

SECOND REGULAR SESSION

# HOUSE BILL NO. 2160

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BAKER.

4601H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 37.850 and 170.231, RSMo, and to enact in lieu thereof four new sections relating to duties and responsibilities of public education entities.

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

Section A. Sections 37.850 and 170.231, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 37.850, 161.841, 170.231, and 170.355, to read as follows:

37.850. 1. The commissioner of administration shall maintain the Missouri accountability portal established in executive order 07-24 as a free, internet-based tool allowing citizens to demand fiscal discipline and responsibility.

2. The Missouri accountability portal shall consist of an easy-to-search database of financial transactions related to:

(1) The purchase of goods and services and the distribution of funds for state programs;

(2) All bonds issued by any public institution of higher education, **public school district**, or political subdivision of this state or its designated authority after August 28, 2013;

(3) All obligations issued or incurred pursuant to section 99.820 by any political subdivision of this state or its designated authority; ~~and~~

(4) The revenue stream pledged to repay such bonds or obligations;

(5) **All forms of compensation and benefits paid to or on behalf of public employees, including employees of political subdivisions, public institutions of higher education, public school districts, and public charter schools;** and

(6) All debt incurred by any public charter school.

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.

17           3. The Missouri accountability portal shall be updated each state business day and  
18 maintained as the primary source of information about the activity of Missouri's government.

19           4. Upon the conducting of a withholding or a release of funds, the governor shall  
20 submit a report stating all amounts withheld from the state's operating budget for the current  
21 fiscal year, as authorized by Article IV, Section 27 of the Missouri Constitution which shall  
22 be:

23           (1) Conspicuously posted on the accountability portal website;

24           (2) Searchable by the amounts withheld or released from each individual fund; and

25           (3) Searchable by the total amount withheld or released from the operating budget.

26           5. Every political subdivision of the state, including public institutions of higher  
27 education ~~[but excluding]~~, **public school districts, and public charter schools** shall supply  
28 all information described in subsection 2 of this section to the office of administration within  
29 ~~[seven days of issuing or incurring such corresponding bond or obligation. For all such bonds~~  
30 ~~or obligations issued or incurred prior to August 28, 2013, every such political subdivision~~  
31 ~~and public institution of higher education shall have ninety days to supply such information~~  
32 ~~to] the number of days and in a manner to be determined by the office of administration.~~

33           6. Every school district and public charter school shall supply all information  
34 described in **subdivisions (2), (4), (5), and (6)** of subsection 2 of this section to the  
35 department of elementary and secondary education ~~[within seven days of issuing such bond,~~  
36 ~~or incurring such debt]~~. The department of elementary and secondary education shall have  
37 forty-eight hours to deliver such information to the office of administration. ~~[For all such~~  
38 ~~bonds issued or debt incurred prior to August 28, 2013, every school district and public~~  
39 ~~charter school shall have ninety days to supply such information to the department of~~  
40 ~~elementary and secondary education. The department of elementary and secondary education~~  
41 ~~shall have forty-eight hours to deliver such information to the office of administration.]~~

**161.841. 1. This section shall be known and may be cited as the "Parents' Bill of  
2 Rights Act of 2023".**

3           **2. As used in this section, the term "parent" means a child's parent, guardian, or**  
4 **other person having control or custody of the child.**

5           **3. This section shall be construed to empower parents with the right to enroll**  
6 **their minor child in a public school or, as an alternative to public education, a private**  
7 **school, including a religious school, a home education program, or other available**  
8 **option, as authorized by law, and to empower parents to enforce the following rights**  
9 **against school districts and public schools in which their children are enrolled that**  
10 **receive any federal or state moneys:**

11           **(1) The right to know what their minor child is being taught in school including,**  
12 **but not limited to, curricula adopted under section 160.514;**

13           **(2) The right to receive information about who is teaching their minor child**  
14 **including, but not limited to, guest lecturers and outside presenters;**

15           **(3) The right to receive information about individuals and organizations**  
16 **receiving school contracts and funding in the school in which their minor child is**  
17 **enrolled, except that no personally identifiable information about any student shall be**  
18 **released;**

19           **(4) The right to visit the school and check in on their minor child during school**  
20 **hours;**

