

# SENATE BILL NO. 770

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

3181S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapters 160, 161, and 167, RSMo, by adding thereto four new sections relating to elementary and secondary education.

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

Section A. Chapters 160, 161, and 167, RSMo, are amended  
2 by adding thereto four new sections, to be known as sections  
3 160.2550, 161.856, 161.1140, and 167.177, to read as follows:

**160.2550. 1. As used in this section, the term**  
2 **"divisive concepts" shall mean concepts that promote the**  
3 **following ideas:**

4 (1) **One race or sex is inherently superior to another**  
5 **race or sex;**

6 (2) **The United States is fundamentally racist or**  
7 **sexist;**

8 (3) **An individual, by virtue of his or her race or**  
9 **sex, is inherently racist, sexist, or oppressive, whether**  
10 **consciously or unconsciously;**

11 (4) **An individual should be discriminated against or**  
12 **receive adverse treatment solely or partly because of his or**  
13 **her race or sex;**

14 (5) **Members of one race or sex cannot avoid treating**  
15 **others differently with respect to race or sex;**

16 (6) **An individual's moral character is necessarily**  
17 **determined by his or her race or sex;**

18           (7) An individual, by virtue of his or her race or  
19 sex, bears responsibility for actions committed in the past  
20 by other members of the same race or sex;

21           (8) Any individual should feel discomfort, guilt,  
22 anguish, or any other form of psychological distress on  
23 account of his or her race or sex;

24           (9) Meritocracy or traits such as a hard work ethic  
25 are racist or sexist, or were created by a particular race  
26 to oppress another race;

27           (10) Promote any form of race or sex stereotyping,  
28 including ascribing character traits, values, moral and  
29 ethical codes, privileges, status, or beliefs to a race,  
30 sex, or an individual because of his or her race or sex; or

31           (11) Promote any form of race or sex scapegoating,  
32 including assigning fault, blame, or conscious or  
33 unconscious bias to one or more members of a race or sex and  
34 including claims that, consciously or unconsciously, any  
35 person is inherently racist, sexist, or inclined to oppress  
36 others by virtue of his or her race or sex.

37           2. School districts are prohibited from the following:

38           (1) Teaching about The 1619 Project or any successor  
39 theory or concept, critical race theory or any successor  
40 theory or concept, any divisive concepts, or any successor  
41 concepts or theories substantially similar to The 1619  
42 Project initiative of the New York Times or critical race  
43 theory;

44           (2) Implementing training or orientation for teachers  
45 or staff that involves racial stereotyping or that seeks to  
46 assign blame to individuals based on race or sex;

47           (3) Creating projects or assignments that compel  
48 students to lobby or engage in political activism on behalf  
49 of a specific policy or social issue;

50           (4) Forcing teachers to discuss a current  
51 controversial topic of public policy or any particular  
52 social issues. If a teacher does choose to teach such  
53 topics, the teaching shall be done with an aim to teach the  
54 issue from both sides and without showing preference or  
55 deference to one perspective;

56           (5) Enforcing policies at schools that prevent  
57 students from engaging in and discussing concepts and topics  
58 of traditional American history such as founding documents  
59 and the founding fathers.

60           3. In adopting the essential knowledge and skills for  
61 the social studies curriculum for each grade level from  
62 kindergarten through grade twelve, each school district  
63 shall adopt essential knowledge and skills that develop each  
64 student's civic knowledge, including:

65           (1) An understanding of:

66           (a) The fundamental moral, political, and intellectual  
67 foundations of the American experiment in self-government;

68           (b) The history, qualities, traditions, and features  
69 of civic engagement in the United States;

70           (c) The structure, function, and processes of  
71 government institutions at the federal, state, and local  
72 levels;

73           (d) The founding documents of the United States,  
74 including:

75           a. The Declaration of Independence;

76           b. The United States Constitution;

77           c. The Federalist Papers, including Essays 10 and 51;

78           d. Excerpts from Alexis de Tocqueville's Democracy in  
79 America;

80           e. The transcript of the first Lincoln-Douglas debate;

81 and

82           f. The writings of the founding fathers of the United  
83 States; and

84           (e) The history and importance of:

85           a. The federal Civil Rights Act of 1964, as amended;  
86 and

87           b. The Thirteenth, Fourteenth, and Nineteenth  
88 Amendments to the United States Constitution;

89           (2) The ability to:

