

SECOND REGULAR SESSION

# HOUSE BILL NO. 2068

101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SAULS.

4521H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 161, RSMo, by adding thereto one new section relating to parental rights in public schools.

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

Section A. Chapter 161, RSMo, is amended by adding thereto one new section, to be known as section 161.1145, to read as follows:

**161.1145. 1. This section shall be known and may be cited as the "Parents' Bill of Rights".**

**2. As used in this section, the term "parent" means a person who has legal custody of a minor child as a natural or adoptive parent or a legal guardian.**

**3. Every parent of a child shall have a fundamental right to direct the upbringing, education, health care, and mental health of such parent's child. Such rights shall include, but not be limited to, the following:**

**(1) The right to be informed of and approve of the child's health care decisions;**

**(2) The right to have access to the child's health and mental health records;**

**(3) The right to have access to the educational materials and curricula taught to the child;**

**(4) The right to provide or deny consent to any biometric scans, DNA extractions, and video or audio recordings of the child; and**

**(5) The right to be informed of any investigations involving the child.**

**4. Each school district and charter school shall, in consultation with parents, teachers, and administrators, develop and adopt policies to guarantee a parent's right to participate in their child's education. Such policies shall include:**

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.

18           **(1) Procedures for a parent to view the curricula and course of study that their**  
19 **child is being taught;**

20           **(2) Procedures for a parent to receive information about the nature and purpose**  
21 **of all clubs and activities offered at their child's school;**

22           **(3) The ability for the parent to receive information about potential school**  
23 **choice options including, but not limited to, the ability to establish a scholarship account**  
24 **under the Missouri empowerment scholarship accounts program established in sections**  
25 **135.712 to 135.719 and sections 166.700 to 166.720, as well as the criminal penalties to**  
26 **which a parent would be subject for misuse of any moneys granted under such**  
27 **program;**

28           **(4) Information provided to the parent to help the parent understand the**  
29 **numerous health benefits associated with fully vaccinating their child including, but not**  
30 **limited to, specific information regarding the process for how their child should be**  
31 **vaccinated in accordance with recommendations from the Centers for Disease Control**  
32 **and Prevention and any process for the parent to follow in order to exempt their child**  
33 **from any immunization required under state law; and**

34           **(5) Procedures for the parent to receive information about enrolling their child**  
35 **in any individual educational plans appropriate for the child or gifted programs offered**  
36 **by the school district.**

37           **5. (1) The commissioner of education shall establish the "Missouri Education**  
38 **Transparency Portal", which shall be an internet-based tool creating transparency in**  
39 **Missouri's education system and providing parents and citizens of this state access to**  
40 **every school district's and charter school's curricula, source materials, professional**  
41 **development materials and a list of any speakers or guest lecturers for each school and**  
42 **any costs paid by the school district or charter school for the services of such speakers or**  
43 **guest lecturers. The portal shall consist of an easy-to-search database that any person**  
44 **may search free of charge.**

45           **(2) The commissioner of education shall establish an online form that each**  
46 **school district and charter school in this state shall complete with information required**  
47 **under subdivision (1) of this subsection. A school district and charter school shall**  
48 **submit any updates to the information provided in this subsection within seven business**  
49 **days of the information changing.**

50           **(3) The department of elementary and secondary education shall promulgate**  
51 **any rules necessary to implement the provisions of this subsection. Any rule or portion**  
52 **of a rule, as that term is defined in section 536.010, that is created under the authority**  
53 **delegated in this section shall become effective only if it complies with and is subject to**  
54 **all of the provisions of chapter 536 and, if applicable, section 536.028. This section and**

55 **chapter 536 are nonseverable, and if any of the powers vested with the general assembly**  
56 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**  
57 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**  
58 **and any rule proposed or adopted after August 28, 2022, shall be invalid and void.**

59 **6. (1) Suit for any violation of this section may be brought against the school**  
60 **district or charter school by the parent of any child attending such school district or**  
61 **school or the prosecuting or circuit attorney for the county in which the school district**  
62 **or school is located.**

63 **(2) Upon a finding by a preponderance of the evidence that a school district or**  
64 **charter school has violated the provisions of this section, the court shall issue a civil**  
65 **penalty in an amount up to ten thousand dollars.**

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