afraid to teach, for fear of violating the law and facing legal repercussions. We have seen this play out in other states: teachers who are fearful of violating vague laws about teaching topics of race and sex, such as that in proposed HB1256, subsequently stop teaching about these topics *at all*, or do so in such a superficial way that the educational endeavor is meaningless. Teachers have a right to work in an environment which is free from fear of retribution. In short, this bill is an educational gag order.

Please, I call upon our Delegates in Annapolis to oppose HB1256. This bill would stymie student educational outcomes and foster a climate in which educators are fearful to teach. I strongly oppose this legislation as both a parent of Black biracial children and as a university professor, and recommend an UNFAVORABLE report in committee.