

United States Senate

December 2, 2022

Delivered via E-Mail

The Honorable Miguel Cardona
Secretary
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202

Dear Secretary Cardona:

I write to convey my disappointment with the seemingly prejudiced National Parents and Families Engagement Council (Council) recently announced by the Department of Education (Department). If this Council continues to exist, I seek to ensure you will establish objectivity and nominate members who serve its stated purpose of “identify[ing] constructive ways to help families engage at the local level.” During the COVID-19 pandemic, it became evident that facilitating the relationship between schools and parents is most successfully chartered at the local level. Therefore, I welcome the stated purpose of this Council; however, it is troubling that you seem to have forgotten to include any actual families or local level officials in it.

Instead, the Department has filled the Council with organizations that have limited, if any, engagement at the local level. Most, if not all, of these organizations are liberal advocacy groups that seek to nationalize our education systems into a one-size-fits-all system while eliminating parental choice and leaving the individual needs of our students behind. For example, a recent lawsuit against the Council alleges that the highest-ranking executives for eleven of the fourteen represented organizations donated to President Biden, Democratic lawmakers, Democratic fundraisers, or other entities affiliated with Democrats.¹ Additionally, the former director of one of the organizations was appointed to serve in the Department,² and one even hosted President Biden at its annual convention.³ The uniformly partisan members of the Council demonstrate this administration’s commitment to putting the interest of unions, teachers, non-education associations, and the radical left above students and parents.

The biased nature of the Council also appears to violate federal law, as it disregards the Federal Advisory Committee Act (FACA), which explicitly requires “membership of [an] advisory committee to be fairly balanced in terms of the points of view represented”.⁴ The Department’s failure to include anyone with a diverse set of parental, or even political, perspectives makes the

¹ [America First Legal Foundation v. Cardona](#), No. 1:22-CV-1947-RCL (D.D.C. 2022)

² <https://www.congress.gov/nomination/117th-congress/1700>

³ <https://nationalactionnetwork.net/newnews/president-joe-biden-to-deliver-opening-remarks-at-nans-national-virtual-convention/>

⁴ 5 U.S.C. app. 2 § 5

Council void of any balance. While the Department once again ignores the laws passed by Congress, the families it claims to want to engage are left out of the room.

For the sake of parents, teachers, and students across the nation, if this overtly partisan Council continues, it is not too late for the Department to invite parents and families to the discussion. To learn about the steps the Department will take to engage parents and families, or disband the Council altogether, I request the following information and documents by January 3, 2023. When responding, please respond under each question rather than in narrative format.

1. Please provide a list of named representatives for each organization on the Council, along with their credentials for being said representative.
2. Please provide all documents and communications that have been created by the Council or by any of its members in the Council's course of business.
3. What instructions, goals, or guidance has the Department given to the Council?
4. What criteria governed the selection of the fourteen organizations invited to participate in the National Parents and Families Engagement Council?
 - a. This may seem like a question with an obvious answer, but to be sure, was there a requirement that any of the representatives have human children?
 - b. Did any organization have the opportunity to apply to join the Council?
5. Was there any outreach done by the Department to specific organizations with regard to the formation? If so, please list all organizations the Department conducted any outreach to with regards to the formation of this Council, regardless of whether potential membership in the Council was discussed.
6. How were organizations invited to participate in the Council? For example, were there formal invitations sent out or were invitations part of informal communications between the Department and outside organizations? Please provide all documents and communications that discuss or reflects an invitation to any organization to be a part of this Council.
7. Before assembling the Council, did anyone at the Department have communication with any of the fourteen represented organizations⁵ regarding mask or vaccine mandates, critical race theory, and gender identity training in schools, transgender issues, educational equity, or school boards? What was the nature and substance of such communication(s)?

⁵ The Council of Parent Attorneys and Advocates (COPAA); Fathers Incorporated; Generations United; Girls Inc.; League of United Latin American Citizens (LULAC); Mocha Moms; National Association for Family, School, and Community Engagement (NAFSCE); National Action Network; National Military Family Association (NMFA); National Parent Teacher Association (PTA); National Parents Union (NPU); The National Center for Parent Leadership, Advocacy, and Community Empowerment (PLACE); United Parent Leaders Action Network (UPLAN); UnidosUS.

8. What efforts were and are being taken to meet FACA requirements governing viewpoint diversity, open and transparent public meetings and activities, Federal Register notice, and public oversight in the formation of federal advisory committees?
9. Given the apparent partisan bias and close ties between the fourteen organizations and the Biden Administration, is the Department taking any steps to ensure that all parents and families, not just those that voted President Biden, are represented on the Council?
10. Several of the organizations represented on the Council have espoused policy positions radically unpopular with American parents. For example: The National Parents Union has supported “Critical Race Theory” instruction and its director has defended the September 29, 2021, letter written by the National School Board Association calling certain parents “domestic terrorists.” The Council of Parent Attorneys and Advocates (COPAA) sued to maintain mask mandates in Virginia schools.
 - a. Does the Department endorse these views and envision the Council also endorsing these views?
 - b. Why are there no groups that have opposed school mask mandates or critical race theory instruction represented on the Council?
 - c. How would you respond to concerns that these groups are overly partisan and do not represent perspectives held by all parents around the nation?

Thank you for your attention to this important matter.

Sincerely,



Bill Cassidy, M.D.
United States Senator



Richard Burr
United States Senator



Michael S. Lee
United States Senator



Mitt Romney
United States Senator



Tim Scott
United States Senator