

News From The States

EVENING WRAP

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By [Kate Queram](#)

Today's newsletter is about kids, but it is also about lawmakers not knowing things, or knowing things but doing dumb things anyway. It is, in other words, about politics.



The Big Takeaway

Horrified to learn that corporal punishment is still a thing in Florida schools, lawmakers on Wednesday advanced a bill that would continue the practice — but only if a child's parent approves, [per the Florida Phoenix](#).

[The bill](#), approved unanimously by a House subcommittee, would bar principals from hitting kids unless their parents sign a permission slip at the start of the school year. Physical force would be outright banned for homeless students and those with disabilities. Both public and charter schools would be required to comply with the policy.



I have no comment.
(Photo by Getty Images)

Nearly a third of the state's school districts physically punish students, usually either by hitting or paddling. Eighteen districts reported 509 incidents of physical discipline in the last school year, the vast majority of them involving male students. There are no guidelines for the practice, which varies by district and often by school, where details — including when, and how, to physically punish a child — are usually determined by principals. None of this is unique to Florida. To date, only 27 states [explicitly ban](#) corporal punishment in schools.

“I can tell you that if it were me and my kid came home and told me that they mouthed off to the teacher and as a result of mouthing off to the teacher some principal took a piece of wood to them, me and that principal would have issues,” said state Rep. Christopher Benjamin, a Democrat from Miami-Dade County. “This bill doesn’t go far enough. It should be outright banned.”

Not everyone agreed. One Republican questioned a provision banning corporal punishment for students with individual education plans, which he said do not necessarily affect behavior. Another asked if bad behavior was more prominent in schools without corporal punishment, prompting a rebuke from state Rep. Mike Beltran, a Hillborough Republican who co-sponsored the bill.

“The subtext to some of the questioning was that somehow we were being lenient, or excessively lenient to children, or that there was some problem in society that arose today that we need to preserve, or expand, or continue to use corporal punishment. I haven’t been lenient at all,” Beltran said. “I could get sentenced by a judge, and they’re still not going to paddle me. Yet some principal and some teacher, basically, can decide to discipline the child. It makes absolutely no sense. It’s completely susceptible to capricious and arbitrary treatment.”



Speaking of arbitrary!
(Photo by Getty Images)

Indiana Republicans embraced the randomness Wednesday, advancing a bill that would give school boards final say over “human sexuality” curricula without defining “human sexuality” or acknowledging the fact that school boards ... actually already have that authority, [the Indiana Capital Chronicle reported](#).

“This is a subject where teachers and parents have reached out to me with concerns,” said state Sen. Gary Byrne, the Republican who authored the bill. “We all know conversations about sex ed are more sensitive than other subjects because families have different values and different ideals about what is

appropriate to talk about, and when it's appropriate for their child to hear about it. Publishing this information will just help parents better decide whether they want to opt out."

[The bill](#), approved 8-5 by the Senate Education Committee, would require school boards to approve and then post online an annual plan containing a host of *extremely specific* details about every human sexuality course in the district, including but not limited to: A description of the topics, the dates of each lesson, the sex of the instructor, and whether students will be separated by sex or kept together to learn the truth of bumpin' uglies (a ridiculous term for a *ridiculous amount of information oh my god*). The site would also include all relevant course materials, approved by the school board separately during a public meeting.

This is, for the most part, unnecessary. For starters, Indiana doesn't require schools to teach sex ed beyond basic lessons about HIV and AIDS; schools that go farther are expected to focus on abstinence (the only type of sex ed that correlates with [higher rates of teen pregnancy](#), so, great work, everyone). And school boards already have the authority to review and approve course materials, regardless of the specific curriculum. Parents also have access to those materials as required by state law; they also already have the right to remove their children from sex ed entirely. So what, exactly, is the point of the bill?



