

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 12
98TH GENERAL ASSEMBLY

Reported from the Committee on Education, April 2, 2015, with recommendation that the Senate Committee Substitute do pass.

ADRIANE D. CROUSE, Secretary.

0816S.05C

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, by adding thereto one new section relating to educational freedom.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the state of Missouri, on
2 Tuesday next following the first Monday in November, 2016, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article I of the Constitution of the state of Missouri:

Section A. Article I, Constitution of Missouri, is amended by adding
2 thereto one new section, to be known as section 36, to read as follows:

Section 36. 1. That parents have a responsibility to ensure that
2 **their minor children receive a program of academic instruction which**
3 **they regularly attend while the child is of an age prescribed by law for**
4 **school attendance. Parents have a fundamental right to choose to**
5 **educate their children in public schools, private schools, parochial**
6 **schools, parish schools, or in-home education, or a combination thereof,**
7 **to prepare them for future obligations in life.**

8 **2. Neither the state nor any political subdivision, nor any**
9 **agency, entity, or person acting on behalf of the state or any political**
10 **subdivision, shall dictate through statute, rule, regulation, or other**
11 **device the content of curriculum to be used by private schools,**
12 **parochial schools, parish schools, or for in-home instruction or a**
13 **combination thereof, with the exception of laws which may require**
14 **instruction in the United States Constitution and this**
15 **constitution. Neither the state nor any political subdivision, nor any**

16 agency, entity, or person acting on behalf of the state or any political
17 subdivision shall require any private, parochial, or parish school to
18 include in its curriculum any concept, topic, or practice in conflict with
19 the school's religious doctrines or beliefs, nor to exclude from its
20 curriculum any concept, topic, or practice consistent with the school's
21 religious doctrines or beliefs; nor shall the state or any political
22 subdivision, or any agency, entity, or person acting on behalf of the
23 state or any political subdivision require a parent providing in-home
24 education to include in a student's curriculum any concept, topic, or
25 practice in conflict with the parent's religious beliefs, nor to exclude
26 from a student's curriculum any concept, topic, or practice consistent
27 with the parent's religious beliefs.

28 **3. The word "curriculum" as used in this section shall include**
29 **instructional and educational materials, methods, and assessments, and**
30 **academic assignments, programs, and presentations.**

Section B. Pursuant to chapter 116, RSMo, and other applicable
2 constitutional provisions and laws of this state allowing the general assembly to
3 adopt ballot language for the submission of a joint resolution to the voters of this
4 state, the official ballot title of the amendment proposed in section A shall be as
5 follows:

6 "Shall the Missouri Constitution be amended to ensure that parents have
7 a fundamental right to choose to educate their children in public schools, private
8 schools, parochial schools, or in-home education, or a combination thereof?"

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