Minority Report
Conference Committee to SB1412
NOW: race; ethnicity; sex; classroom instruction
June 21, 2022

We oppose Senate Bill 1412 (NOW: race; ethnicity; sex; classroom instruction) because the conference committee amendment works to further strip education of its fundamental need to provide students with a holistic and honest view of history and other subjects. SB1412 is an insidious attack on the ability of educators, parents, and communities to come together to address complex topics. This legislation places us on a perilous path that allows the state legislature to attempt to curtail speech in schools and other places. The effect of this legislation promotes ignoring integral parts of our world and creates unneeded barriers in supporting our students' growth into productive members of society.

SB1412 creates immense additional liability for teachers and schools and will only worsen Arizona's teacher shortage and ultimately hurt Arizona students. This legislation fails to consider the factors that have led to our current teacher shortage. The liability concerns will only work to widen the gap between certified teachers and the classroom. Recently, there has been a 17 percent increase in non-certified teachers in our public schools. Compared to the previous year, almost 25,000 educators with active teaching certificates were not in Arizona classrooms in the 2019-2020 school year. Overall, 34,661 individuals with an active teaching certification are no longer teaching in Arizona.¹ SB1412 will deepen the teacher shortage crisis driven by low wages and a general lack of respect for the teaching profession.

In addition to existing law that allows parents and students to challenge any curriculum taught, the numerous First and Fourteenth Amendment violations contained within SB1452 will potentially spawn millions of dollars spent in litigation that would be far better expended educating students. Every student should have the right to receive an equitable education and open and honest dialogue about America's history.

To address systematic racism in our country, we must be able to acknowledge and discuss difficult issues freely and in the safe space of a classroom. We cannot allow our education system to become so fragile that teachers and school administrators are targets to be punished, fined, and fired for discussing the experience of all the cultures that have made our country exceptional.

The fundamental problem with SB1412 is that it aims to prohibit a concept that is currently not taught in Arizona schools. We believe SB1412 will only curb speech in the classroom by threatening educators with potential lawsuits, creating an environment in which teachers will err on the side of caution and choose not to teach difficult moments in our history. We are extremely concerned about the unintended consequences of this legislation because it will hurt students' ability to think critically, drive teachers from Arizona, and cost Arizona millions in litigation. Divisive legislation like SB1412 hurts all Arizonans.

¹ [https://www.azed.gov/sites/default/files/2021/07/The%202020%20Arizona%20Teacher%20Workforce.pdf](https://www.azed.gov/sites/default/files/2021/07/The%202020%20Arizona%20Teacher%20Workforce.pdf)
The amended bill demonstrates a lack of meaningful stakeholder input involved in drafting SB1412 and is ultimately an attack on our school communities based on a red herring aimed at sowing distrust in public school. As the great Maya Angelou once said, “History, despite its wrenching pain, cannot be unlived, but if faced with courage, need not be lived again.” For these reasons, we oppose SB1412 as amended by the conference committee.

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