

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1858
101ST GENERAL ASSEMBLY

4070H.03C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 37.850, RSMo, and to enact in lieu thereof two new sections relating to the rights of parents.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 37.850, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 37.850 and 161.841, to read as follows:

37.850. 1. The commissioner of administration shall maintain the Missouri accountability portal established in executive order 07-24 as a free, internet-based tool allowing citizens to demand fiscal discipline and responsibility.

2. The Missouri accountability portal shall consist of an easy-to-search database of financial transactions related to the purchase of goods and services, **including all forms of compensation and benefits paid to or on behalf of employees**, and the distribution of funds for state programs; all bonds issued by any public institution of higher education, **public school district**, or political subdivision of this state or its designated authority after August 28, 2013; all obligations issued or incurred pursuant to section 99.820 by any political subdivision of this state or its designated authority; and the revenue stream pledged to repay such bonds or obligations; and all debt incurred by any public charter school.

3. The Missouri accountability portal shall be updated each state business day and maintained as the primary source of information about the activity of Missouri's government.

4. Upon the conducting of a withholding or a release of funds, the governor shall submit a report stating all amounts withheld from the state's operating budget for the current fiscal year, as authorized by Article IV, Section 27 of the Missouri Constitution which shall be:

(1) Conspicuously posted on the accountability portal website;

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 (2) Searchable by the amounts withheld or released from each individual fund; and

20 (3) Searchable by the total amount withheld or released from the operating budget.

21 5. Every political subdivision of the state, including public institutions of higher
22 education [~~but excluding~~] **and public** school districts, shall supply all information described
23 in subsection 2 of this section to the office of administration within seven days of issuing or
24 incurring such corresponding bond or obligation. For all such bonds or obligations issued or
25 incurred prior to August 28, 2013, every such political subdivision and public institution of
26 higher education shall have ninety days to supply such information to the office of
27 administration.

28 6. Every school district and public charter school shall supply all information
29 described in subsection 2 of this section to the department of elementary and secondary
30 education within seven days of issuing such bond, or incurring such debt. The department of
31 elementary and secondary education shall have forty-eight hours to deliver such information
32 to the office of administration. For all such bonds issued or debt incurred prior to August 28,
33 2013, every school district and public charter school shall have ninety days to supply such
34 information to the department of elementary and secondary education. The department of
35 elementary and secondary education shall have forty-eight hours to deliver such information
36 to the office of administration.

**161.841. 1. This section shall be known and may be cited as the "Parents' Bill of
2 Rights Act of 2022".**

3 **2. As used in this section, the term "parent" means a child's parent, guardian, or
4 other person having control or custody of the child.**

5 **3. This section shall be construed to empower parents to enforce the following
6 rights against school districts and public schools in which their children are enrolled
7 that receive any federal or state moneys:**

8 **(1) The right to know what their minor child is being taught in school including,
9 but not limited to, curricula, books, and other instructional materials;**

10 **(2) The right to receive information about who is teaching their minor child
11 including, but not limited to, guest lecturers and outside presenters;**

12 **(3) The right to receive information about individuals and organizations
13 receiving school contracts and funding;**

14 **(4) The right to visit the school and check in on their minor child during school
15 hours;**

16 **(5) The right to view and, upon request, receive all school records, medical or
17 otherwise, concerning their minor child;**

18 **(6) The right to receive information about the collection and transmission of
19 their minor child's data;**

20 **(7) The right to have sufficient and effective accountability and transparency**
21 **regarding school boards; and**

22 **(8) The right to know about situations affecting their minor child's safety in**
23 **school.**

24 **4. The department of elementary and secondary education shall develop policies**
25 **and procedures for school districts and public schools to follow to accommodate and**
26 **assist parents in the exercise of the parental rights to know and receive information as**
27 **described in subsection 3 of this section. Such policies and procedures shall describe the**
28 **methods each school district and public school shall use to provide such information and**
29 **shall allow parents to exercise such parental rights to the fullest extent. Each school**
30 **board shall adopt such policies and procedures for the 2023-24 school year and all**
31 **subsequent school years.**