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(Photo by Getty Images)

Clarity, according to Byrne. Indiana, you see, doesn't have specific state standards for sex ed (because: Indiana does not require schools to teach sex ed), and this has left teachers void of "directions." Mostly, that guidance will come from the school boards, which will each decide for themselves the meaning of "human sexuality," a term that is not defined in state law or in the bill written specifically to provide clarity on "human sexuality" classes. This was intentional, according to Byrne, who "didn't feel like it was necessary" to explain it in the bill.

School boards can "define that locally," he said.

This is less a bill than a package of contradictions and nonsense, critics said. The proposal — and its ambiguous, confusing language — would make it easy for school boards to exclude LGBTQ+ lessons from sex ed curriculum, likely violating both [Title IV](#) and [Title VI](#), said Emma Vosicky, executive director of the Indianapolis-based nonprofit GenderNexus. It also empowers local officials to "inject their own political beliefs" into local curriculum, said Chris Daley, executive director of the American Civil Liberties Union (ACLU) of Indiana.

“This is not a local control bill,” Daley said. “This is a bill that is requiring every school district in the state to now hold hearings on very volatile issues in which a small number of folks can come and take over those meetings.”



*Iris Turmelle, ready to get things done.
(Photo by Ethan DeWitt/New Hampshire Bulletin)*

Some people take over meetings to complain about lesson plans. Iris Turmelle does it to advocate for her own existence. On Monday, the 14-year-old stepped to the podium to address the New Hampshire House Education Committee in hopes of convincing lawmakers to kill a proposal that would bar kids like her from participating in girls’ sports, [per the New Hampshire Bulletin](#).

“My name is Iris Turmelle,” she said. “I am an eighth grader and a trans girl from Pembroke. This is who I am, and nothing can change who I am.”

Not even the so-called [“fairness in women’s sports act,”](#) which would require transgender female athletes to play only on coed teams or squads that match their “biological sex,” defined as “an individual’s physical form as a male or female” based on “reproductive biology and genetics (chromosomes) at birth. The measure would also bar athletic associations, licensing groups and

government entities from investigating or prosecuting schools for creating separate teams for female players. A corresponding [Senate bill](#) would create similar restrictions for trans males, while a separate [House bill](#) would amend anti-discrimination laws to allow schools to police locker room and bathroom usage.

All in the name of safety, according to state Rep. Louise Andrus, a Salisbury Republican and the sponsor of the sports bill.

“Our biological females in New Hampshire need protection and safety in sports,” she said.



Some balls.

(Photo by Matthew Hatcher/Getty Images)

Supporters of the bill were focused mostly on maintaining parity in girls’ sports by preventing “male athletes” from becoming “the best woman athletes.” (The vast majority of the time, this [does not happen](#).) It’s not about discrimination, said Betty Gay, a former Republican lawmaker. It’s about *athletics*.

“I just want to say: I’m not anti-trans, and I don’t like any kind of prejudice against anyone,” said Gay. “It’s only fair to keep a level playing field.”

You know who’s also big on level playing fields? The federal government.

That's why we have [Title IX](#), which bars schools from discriminating on the basis of sex. The bill appears to conflict with that law, leaving the state open to federal lawsuits, experts said. It's also not clear how schools would enforce the policy, which does not detail a procedure for determining a child's biological sex at birth.

"They might not be out to their school community. And we also have constitutional protection for privacy," said Deb Howes, president of the American Federation of Teachers New Hampshire. Do you really want the schools making intrusive inquiries into someone's past or medical situation?"

Iris, at least, was happy to explain her own story.

"Legally, I am female," she told lawmakers Monday. "I have a female name. I have a birth certificate with my female name and gender marker. I have a court order that says I'm female and orders my female name. My passport says I'm female and has my female name. My insurance card says I'm female and has my female name. My name is Iris, and I am female."



State of Our Democracy

South Dakota Gov. Kristi Noem on Wednesday warned state lawmakers to be prepared to "take action" on the "invasion" at the U.S./Mexico border, a purported "war zone" controlled by drug cartels, [per South Dakota Searchlight](#). Noem, a Republican, did not explain *how* they might take action, vowing only to explore "various legal options" to "support Texas" and "force the federal government to do their job."

Also, razor wire. Maybe they could send some razor wire to Texas, she said.



