Investigating the Relationship between Politics and Education

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Investigating the Relationship between Politics and Education

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When most individuals think about politics and education, they almost surely think about the current viral images of empty bookshelves in Florida, the tense school board meetings, divisive concepts laws, protests outside schools and government buildings, etc. For the past several years, these topics have been constantly in the news and have been mostly unavoidable for the average citizen of the United States. Some have advocated for a separation of politics from education in this divided political climate. However, politics plays an important role in the funding and governing of public K-12 schools. Before one can dive into the current issues with education, there must be an understanding of how politics is ingrained into the United States education system.

Public education is mostly funded by local and state governments. In the 2021 fiscal year, it was estimated that state governments made up 44% of funding nationwide, local governments made up 45%, and the federal government made up 11% (Peter G. Peterson Foundation). These are just the national averages and each individual state has different funding percentages. The state of New Hampshire is funded mostly by local governments. In the 2021-2022 school year, about 60% of the funding for public schools came from local property taxes, which is about $2.19 billion (NH Fiscal Policy Institute). The two charts below help to highlight the differences between New Hampshire and nationwide school funding.
The federal government provides funding to public schools through grant programs. These grants, which are distributed to states through formulas, are meant to create equal opportunities for all students across the country. One common grant given to schools is the Title I grant, which is the largest federal grant program under the Elementary and Secondary
Education Act (ESEA). Title I grants are given to school districts that serve large amounts of low-income students. During the 2021 fiscal year, approximately $14 billion went towards Title I schools. Another federal grant program falls under the Individuals with Disabilities Education Act (IDEA), which is a law that ensures equal and fair access to education for students with disabilities. Schools are given funds to give students with disabilities the appropriate resources which will help them succeed. Funding for school districts is awarded “through a formula based on a state’s total population with disabilities between the ages of 3 and 21” and by “the percentage of those individuals living in poverty” (Peter G. Peterson Foundation). Approximately $11 billion for this grant was awarded during the 2021 fiscal year (Peter G. Peterson Foundation).

Another type of grant program falls under child nutrition. Schools are given grants to provide free or reduced-price lunches to students who are eligible. About $17 billion were awarded to schools in the 2021 fiscal year (Peter G. Peterson Foundation). Funding can also be provided for certain emergencies. For example, schools were given aid during the height of the COVID-19 pandemic. At this time, a lot of schools were online or had social-distancing models. Congress made relief funding available to help schools navigate through the most difficult part of the pandemic.

The ways in which states provide funding to schools vary. All states use formulas to equally allocate money to school districts as much as possible. Funding is usually greater for districts with higher amounts of English learners, low income families, and students with disabilities (Peter G. Peterson Foundation). Funding is usually raised through statewide taxes. In most states, this comes from income and sales taxes. Some states, such as New Hampshire, do not have these taxes and rely on other ways to raise funds.
New Hampshire has a unique law funding education called the Statewide Education Property Tax (SWEPT). SWEPT is unique because it is a statewide tax that gets collected by local governments. The tax requires that $363 million, with slight adjustments for rounding off tax rates, be raised through property taxes each year. This law was established in 2005 and does not account for inflation. All funds raised by SWEPT are retained locally and “local governments that raise a larger amount through the SWEPT than they need to fulfill the State’s obligation to support local public education are not required to send any excess SWEPT revenue raised to the State” (Polizzotti). In other words, wealthier towns with excess funds are not required to send them to financially struggling towns.

School districts are able to raise funds locally, which generally means levying local property taxes. Typically, a school district will come up with a budget that gets approved by the school board and/or the town budget committee. This will then be voted on during town and school elections, which are sometimes known as town meeting days. In New Hampshire, some towns have an extra meeting day known as a deliberative session, which is permitted under Senate Bill 2. Deliberative sessions allow registered voters to ask questions, discuss, debate, and amend any of the proposed operating budgets and warrant articles (NH Department of Revenue Administration).