90           (a) Analyze and determine the reliability of  
91 information sources;

92           (b) Formulate and articulate reasoned positions;

93           (c) Understand the manner in which local, state, and  
94 federal government works and operates through the use of  
95 simulations and models of governmental and democratic  
96 processes;

97           (d) Actively listen and engage in civil discourse,  
98 including discourse with those with different viewpoints;

99           (e) Responsibly participate as a citizen in a  
100 constitutional democracy; and

101           (f) Effectively engage with governmental institutions  
102 at the local, state, and federal levels; and

103           (3) An appreciation of:

104           (a) The importance and responsibility of participating  
105 in civic life;

106           (b) A commitment to the United States and its form of  
107 government; and

108           (c) A commitment to free speech and civil discourse.

109           4. School districts are prohibited from accepting  
110 private funding for the purposes of teaching any curriculum  
111 substantially similar to critical race theory or The 1619  
112 Project initiative of the New York Times.

113           5. The attorney general may investigate school  
114 districts to determine compliance with this section. If any  
115 school district is determined to have violated the  
116 provisions of this section, such district shall have fifty  
117 percent of its state aid under chapter 163 withheld, until  
118 the district presents evidence to the department of  
119 elementary and secondary education that the district is no  
120 longer in violation of this section.

          161.856. 1. This section shall be known and may be  
2 cited as the "Sunlight in Learning Act".

3           2. The department of elementary and secondary  
4 education shall ensure that the following information is  
5 displayed on each school and charter school website in an  
6 easily and publicly accessible location:

7           (1) All instructional or training materials and  
8 activities used for staff and faculty training;

9           (2) All learning materials and activities used for  
10 student instruction. Such display of materials or  
11 activities shall identify, at a minimum:

12           (a) The title, author, organization, and any website  
13 associated with each material and activity;

14           (b) A link to the learning material, if publicly  
15 available on the internet; or, if not freely and publicly  
16 available, a brief description of the learning material and  
17 information on how to request review of a copy of the  
18 learning material;

19           (c) If the learning material was created for non-  
20 public use, the identity of the teacher, staff member,  
21 school official, or outside presenter who created it. Such  
22 identification may be indicated by a personal title and last  
23 initial if referring to a teacher, staff member, or school  
24 official;

25           (d) The full text or a copy of any learning materials  
26 or educational activities, including presentations, videos,  
27 and audio recordings, used for student instruction at the  
28 school, if those works were created by the school board or a  
29 teacher or staff member employed under the authority of the  
30 school board. This section does not require the posting of  
31 academic assessments or academic tests;

32           (e) If the activity involves service-learning,  
33 internships, or collaboration with outside organizations  
34 after regular school hours for course credit, the name of  
35 the organization should be listed, along with the number of  
36 students engaged in service-learning, internships, or  
37 collaboration with that organization. The name of the  
38 students involved shall not be posted;

39           (3) Any procedures for the documentation, review, or  
40 approval of the lesson plans, training, learning, or  
41 curricular materials, or activities used for staff and  
42 faculty training or student instruction at the school,  
43 including by the principal, curriculum administrators, or  
44 other teachers; and

45           (4) At each school with a catalog or documented  
46 inventory of the resources available to students in its  
47 school library, a listing of available resources in the  
48 library.

49           3. For the purposes of this section, the following  
50 terms mean:

51           (1) "Activities", include, but are not limited to,  
52 assemblies, guest lectures, action-oriented civics learning  
53 assignments or projects, including the actual or simulated  
54 contacting of government officials or any requirement to  
55 advocate for or comment on a contemporary political or  
56 social issue or participate in organized political activity,

57 social demonstrations, or other field trips or projects,  
58 service-learning, internships, or other forms of  
59 collaboration with outside organizations after regular  
60 school hours for course credit or as a class project or  
61 assignment, or other educational events facilitated by the  
62 institution's faculty or staff, including those conducted by  
63 outside individuals or organizations, excluding  
64 presentations given by students enrolled at the school;

65 (2) "Learning materials", include, but are not limited  
66 to, the following: all textbooks, reading materials, videos,  
67 audio recordings, presentations, digital materials,  
68 websites, instructional handouts and worksheets, syllabi,  
69 and online applications for a phone, laptop, or tablet;

70 (3) "Lesson plan", the daily, weekly, or other  
71 routinely produced guide, description, or outline of the  
72 instruction to be provided by a teacher to students at the  
73 school;

74 (4) "Original materials", learning materials owned or  
75 licensed by the school district, school, charter school,  
76 faculty, or staff that are used for student instruction;

77 (5) "Used for student instruction":

78 (a) Assigned, distributed, or otherwise presented to  
79 students in any course for which students receive academic  
80 credit or in any educational capacity in which participation  
81 of the student body is required by the school or in which a  
82 majority of students in a given grade level participate;

83 (b) Applies also to any materials from among which  
84 students are required to select one or more, if the  
85 available selection is restricted to specific titles.