21           **(5) The right to view and, upon request, receive all school records, medical or**  
22 **otherwise, concerning their minor child;**

23           **(6) The right to receive information about the collection and transmission of**  
24 **their minor child's data;**

25           **(7) The right to have sufficient and effective accountability and transparency**  
26 **regarding school boards; and**

27           **(8) The right to know about situations affecting their minor child's safety in**  
28 **school.**

29           **4. (1) Each school district and charter school shall develop policies and**  
30 **procedures for such school district and charter school to follow to accommodate and**  
31 **assist parents in the exercise of the parental rights to know and receive information as**  
32 **described in subsection 3 of this section. Such policies and procedures shall describe the**  
33 **methods such school district and charter school shall use to allow parents to exercise**  
34 **such parental rights to the fullest extent.**

35           **(2) Each school board and charter school's governing board shall affirm the**  
36 **board's commitment to ensuring sufficient and effective accountability and**  
37 **transparency to parents in the school district by adopting policies that require**  
38 **members of the board to collectively and individually:**

39           **(a) Recognize and affirm the protected right of parents to seek effective means of**  
40 **outreach to supervise and guide the education of their minor child;**

41           **(b) Assist parents in the exercise of parental rights to the fullest extent;**

42           **(c) Encourage communication between parents and board members relating to**  
43 **parental rights and parental concerns about their minor child's education and**  
44 **educational experience;**

45           **(d) Collaborate with parents to identify ways in which parents can exercise**  
46 **parental rights and communicate such ways to parents in a clear, consistent manner that**  
47 **can be easily understood by all parents; and**

48           **(e) Conduct board meetings in compliance with section 162.058, in public, and in**  
49 **a manner that allows for public comments and informs parents of school board**

50 decisions and actions while encouraging and remaining responsive to parental input,  
51 requests, concerns, and rights, subject to the authorized closure of any portion of such  
52 meeting under section 610.021 when such meeting pertains to curricula or general  
53 safety.

54 (3) Each school board and charter school's governing board shall adopt such  
55 policies and procedures for the 2025-26 school year and all subsequent school years.

56 5. Each school district and public school shall develop policies and procedures  
57 for such school district or public school to follow to notify parents in a timely manner of  
58 all reported incidents pertaining to student safety including, but not limited to, any  
59 instance of a teacher or other school employee being detained or arrested for or charged  
60 with any felony or misdemeanor and any act or instance reportable under subsection 1,  
61 2, or 3 of section 167.117, except that no personally identifiable information about any  
62 individual involved shall be released.

63 6. (1) Each school district and public school shall adopt reasonable procedures  
64 for parents to follow when exercising the parental right to visit the school and their  
65 minor child during school hours.

66 (2) Each school district and public school shall adopt reasonable procedures for  
67 parents to follow:

68 (a) During an emergency in which the safety of the students requires:

69 a. A lockdown to limit exposure of building occupants to an imminent hazard or  
70 threat; or

71 b. A lockout to prevent an outside hazard or threat from entering the building;  
72 or

73 (b) When such school district or public school is required to prohibit an  
74 individual from having any interaction with a minor child that violates any order  
75 entered under any provision of state or federal law restricting or prohibiting such  
76 individual from interacting with such minor child.

77 7. No school district or public school shall require nondisclosure agreements or  
78 similar forms for a parent's review of curricula. Each public school or school district  
79 shall allow parents to make a copy of curriculum documents or receive such curriculum  
80 documents in an electronic format, provided that no request would cause an  
81 infringement of copyright protections provided under the federal Copyright Act of  
82 1976 (17 U.S.C. Section 101 et seq.), as amended.

83 8. No school district or public school shall require nondisclosure agreements or  
84 similar forms for a parent's review of individualized education program meetings,  
85 mediations, due process hearings, or other dispute resolution options as outlined in

86 accordance with 34 CFR 300.320 to 300.324 and under 20 U.S.C. Section 1401, as  
87 amended.