In addition to providing funding, the federal and state governments create the laws that govern public schools. One important law enacted in 1965 was the Elementary and Secondary Education Act (ESEA), which was intended to “strengthen and improve educational quality and educational opportunities in the Nation’s elementary and secondary schools” (Skinner). This law is the primary source of funding for elementary and secondary schools, with Title I funding falling under it. It holds schools and states accountable in order to receive grant funds. The
ESEA has been amended numerous times, most recently being reauthorized as the Every Student Succeeds Act (ESSA) in 2015. A previous version of this law was the No Child Left Behind (NCLB) Act from 2001. This was a controversial law that penalized schools for failing to perform well on standardized tests. Opponents of NCLB argued that struggling schools should receive more resources so that the students can receive more assistance and do better on standardized tests. The ESSA replaced NCLB and its goal is to fully prepare “all students for success in college and careers” (US Department of Education). Rather than being judged solely on standardized tests, the government looks at other factors, such as college readiness. The ESSA ensures that all students receive equal access to a quality education.

Another important law that also allows for federal grants is the Individuals with Disabilities Act of 1990. As discussed previously, this law that ensures equal and fair access to education for students with disabilities. It also ensures that students have free access to education, provides funding so schools can appropriately fit the needs of students with disabilities through resources and supports, and protects the rights of students with disabilities and their families under law (US Department of Education).

The Federal Educational Rights and Privacy Act (FERPA) is another law mandated by the federal government. This law ensures that students’ education records are private. If a school needs to release any information regarding a student’s record, they generally need permission first. Education records can be accessed by parents until their child turns 18, where the records are the transferred to the student. It is mandated that schools notify parents and students each year about FERPA (US Department of Education).

In addition to federal laws passed through the federal legislative and executive branches, the Supreme Court has ruled on numerous education cases, setting nationwide precedents for
education. One of the most well-known rulings was *Brown v. Board of Education* in 1954. The Supreme Court ruled that segregated schools were unconstitutional and stopped legally-mandated segregated schools. This law took a lot of time to be implemented across the country, but it had a huge impact in the push for better education for students of color. Another case was *Abington School District v. Schempp* in 1963, which struck down a “Pennsylvania policy that required all students to read 10 Bible verses and say the Lord’s Prayer at the beginning of each day” (Stahl). This along with *Engel v. Vitale* in 1962 removed school prayer from public schools.

State governments pass their own laws regarding education. New Hampshire has numerous laws in place, including the Child Protection Act. This act mandates educators and administrators to report “suspected instances of child abuse or neglect, to provide protection to children whose life, health or welfare is endangered” (New Hampshire Department of Education). If a child confides in a teacher for something going on at home or they suspect that something is happening, the teacher would be required by law to report it. Another education law is known as Suicide Prevention Education. Like the title suggests, this law requires that “each school district and chartered public school shall develop a policy that guides the development and implementation of a coordinated plan to prevent, assess the risk of, intervene in, and respond to suicide” and that school staff and volunteers are trained in recognizing “youth suicide risk factors, warning signs, protective factors, response procedures, referrals, post-intervention, and resources available within the school and community” (New Hampshire Department of Education).

In 2021, New Hampshire passed what is commonly known as the Divisive Concepts law. This law restricts what can be taught in the classroom regarding subjects including racism and sexism. The Divisive Concepts law was at one point known as HB 544, which was killed in the
New Hampshire Legislature. However, it was controversially tacked onto the state budget and ultimately passed. There is currently an ongoing lawsuit with the teachers’ unions and the NH ACLU, who allege that “the law is too vague for teachers to understand precisely what is prohibited” and that “teachers are censoring their lessons and avoiding certain topics” to avoid potential conflict (Gibson).

There are numerous bills that as of May 2024 are being considered by the NH House of Representatives and the Senate. One of these bills is HB 1014, which is a moderately partisan bill that would require “school districts and private high schools to develop programs to inform high school students about registering to vote” and could look like collaborating with the town clerk’s office to set up voter registration at the local high school (NH HB 1014). Another bill that is in process is HB 1185, which is a partisan bill that establishes standards for sexual education curriculum. HB 1185 specifies what subject matter will be taught at each age level, with elementary schoolers being taught about respect and unwelcome touching. 5th graders would be taught about hygiene and hormonal changes, but would be separated by biological sex. This bill notably mentions that gender identity, sexual orientation and gender expression are prohibited from being taught (NH HB 1185). Another partisan bill that has already passed the House is HB 1205. If enacted, this bill would prohibit transgender women from participating in women’s sports, including at the elementary level (NH HB 1205).