*Solving the border crisis, one wire shipment at a time.
(Photo by John Hult/South Dakota Searchlight)*

“So why am I standing here in front of you today?” Noem said during remarks before a joint session of the state legislature. “Because as we move forward to take action, I want us to be united. I want you to be informed.”

Highlights of the speech — which had to be an audition for Donald Trump’s VP slot, because there is no other explanation — included multiple references to the South Dakota National Guard, which deployed to the border once last year and twice in 2021. South Dakota was “the first state in the nation” to offer that assistance, Noem said. (Left unsaid: Texas has [yet to reimburse](#) the state for the help. She later told reporters [she didn’t ask for repayment](#).) She also talked a lot about fentanyl, offering at one point to “very publicly” support the Oglala Sioux Tribe in a lawsuit against the federal government for its failure to adequately address public safety (and drug cartels, I guess) on the reservation.

“Murders are being committed by cartel members on the Pine Ridge Reservation, and in Rapid City, and a gang called the Ghost Dancers are affiliated with these cartels,” Noem said. “They have been successful in recruiting

tribal members to join their criminal activity.”

This, she added, proves that “every state is now a border state.” Even states that only border other states! Even South Dakota, a state located [1,200 miles](#) north of the border in question! If you try hard and believe in yourself, you, too, can be a border state!

This was, essentially, a package of talking points with no actual point, but it used the word “border” a bunch of times, so Republicans loved it anyway. Shortly after the speech, House Republicans approved a resolution affirming the state’s support for securing the border, which is probably of great comfort to the border states located on the actual border. Over in the Senate, Majority Leader Casey Crabtree gave a floor speech about his trip there last summer, describing 60-foot holes in the border wall (that Mexico did not pay for) and a conversation he had with a retired Border Patrol chief who told him officers had seized 109 pounds of fentanyl the previous week.

“That is enough to kill every South Dakotan 27 times,” Crabtree said. (It did not kill every South Dakotan even one time.)

Nobody knows what happens next, probably because the speech did not lay out any specific plans and also because resolutions are meaningless. Still, Republicans are *ready*. (Border!)

“The message was pretty sobering,” said state Rep. Tim Reisch, a Howard Republican. “Exactly what comes next remains to be seen. I think she got everybody’s attention for sure.”



From The Newsrooms

Gov & Politics

- [President Biden’s certain to win South Carolina’s primary. So, why the all-out push?](#)
- [Oregon Supreme Court bars Republican senators who participated in walkout from](#)
- [Voters sue over creation of Louisiana’s second majority-Black congressional district](#)
- [Missouri Supreme Court hears challenge to state Senate district map](#)

Education

- [One-on-one outreach shows promise in cutting school absenteeism](#)
- [Maine students, parents, educators voice support for higher ed programs for people with disabilities](#)
- [Alabama State Board of Education VP wants restrictions on cell phone use in school](#)
- [‘More time to do our jobs’: Indiana lawmakers advance bill to lighten load on school counselors](#)

Criminal Justice

- [House committee holds bill to allow death penalty for lewd conduct with a child under 12 in Idaho](#)
- [Landry wants Louisiana to resume executions, fulfill ‘contractual obligations’ with victims’ families](#)
- [New Jersey lawsuit seen as crucial test of police use of facial recognition technology](#)
- [Voiding NDAs on sexual abuse and harassment may become reality in Utah](#)



One Last Thing

An Arizona Republican is hoping to make Pluto, famously not a planet, the state’s official planet, [per the Arizona Mirror](#). And it’s fine that it’s not a planet, because being a planet is not the point of being the state’s official planet, according to state Rep. Justin Wilmeth, pusher of the [planet policy proposal](#).

“There’s been some controversy recently with it being downgraded ... That’s not really the point of this bill today,” he said. “It’s to honor our state heritage, our state history and our strong astronomy background that we have in this state, both in Flagstaff and Tucson.”



*Pluto: Still not a planet, except maybe in Arizona.
(Photo via the Arizona Mirror)*

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