32 **5. No school district or public school shall require nondisclosure agreements or**
33 **similar forms for a parent's review of curricula. Each public school or school district**
34 **shall allow parents to make a copy of curriculum documents or receive such curriculum**
35 **documents in an electronic format, provided that no request would cause an**
36 **infringement of copyright protections provided under the federal Copyright Act of**
37 **1976 (17 U.S.C. Section 101 et seq.), as amended.**

38 **6. No school district or public school shall require nondisclosure agreements or**
39 **similar forms for a parent's review of individualized education program meetings,**
40 **mediations, due process hearings, or other dispute resolution options as outlined in**
41 **accordance with 34 CFR 300.320 to 300.324 and under 20 U.S.C. Section 1401, as**
42 **amended.**

43 **7. No school district or public school shall allow student involvement in school**
44 **assemblies, field trips, or other extracurricular activities unless the child's parents**
45 **provide written authorization for such student involvement.**

46 **8. No school district or public school shall collect any biometric data or other**
47 **sensitive personal information about a minor child without obtaining written parental**
48 **consent before collecting such data or information.**

49 **9. No school district or public school shall provide any school records as**
50 **described in subdivision (5) of subsection 3 of this section in violation of any relevant**
51 **state or federal privacy law or policies protecting or limiting access to such minor child's**
52 **school records.**

53 **10. Each school board meeting pertaining to curricula or general safety shall be**
54 **held in public and allow for public comments, subject to the authorized closure of any**
55 **portion of such meeting under section 610.021.**

56 **11. Each school district and public school shall notify parents in a timely manner**
57 **of all reported incidents pertaining to student safety including, but not limited to, any**
58 **felony or misdemeanor committed by teachers or other school employees and any act or**
59 **instance reportable under subsections 1, 2, or 3 of section 167.117.**

60 **12. Each school district and public school may adopt reasonable procedures for**
61 **parents to follow when exercising the parental right to visit the school and their minor**
62 **child during school hours. No school district or public school shall allow an individual**
63 **to have any interaction with a minor child in violation of any order entered under any**
64 **provision of state or federal law restricting or prohibiting such individual from**
65 **interacting with such minor child.**

66 **13. Each school board shall affirm the board's commitment to ensuring**
67 **sufficient and effective accountability and transparency to parents in the school district**
68 **by adopting policies that require members of the board to collectively and individually:**

69 **(1) Recognize and affirm the protected right of parents to direct the education of**
70 **their minor child;**

71 **(2) Assist parents in the exercise of parental rights to the fullest extent;**

72 **(3) Encourage communication between parents and school board members**
73 **relating to parental rights and parental concerns about their minor child's education**
74 **and educational experience;**

75 **(4) Collaborate with parents to identify ways in which parents can exercise**
76 **parental rights and communicate such ways to parents in a clear, consistent manner that**
77 **can be easily understood by all parents in the school district; and**

78 **(5) Conduct school board meetings in a manner that informs parents of school**
79 **board decisions and actions while encouraging and remaining responsive to parental**
80 **input, requests, concerns, and rights.**

81 **14. Parents may bring a civil action for injunctive relief against the school**
82 **district or public school in which their child is enrolled if such school district or public**
83 **school violates this section. Such action shall be brought in the county where the**
84 **violation occurred. If a court finds that the school district or public school has**
85 **knowingly engaged in multiple or repeated violations of this section, the department of**
86 **elementary and secondary education shall withhold all moneys provided by monthly**
87 **distribution of state formula funding to such school district or public school until such**
88 **school district or public school is in compliance with this section. After the school**
89 **district or public school provides evidence that such school district or public school is in**
90 **compliance with this section, the department shall restore the distribution of the funding**
91 **to its original amount before the distribution was withheld. Any moneys that were**
92 **withheld under this subsection shall be released to such school district or public school**

93 **only if such school district or public school establishes compliance with this section in**
94 **the same school year in which the department withheld such moneys.**

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