

SENATE BILL NO. 1028

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

5160S.02I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapters 160, 161, and 167, RSMo, by adding thereto four new sections relating to 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 strong work ethic
25 are racist or sexist, or were created by a particular race
26 to oppress another race;

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

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

38 2. School districts are prohibited from the following:

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

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

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

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

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

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

66 (1) An understanding of:

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

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

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

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

76 a. The Declaration of Independence;

77 b. The United States Constitution;

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

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

81 e. The transcript of the first Lincoln-Douglas debate;
82 and

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

85 (e) The history and importance of:

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

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

90 (2) The ability to:

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

93 (b) Formulate and articulate reasoned positions;

94 (c) Understand the manner in which local, state, and
95 federal governments work and operate through the use of
96 simulations and models of governmental and democratic
97 processes;

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

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

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

104 (3) An appreciation of:

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

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

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

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

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

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 elementary or
161 secondary 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

request, not to exceed one request per item per household during each thirty-day period.

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

15. The department of elementary and secondary education may promulgate rules to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2026, shall be invalid and void.

161.1140. 1. This act may be cited as the "Parents' Bill of Rights Act of 2026".

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

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

(a) Include a right to affirmative disclosure of class syllabi and reading lists to the parent or guardian of a

12 minor child by the school attended by their minor child or
13 school district that serves such school; and

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

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

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

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

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

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

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

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

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

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

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

66 (a) Physical assaults occurring on school premises;
67 (b) Sexual assaults occurring on school premises;
68 (c) Appearances of weapons on school premises;
69 (d) Drug use or possession on school premises;
70 (e) Police investigations on school premises; and
71 (f) Crimes, including misdemeanors, committed by
72 teachers or other school or school district employees,
73 whether such offenses were committed on or off the campus of
74 a school;

75 (9) The right to object to the instructional materials
76 and other materials used in their child's classroom based on
77 the parent's beliefs that such materials are inappropriate
78 for whatever reason and to be assured that such
79 objectionable materials are not taught to the parent's child.

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

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

92 5. If a school district is found by a court of
93 competent jurisdiction in a final judgment not subject to
94 further appeal to have violated the provisions of this
95 section, the department of elementary and secondary
96 education may withhold up to fifty percent of the state aid
97 for such district due to such school district under chapter
98 163 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, 2027, 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, 2028, 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.

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