86 4. Nothing in subsection 2 of this section shall be  
87 construed to require the digital reproduction or posting of  
88 copies of the learning materials themselves, where such

89 reproduction would infringe upon copyrighted material; but  
90 in such cases, the school should offer a link to a publicly  
91 available website describing and offering access to the  
92 learning materials, if possible; and upon request, if the  
93 materials are not offered free of charge, provide the  
94 learning materials for public inspection, as required under  
95 paragraph (b) of subdivision (2) subsection 2 of this  
96 section, at the school building where the learning materials  
97 or activities are used for student instruction, and no later  
98 than thirty days after requested. To the extent  
99 practicable, each school shall make any and all learning  
100 materials, including original materials, available for  
101 public inspection and allow the public to copy, scan,  
102 duplicate, or photograph portions of original materials  
103 within the limits of "fair use" under Section 107 of the  
104 federal Copyright Act as set forth in 17 U.S.C. Section  
105 107. Copyrighted digital learning materials shall be made  
106 available for public inspection as required under  
107 subsections 13 and 14 of this section.

108         5. Subsection 2 of this section shall not require the  
109 separate reporting of individual components of learning  
110 materials that are published together as a single volume.  
111 Articles, videos, or other materials from websites that are  
112 used for student instruction should be identified, where  
113 possible, with an internet address specific to the relevant  
114 content used for student instruction.

115         6. The information required by subsection 2 of this  
116 section shall be displayed online prior to the first  
117 instance of training or instruction, or, at the latest,  
118 fourteen days after the training or instruction. Such  
119 information shall be organized by school, grade, teacher,  
120 and subject, and remain displayed on the school website for

121 at least two years. For privacy purposes, teachers and  
122 staff employed by the school may request that a school use a  
123 personal title and last initial in lieu of a full name. The  
124 date of the latest modification or update to such  
125 information shall be displayed on the same website location.

126 7. To prepare and host the listing of materials and  
127 activities pursuant to subsection 2 of this section, a  
128 school:

129 (1) May utilize a collaborative online document or  
130 spreadsheet software that allows multiple authorized users  
131 to update or make additions to posted content on an ongoing  
132 basis, as long as a link to the listing is publicly  
133 accessible via the school website;

134 (2) May satisfy the requirements of subdivision (2) of  
135 subsection 2 of this section by posting a copy or the full  
136 text of the lesson plans submitted to the school principal  
137 or other staff by instructors at the school in the current  
138 year, provided that the lesson plans provide equivalent  
139 detail of the learning materials and activities used for  
140 student instruction as required by subdivision (2) of  
141 subsection 2 of this section, and that any such learning  
142 materials and activities not recorded on the lesson plans  
143 are also disclosed via a publicly accessible portion of the  
144 school website in the manner prescribed by subdivision (2)  
145 of subsection 2 of this section.

146 8. The listing of materials and activities pursuant to  
147 subsection 2 of this section shall be created and displayed  
148 in searchable or sortable electronic formats.

149 9. A school whose materials or activities are selected  
150 independently by instructors at a school with fewer than  
151 twenty enrolled students is not required to post a list of  
152 learning materials and activities pursuant to this section.

153           10. The attorney general, commissioner of education,  
154 state auditor, prosecuting or circuit attorney for the  
155 county in which an alleged violation of this section occurs,  
156 or a resident of the school district in which an alleged  
157 violation of this section occurs, may initiate a suit in the  
158 jurisdiction in which the school district, public school,  
159 public charter school, or other governmental entity  
160 responsible for the oversight of public secondary or  
161 elementary schools is located for the purpose of complying  
162 with this section.

163           11. An attorney acting on behalf of a school district,  
164 public school, public charter school, or the department of  
165 elementary and secondary education may request a legal  
166 opinion of the prosecuting attorney or the attorney general  
167 as to whether a particular piece of training, learning, or  
168 curricular material or activity fits under this section and  
169 has been disclosed in a manner complying with this section.

