

SECOND REGULAR SESSION

SENATE BILL NO. 653

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR RIZZO.

4398S.02I

ADRIANE D. CROUSE, Secretary

AN ACT

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

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

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

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

3 2. The general assembly finds that a quality education
4 is at the core of a child's early development and in their
5 long-term success in life. Parents have a right to play a
6 central role in their children's education, are entitled to
7 critical information about what is being taught, and must
8 have the tools necessary to take action when they feel that
9 the quality and content of their child's education does not
10 align with the values and expectations they expect and
11 deserve. The provisions of this section are intended to
12 protect parents' rights to be well-informed in their
13 children's education, strengthen parents' abilities to take
14 action related to their children's education, and increase
15 transparency in Missouri's schools.

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

19 4. Every parent of a child shall have a fundamental
20 right to direct the upbringing, education, health care, and
21 mental health of such parent's child. Such rights shall
22 include the following:

23 (1) To be informed of and approve of their child's
24 health care decisions;

25 (2) To have access to their child's health and mental
26 health records;

27 (3) To have access to the educational materials and
28 curriculum taught to their child;

29 (4) To consent to any biometric scans, DNA
30 extractions, and video or audio recordings of their child;
31 and

32 (5) To be informed of any investigations involving
33 their child.

34 5. Each school district and charter school shall, in
35 consultation with parents, teachers, and administrators,
36 develop and adopt policies to guarantee a parent's right to
37 participate in their child's education. Such policies shall
38 include:

39 (1) Procedures for a parent to view the curriculum and
40 course of study that their child is being taught;

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

44 (3) The ability to receive information about potential
45 school choice options for the parent, including the ability
46 to establish a scholarship account under the Missouri
47 empowerment scholarship accounts program established in
48 sections 135.712 to 135.719 and sections 166.700 to 166.720,
49 as well as the criminal penalties to which a parent would be
50 subject for misuse of any moneys granted under such program;

51 (4) Information provided to the parent to understand
52 the numerous health benefits associated with fully
53 vaccinating their child, including specific information
54 regarding the process for how their child should be
55 vaccinated in accordance with recommendations from the
56 Centers for Disease Control and Prevention and any process
57 for the parent to follow in order to exempt their child from
58 any immunization required under state law;

59 (5) Procedures for the parent to receive information
60 about enrolling their child in any individual educational
61 plans appropriate for the child or gifted programs offered
62 by the school district.

63 6. (1) The commissioner of education shall establish
64 the Missouri Education Transparency Portal which shall be an
65 internet-based tool creating transparency in Missouri's
66 education system and providing parents and citizens of this
67 state access to every school district's and charter school's
68 curriculum, source materials, professional development
69 materials, and a list of any speakers or guest lecturers for
70 each school and any costs paid by the school district or
71 charter school for the services of such speaker or guest
72 lecturer. The portal shall consist of an easy-to-search
73 database that any person may search free of charge.

74 (2) The commissioner of education shall establish an
75 online form that each school district and charter school in
76 this state shall complete with information required under
77 subdivision (1) of this subsection. A school district and
78 charter school shall submit any updates to the information
79 provided in this subsection within seven business days of
80 the information changing.

81 (3) The department of elementary and secondary
82 education shall promulgate any rules necessary to implement

83 the provisions of this subsection. Any rule or portion of a
84 rule, as that term is defined in section 536.010, that is
85 created under the authority delegated in this section shall
86 become effective only if it complies with and is subject to
87 all of the provisions of chapter 536 and, if applicable,
88 section 536.028. This section and chapter 536 are
89 nonseverable and if any of the powers vested with the
90 general assembly pursuant to chapter 536 to review, to delay
91 the effective date, or to disapprove and annul a rule are
92 subsequently held unconstitutional, then the grant of
93 rulemaking authority and any rule proposed or adopted after
94 August 28, 2022, shall be invalid and void.

95 7. (1) Suit for any violation of this section may be
96 brought against the school district or charter school by the
97 parent of any child attending such school district or school
98 or the prosecuting or circuit attorney for the county in
99 which the school district or school is located.

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

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