In the past few months, there have been several controversial New Hampshire bills that have effectively been killed. HB 1473, which was one of the most monitored bills this year, was a partisan bill that would have prohibited social-emotional learning in schools. As defined in this bill social-emotional learning refers to “any evidence-based or non-evidence-based programming that promotes school and/or civic engagement and/or builds an equitable learning framework that
creates or uses evidence-based benchmarks, standards, surveys, activities, learning indicators, programs, policies, processes, professional development, or assessments that address non-cognitive social factors including but not limited to, self-awareness, self-management, social awareness, relationship skills, responsible decision making, and/or other attributes, dispositions, social skills, attitudes, behaviors, beliefs, feelings, emotions, mindsets, metacognitive learning skills, motivation, grit, self-regulation, tenacity, perseverance, resilience, and/or intrapersonal resource” (NH HB 1473). This bill was killed in the House of Representative after thousands of people submitted testimony against it. Another bill that was killed this year was HB 1356, which would require public school employees to contact parents to get permission before calling students by their preferred names or pronouns. The bill also would have allowed parents to take legal action if their child was called a name other than the one on their birth certificate (NH HB 1356).

A lot of the controversial bills mentioned above are a result of the current political climate. There have been tense conversations surrounding education occurring nationally, specifically on what material is acceptable to be taught in the classroom. Some parents and community members have expressed concern that students are being “indoctrinated” and that educators are inserting their own values in their teaching instead of being unbiased. These are typically the fears heard over social media, whether on personal pages or in Facebook community groups, and during school board meetings. Social emotional learning, as discussed in HB 1473, is one of the controversial topics circulating around the United States. Opponents of social emotional learning have stated that programs “are part of a ‘woke agenda’ to teach progressive ideas in school and that they distract from academics” (Abrams). Usually, pushback to social emotional learning stems from the idea that parents should be in charge of social
learning and that schools should focus on reading, writing, math, etc. However, studies show that people generally support the principles underlying social emotional learning. This research suggests that the use of scientific terminology does not always clearly convey what is being taught. This has led to mass confusion of what social emotional learning actually is, with conservative media outlets calling it “a ‘Trojan horse’ for teaching children about critical race theory and gender diversity” (Abrams).

Critical race theory (CRT) has been brought up during school board meetings and on social media for several years. CRT is defined as a way “of thinking about America’s history through the lens of racism” through examining “how the legacy of slavery and segregation in the US is embedded in modern-day legal systems and policies” (Masiga). This theory argues that racism is systemic in the United States. Opponents of CRT state that it is racism against white people and that it makes children feel discriminated against for crimes committed by their ancestors. Proponents of CRT state that it is usually taught in collegiate settings, making the discussion surrounding its use in K-12 classrooms inaccurate.

While there is currently no evidence to CRT being taught in K-12 classrooms, the term has been used by many to describe all race-related curriculum. As discussed previously, laws relating to teaching divisive concepts have been popping up all across the country. Teaching about race and racism is one of the content areas that has been getting targeted, particularly in the state of Florida. In 2023, the Florida State Board of Education released a new history standard regarding slavery, requiring that students be taught that “slaves developed skills which, in some instances, could be applied for their personal benefit” (Álvarez). This language provoked outrage across the nation, with many stating that it erases the painful history of slavery in the United States. Opponents believe that students need to be shown an honest picture of United
States history in order to make them informed citizens who can one day help to heal divisions and solve the nation’s problems (Álvarez).

The use of LGBTQ+ curriculum is another controversial topic that is circulating around the country. Much of the objection to learning or discussing gender and/or sexual identity stems from moral or religious beliefs. Some parents and community members are afraid that children will become “indoctrinated” and exposure to these topics goes against their religious views. Other community members and parents who support LGBTQ+ curriculum state that students are going to be exposed to it on the internet or in the real world, so they should be taught about it to prepare them to be kind to others. Another view is that students who are a part of the LGBTQ+ community feel more supported when getting represented in the curriculum (GLSEN).

There is a lot of legislation being considered around the country relating to gender identity. As discussed previously, New Hampshire has looked at numerous controversial bills such as HB 1185, HB 1205, and HB 1356. This legislation has largely been in response to public outcry about discussing gender identity in schools. One common discussion that’s been heard in school board meetings for the last few years has been letting transgender students use the bathroom of their choice. In New Hampshire, the town of Milford made headlines in 2023 for the heated school board meetings regarding this issue. A proposal was made that would limit students to use the bathroom that corresponds with their biological sex. Many students and community members went to school board meetings to support or oppose this bill. Supporters stated that female students feel uncomfortable changing in locker rooms or using bathrooms with transgender students who are biologically male. Opponents of the proposal stated that making transgender students use the bathroom that coincides with their biological sex would put them at risk for gender-based violence and make them feel less welcome in the schools. Ultimately, this
proposal was struck down and transgender students in Milford are free to use the bathroom of their preference (Goggin).

