

HB 1995 -- PARENTAL RIGHTS IN PUBLIC SCHOOLS

SPONSOR: Richey

This bill enumerates rights for parents in areas relating to education, health care, and mental health, and establishes "The Parents' Bill of Rights for Student Well-Being". Rights listed include the right to direct ethical, moral, and religious training, the right to enroll his or her child in a public, parochial, or home school, and the right to exempt his or her child from immunizations. Additional rights are listed in the bill.

The bill requires school districts to adopt a policy to promote parental involvement with detailed procedures as outlined in the bill including procedures for objection to instructional materials and for parental withdrawal from health education courses relating to human sexuality and sexually transmitted diseases.

The bill requires that the Department of Elementary and Secondary Education (DESE) develop specific forms that school districts must use for parents to opt out of instructional material, and for parents to be notified in advance whenever a teacher intends to teach a divisive or controversial topic.

The bill permits information that is required to be provided to parents to be delivered electronically and establishes a formal request process with specific time periods for superintendents to comply before an appeal process to the school board with details outlined in the bill. Parent's may also directly file formal objections with the school board and the bill establishes an appeal process to DESE for any denied objections and allows any DESE decision to be taken to the circuit court for a judicial review. The bill outlines a penalty of \$1000 per violation and attorney fees for knowingly violations and \$5000 per purposeful violation (Section 161.851 RSMo).

The bill establishes the "Missouri Education Transparency and Accountability Portal" which shall consist of an internet-based tool to give access to every school district's curriculum, source materials, and professional development materials. Details for the database are outlined and the Commissioner of Education shall establish forms for districts to complete. School districts are required to submit updates to any required information within five business days and the commissioner of education shall update the database portal weekly (Section 161.852).

The bill provides that the Attorney General's office has the right to bring legal action for violations of Sections 161.851 to 161.852, and provides a penalty provision for each violation up to

\$10,000 for each knowing or purposeful violation. The bill provides that fines for violations will be divided with 20% going to the parents who brought the suit and 80% to be given to the Missouri Empowerment Scholarship Fund. School district employees that disclose violations are protected from retaliation (Section 161.853).

This bill contains an emergency clause and penalty provisions.