

I am not here under the auspices of Convention of States, but as a concerned citizen. I have been a Registered Nurse for 41 years, 30 of those years as a Critical Care Nurse. My focus has been on the US Constitution and how it governs education. All of my research can be found on Substack. My speech today reflects government overreach.

Chairman Peterson, Vice Chair Thomas, Ranking Member Humphrey, and Members of the Committee,

The U.S. Constitution mandates that education in every state must guarantee constitutional rights beginning with the 14th Amendment providing equal protection under the law. It is the same 14<sup>th</sup> Amendment under the Due Process Clause that not only safeguards individual rights but also explicitly protects parents' authority to direct the educational upbringing of their children. This principle is further underscored by a Statutory Law of Congress, affirming that “parents bear the primary responsibility for their children's education, while states, localities, and private institutions support this parental role.”

While the Commerce Clause was originally intended to regulate commerce among states, its scope evolved over time. Initially used to address issues like railroad rates, it later played a pivotal role in combating racial discrimination affecting commerce within the states, as seen in the Maintenance of Effort Requirement. However, a significant change occurred with the Democratic controlled Congress amending the Commerce Clause under the American Rescue Plan in December 2021 and introduced the Maintenance of Equity Requirements, compelling the inclusion of Critical Race Theory (CRT) in educational programs.

CRT, a framework highlighting inherent racial bias in societal institutions, has sparked controversy with its binary classification of individuals as either oppressors or oppressed. The change of the Commerce Clause, to promote Critical Race Theory and Diversity, Equity, and Inclusion, raises immediate concerns because it infringes upon constitutional rights, particularly those of white students.

This change impacts a broad spectrum of educational institutions, from daycare centers and K-12 schools to military institutions, colleges, and universities, receiving federal funds. Compliance is enforced by the withholding of funds by Congress if CRT or Diversity, Equity, and Inclusion principles are not integrated into educational curricula. Congress is superseding parents' rights and responsibility for their children's education, by using funding to support a political ideology. Higher education faces additional oversight through accreditation processes and federal student loan availability.

As stated in the opening paragraph, the US Constitution mandates that parents have the ultimate responsibility for the education of their children. The state's responsibility is to follow the wishes of the parents as it relates to education.

What is fundamental to every citizen in the State of Ohio is best described under the Equal Protection Clause of the 14<sup>th</sup> Amendment which provides that “No state shall...deny to any person within its jurisdiction the equal protection of the laws.”

Government overreach, particularly through the Commerce Clause, should not dictate curriculum. The legislative branch in Ohio must be vigilant in safeguarding individual and parental rights and prevent undue interference in educational matters. Notably, concerns extend beyond CRT, encompassing other controversial topics, which have already found their way into schools.

Thank you for entertaining my concerns in this matter.