Another controversial topic is sex education, which is a topic that has long been debated. Sex education was introduced to classrooms in the 20th century and has evolved to meet the changing times. In the early 20th century, sex education was taught through learning about plant and animal reproduction. This was meant to discourage students from being “too interested in the human kind” while still teaching them about reproduction (Zimmerman). After World War II, sex education became a little more explicit, focusing on creating strong heterosexual families. Then, the sexual revolution of the 1960s and 1970s helped to change the vocabulary of sex education and advocated that talking about sex reduces unwanted pregnancies and sexually transmitted diseases. Many Christian conservatives opposed the teaching of sex education, stating that it was immoral and “aimed to implant sexual ideas in otherwise innocent youth” (Zimmerman). Eventually, they united around the use of “abstinence-only” education, which focused on the dangers of pre-marital sex with no mention of contraception. States and local governments were incentivized by the federal government in the 1980s with grants if they required abstinence-only education. During President Barack Obama’s term, his administration scaled back that funding (Zimmerman).

In the present, there are still those who want to only teach about abstinence. Those against this believe that students may engage in sexual activity on their own and they need to know how to avoid teen pregnancy and sexually transmitted diseases. The debate over sex education has moved to gender identity, which as discussed previously, is a hot topic in the United States at the moment. Many states have passed or are considering legislation that restricts teachers from discussing gender identity in the classroom. New Hampshire is considering HB
Currently, which would ban teaching about gender identity, sexual orientation, and gender expression in sex education classrooms (HB 1185). Common language used by opponents of teaching about gender identity commonly state that schools are trying to “groom” and indoctrinate children. It is believed that using this language is a tactic to cater to a wider audience about sex education instead of a religious one (Zimmerman).

Talking about race, gender identity, sexual orientation, etc. are some of the reasons behind the nationwide surge of book banning. “From July to December 2023, [PEN America] found that more than 4,300 books were removed from schools across 23 states” (Alter). The reasoning for removing these books is similar to the reasoning outlined above for limiting the teaching of divisive concepts in the classroom. Many of the banned books include LGBTQ+ characters or discuss race and racism. Opponents of book bans believe that limiting access to these books erases representation for students of color and LGBTQ+ students, which could be harmful to their mental health (Alter).

Other controversies facing education include the way it is funded. This debate is prevalent in New Hampshire. As mentioned previously, about 60% of New Hampshire’s education funding in the 2021-2022 school year came from local property taxes set by local governments. Adding SWEPT funding into this means that 70% of funding came from local property taxes. New Hampshire has the highest percentage of funding coming from property taxes in the United States. The increase in property taxes is something that many people have complained about, stating that they cannot afford to live in their homes anymore. Because the New Hampshire state government only contributes approximately 21% of funding for public education and has no income or sales tax, local property taxes continue to skyrocket (NH Fiscal Policy Institute). Communities across New Hampshire are discussing the increase of property
taxes. Conservatives tend to believe that town and school funding should be less, while liberals tend to think that the state needs to contribute more to funding by implementing statewide taxes that distribute funds equally.

An additional controversial funding issue in New Hampshire is the Education Freedom Accounts Program. Education Freedom Accounts allow for eligible students to get grants to attend schools of their choice. To be eligible, families must be at or below 350% of the federal poverty guidelines (Children’s Scholarship Fund). These accounts are meant to give all students the opportunity to choose the type of school that best fits their needs, including private schools and homeschooling. Funding for vouchers comes from public tax dollars, which is controversial. Some people dislike their tax dollars funding private schools and reimbursing homeschooling parents. These individuals believe that these tax dollars should instead go into public schools, which are meant to serve everybody. If public schools are better funded, they will be able to better support all students and provide appropriate resources. In February 2024, the House of Representatives voted on a narrow margin of 190-189 to increase the eligibility cap to include households that meet or are below 500% of the federal poverty guidelines. Under the previous 350%, a family of four with an annual household income of $109,000 or less was eligible for vouchers. If the new bill passes, families of four making a maximum of $156,000 a year will be eligible. As of May 2024, the bill is still being discussed in the senate (Dewitt).