170           12. The court which has jurisdiction over the school  
171 district or charter school may order the production of any  
172 learning materials or other materials or activities, as  
173 specified in this section, improperly withheld from the  
174 complainant. In such a case, the court shall determine the  
175 matter de novo, and may examine the contents of such  
176 materials in camera to determine whether such materials or  
177 any part thereof shall be withheld. The court may assess  
178 against the school district or charter school reasonable  
179 attorney's fees and other costs reasonably incurred in any  
180 case under this section in which the complainant has  
181 prevailed. In the event of noncompliance with the order of  
182 the court, the court may punish for contempt the responsible  
183 official or employee. Courts shall not entertain complaints  
184 under this section unless complainants have first attempted

185 to remedy the alleged noncompliance by contacting school  
186 officials, and if not resolved to the satisfaction of the  
187 complainant by school officials within fifteen days, by  
188 contacting the school board, which shall have forty-five  
189 days to resolve the alleged noncompliance.

190 13. Neither the department nor the school board of a  
191 public school, including the governing body of a public  
192 charter school, nor any staff employed thereby and acting in  
193 the course of their official duties, shall purchase or  
194 contract for copyrighted learning materials to be used for  
195 student instruction at the school, including the renewal of  
196 subscription-based materials for which students are provided  
197 individual login credentials or access via electronic  
198 personal devices, unless provision is made to allow parents  
199 and guardians of enrolled students to review the materials  
200 within thirty days of the submission of a written request to  
201 the school. The means of provision shall include at least  
202 one of the following:

203 (1) Providing access to the materials at the school  
204 site during the school's normal hours of operation within  
205 thirty days of written request; or

206 (2) Providing temporary remote access or login  
207 credentials to at least one copy of the materials for review  
208 for at least a twenty-four-hour period following each  
209 request, not to exceed one request per item per household  
210 during each thirty-day period.

211 14. The parent or guardian reviewing copyrighted  
212 digital materials shall not be required as a condition of  
213 reviewing the materials to enter into terms of a  
214 nondisclosure agreement nor waive any rights beyond  
215 complying with federal copyright law.

216           15. The department of elementary and secondary  
217 education may promulgate rules to carry out the provisions  
218 of this section. Any rule or portion of a rule, as that  
219 term is defined in section 536.010, that is created under  
220 the authority delegated in this section shall become  
221 effective only if it complies with and is subject to all of  
222 the provisions of chapter 536 and, if applicable, section  
223 536.028. This section and chapter 536 are nonseverable and  
224 if any of the powers vested with the general assembly  
225 pursuant to chapter 536 to review, to delay the effective  
226 date, or to disapprove and annul a rule are subsequently  
227 held unconstitutional, then the grant of rulemaking  
228 authority and any rule proposed or adopted after August 28,  
229 2024, shall be invalid and void.

          161.1140. 1. This act may be cited as the "Parents'  
2 Bill of Rights Act of 2024".

3           2. No school district shall deny to the parent or  
4 guardian of a minor child any or all of the following rights:

5           (1) The right to fully review, in physical or digital  
6 optical character recognition format, and make copies of,  
7 the curricula, books, and other educational materials used  
8 by the school attended by their minor child or school  
9 district that serves such school. This right shall be  
10 understood to:

11           (a) Include a right to affirmative disclosure of class  
12 syllabi and reading lists to the parent or guardian of a  
13 minor child by the school attended by their minor child or  
14 school district that serves such school; and

15           (b) Prohibit a requirement that an individual sign a  
16 nondisclosure agreement as a condition of viewing or  
17 otherwise accessing curricular materials;

18           (2) The right to access information on the teachers,  
19 guest lecturers, and outside presenters who engage with  
20 students at the school attended by their minor child. This  
21 right shall be understood to prohibit schools from  
22 permitting or requiring the attendance of minor children at  
23 school assemblies, field trips, and other extracurricular  
24 activities, absent affirmative consent from their parent or  
25 guardian;

26           (3) The right to access information on all third-party  
27 individuals and organizations that receive contracts or  
28 other funding through the school attended by their minor  
29 child or the school district that serves such school;

30           (4) The right to visit their minor child at school  
31 during school hours;