The school funding model in New Hampshire took a hit in 2023, when it was ruled in two school funding lawsuits that “the State is violating its constitutional obligation to adequately fund public schools, and that the state’s administration of a tax to fund public schools violates a separate constitutional requirement for uniform taxation” (Education Law Center). In the Rand v. State ruling, it was determined that the Statewide Education Property Tax or SWEPT is not a
uniform state tax, which violates the State Constitution. As discussed previously, wealthier towns with higher property taxes that raise excess revenue from SWEPT are not required to allocate that money to financially struggling towns. The ruling in this case prohibits the state from allowing towns to retain excess SWEPT funds in the upcoming tax season. The second case, *Contoocook Valley School District v. State*, determined that the State’s base adequacy amount of $4,100 per pupil is unconstitutional. The judge in the case ruled that the base adequacy amount needs to be at least $7,356.01 per pupil. It will be up to the New Hampshire Legislature to set an amount higher than that number (Education Law Center).

The current controversial political issues surrounding education have a direct impact on teachers, administrators, and other staff members working in public schools. A 2022 study from the nonprofit Rand Corporation found that 48% of principals and 40% of teachers felt that politics impacted their jobs. In comparison, only 16% of individuals with non-school jobs felt their careers were impacted by politics. It is important to note that this survey was administered after the height of the COVID-19 pandemic. At this time, schools were under fire from some parents and community members about mask-wearing, social distancing, and vaccine requirements (Hernandez).

In October 2022, the National Association for Music Educators (NAfME) put out a survey to its members in states with divisive concepts laws asking how they’ve been affected. Approximately two thirds of respondents reported that the laws have negatively impacted their teaching. Of these respondents, many reported that the divisive concepts laws limited repertoire selection and discussions about the music. One music teacher reported that the “policies limit what I’m allowed to teach in regard to music because they don’t allow us to have honest conversations about the experience of the people who write or wrote our music. They also don’t
allow us to talk about some musicians in history who have greatly impacted the music we play and listen to. Each person’s experience and perspective is important and if we can’t talk about the fullness of their experience, we can’t teach completely accurately, which is a disservice to our students and in direct opposition to our mission as educators” (Salvador).

Other music educators expressed confusion over district policies, with one teacher stating that their policy “was hastily implemented and no one knows what to do. The law is in place but the guidance won’t be out until January at the earliest. Each school district is floundering and the parents think one thing (well, many things) while educators think another and administration thinks another. Everyone is coming from a different place (i.e., parents for THEIR child, teachers for the inclusion of all, administration from a liability standpoint). As such, each district is doing something completely different, and even each school. Some have banned all while others say leave it to your discretion, while others say all is fair game until the guidance. Even state level organizations are struggling to put out information. Specifically with music, we have been banned from ordering anything without lots of sign-offs, having any supplemental materials in classrooms is forbidden, Teachers Pay Teachers is banned from being used. Music materials are in a gray area, where no one in our district can answer how band music, chorus music, theory materials, etc. fit in and right now it seems to be just look the other way until guidance comes (if it comes). Teacher fear is that it will get worse when the guidance does come out. A couple of weeks ago, admin went around and required all ‘Safe Space’ stickers to be removed—under the guise of ‘we can’t guarantee a safe space (as in Uvalde),’ but it was a wordsmith game our state is so good at. Confusion and frustration seem to be the name of the game and the exodus of teachers in all subjects is well under way” (Salvador).
There were other music educators in this study that shared that the divisive concepts laws were mostly affecting them instead of their teaching. One teacher stated that they feel that they cannot be openly an ally to the LGBTQ+ community without losing their job. In this study, many educators expressed concern for their students, specifically those in the LGBTQ+ community, and believe that they now have a more difficult time building positive relationships with students. Another finding of the study was that their stress levels and job satisfactions were being impacted by the current political climate (Salvador).

In conclusion, politics plays an integral role in the public education system albeit controversial at times. Funding and governing laws ensure that students receive a free and appropriate education regardless of background and ability. However, the current divided political climate has seemingly had a negative impact on educators, administrators, school staff, students, and communities and has influenced laws enacted around the United States. Controversial topics surrounding education have been around for a long time and continue to evolve. There will almost always be divisive issues regarding education. It is important to be aware of proposed laws or changes to existing laws in order to support students and educators as they navigate the education system through changing times.
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