32           (5) The right to access all records generated by the  
33 school attended by their minor child or the school district  
34 that serves such school that concerns their minor child;

35           (6) The right to access information pertaining to the  
36 collection and transmission of data regarding their minor  
37 child by the school attended by their minor child or the  
38 school district that serves such school. This right shall  
39 be understood to:

40           (a) Include a right to access information on any  
41 outside entity, including an accreditor, marketing  
42 consultancy, or third-party clearing-house, to which student  
43 data, whether anonymized or not, is transferred;

44           (b) Prohibit the collection, by the school attended by  
45 their minor child or the school district that serves such  
46 school, of any biometric data or other sensitive personal  
47 information from the minor child, absent affirmative consent  
48 by a parent or guardian of the minor child; and

49           (c) Require that schools and school districts serving  
50 such schools make available processes by which the parent or  
51 guardian of a minor child can object in writing to, and deny  
52 consent to, the use of videographic, photographic, or audio  
53 depictions of their minor child by the school or school  
54 district serving such school;

55           (7) The right to be heard at school board meetings or  
56 other governance hearings pertaining to the school attended  
57 by their minor child or the school district that serves such  
58 school. This right shall be understood to require that  
59 school board meetings or other governance hearings  
60 pertaining to curricula, safety, and other student issues be  
61 conducted publicly and allow for public comments;

62           (8) The right to be notified of situations affecting  
63 the safety of their minor child at school. This right shall  
64 be understood to require, but is not limited to requiring,  
65 that schools notify parents or guardians in a timely manner  
66 of any or all of the following incidents:

67           (a) Physical assaults occurring in or around the  
68 school;

69           (b) Sexual assaults occurring in or around the school;

70           (c) Appearances of weapons in or around the school;

71           (d) Drug use or possession in or around the school;

72           (e) Police investigations in or around the school; and

73           (f) Crimes, including misdemeanors, committed by  
74 teachers or other school or school district employees,  
75 whether such offenses were committed on or off the campus of  
76 a school;

77           (9) The right to object to the instructional materials  
78 and other materials used in their child's classroom based on  
79 the parent's beliefs that such materials are inappropriate

80 for whatever reason and to be assured that such  
81 objectionable materials are not taught to the parent's child.

82 3. Any person who is denied one or more of the rights  
83 identified in subsection 2 of this section may bring a civil  
84 action in any court of competent jurisdiction for injunctive  
85 relief.

86 4. In any case in which the attorney general has  
87 reason to believe that an interest of the residents of this  
88 state has been or is threatened or adversely affected by the  
89 engagement of any entity in an act or practice denying one  
90 or more of the rights identified in subsection 2 of this  
91 section, the attorney general may bring a civil action on  
92 behalf of the residents of the state in a court of competent  
93 jurisdiction to obtain injunctive relief.

94 5. If a school district is found by a court of a  
95 competent jurisdiction in a final judgment not subject to  
96 further appeal to have violated the provisions of this  
97 section, the department of elementary and secondary  
98 education may withhold up to fifty percent of the state aid  
99 for such district due to such school district under chapter  
100 163 for the following fiscal year.

167.177. 1. Any school district in the state may  
2 adopt the provisions of subsections 2 and 3 of this section  
3 if approved by vote of residents of the school district.

4 2. As used in this section, the following terms mean:

5 (1) "Public school", the same definition as in section  
6 160.011;

7 (2) "Sex", an individual's biological sex based solely  
8 on an individual's reproductive biology and genetics at  
9 birth.

10 3. No public school shall knowingly allow a student of  
11 the male sex who is enrolled in such public school to

12 participate on a school-sponsored athletic team that is  
13 exclusively for students of the female sex.

14 4. Beginning July 1, 2025, the joint committee on  
15 education shall study student athletic events that are  
16 exclusively for males or exclusively for females and the  
17 impact of a policy that prohibits participation in those  
18 events by individuals who are of the opposite sex. Before  
19 January 1, 2026, the joint committee shall report its  
20 findings and recommendations, with any legislation required  
21 to implement the recommendations, to the general assembly.

22 5. The attorney general may investigate any school  
23 district that he or she believes may be in violation of this  
24 section. Any school district found to be in violation of  
25 this section shall have fifty percent of any state revenues  
26 appropriated to such school district pursuant to chapter 163  
27 withheld until such school district provides evidence to the  
28 department of elementary and secondary education that the  
29 school district is in compliance with this section.

✓