88 **9. No school district or public school shall allow student involvement in school**  
89 **assemblies, field trips, or other extracurricular activities unless the child's parents**  
90 **provide written authorization for such student involvement.**

91 **10. No school district or public school shall collect any biometric data or other**  
92 **sensitive personal information about a minor child without obtaining written parental**  
93 **consent before collecting such data or information.**

94 **11. No school district or public school shall provide any school records as**  
95 **described in subdivision (5) of subsection 3 of this section in violation of any relevant**  
96 **state or federal privacy law or policy protecting or limiting access to such minor child's**  
97 **school records.**

98 **12. No employee of any public school or school district shall encourage, coerce,**  
99 **or attempt to coerce a minor child to withhold information from such minor child's**  
100 **parents; provided, however, that any such person required to report suspected abuse or**  
101 **neglect under sections 210.109 to 210.183 may encourage a minor child to withhold**  
102 **information where disclosure could reasonably result in abuse or neglect.**

103 **13. (1) The attorney general of this state or any parent of a minor child enrolled**  
104 **in a school district or a public school may bring a civil action for injunctive relief against**  
105 **the school district or public school in which their child is enrolled if such school district**  
106 **or public school violates this section. Such action shall be brought in the county where**  
107 **the violation occurred.**

108 **(2) If a court finds that the school district or public school has knowingly**  
109 **engaged in multiple or repeated violations of this section, the department of elementary**  
110 **and secondary education shall withhold all moneys provided by monthly distribution of**  
111 **state formula funding to such school district or public school until such school district or**  
112 **public school is in compliance with this section.**

113 **(3) After the school district or public school provides evidence that such school**  
114 **district or public school is in compliance with this section, the department shall restore**  
115 **the distribution of the funding to its original amount before the distribution was**  
116 **withheld.**

117 **(4) Any moneys that were withheld under this subsection shall be released to**  
118 **such school district or public school only if such school district or public school**  
119 **establishes compliance with this section in the same school year in which the department**  
120 **withheld such moneys.**

121           **14. This section shall not be construed to limit the inalienable rights of a parent**  
122 **or taxpayer, regardless of whether such rights are enumerated in the provisions of this**  
123 **section.**

          170.231. **1. The school board of each school district and the governing board of**  
2 **each charter school** shall provide that all public school instructional material intended for  
3 use in connection with any public school classroom instruction, or any public school research  
4 or experimentation program or project, shall be available for inspection by any person. For  
5 the purpose of this section, "classroom instruction" shall mean any public school instruction  
6 involving teachers and students or peers and students; "research or experimentation program  
7 or project" shall mean any public school research or experimentation program or project  
8 designed to explore or develop new and unproven teaching methods and techniques.

9           **2. (1) The school board of each school district and the governing board of each**  
10 **charter school shall prominently post on the home page of the school board's or charter**  
11 **school's website, in such a manner that the information is available to the public,**  
12 **curricula adopted under section 160.514 that is intended for use by such school district**  
13 **or charter school in connection with school instruction in math, social studies, science,**  
14 **English, foreign language, fine arts, health, physical education, and vocational**  
15 **education. If such school board or governing board adopts a change of any**  
16 **curriculum used by such school district or charter school, such school board's or**  
17 **charter school's website shall be updated within thirty days after such change is**  
18 **adopted.**

19           **(2) The school board of each school district and the governing board of each**  
20 **charter school shall notify parents and guardians that the curriculum list on the website**  
21 **has been updated by posting a notice on such school board's or charter school's website**  
22 **and providing notice in a newsletter or other written communication that is regularly**  
23 **distributed to parents and guardians.**

24           **(3) Where the curricular materials being made available to parents for review**  
25 **are subject to copyright, trademark, or other intellectual property protection, the**  
26 **review process shall include technical and procedural safeguards to ensure that the**  
27 **materials are not able to be widely disseminated to the general public in violation of the**  
28 **intellectual property rights of the publisher and content validity is not undermined.**

29           **(4) (a) The school board of each school district and the governing board of each**  
30 **charter school shall prominently post on the home page of the school district or charter**  
31 **school's website, in such a manner that the information is available to the public, a link**  
32 **that will provide access to the title, author, and bibliographic information for all books**  
33 **available for students to read or access through the district or charter school's library**  
34 **management system.**

35           **(b) Each school district and charter school shall provide a system by which a**  
36 **parent or legal guardian may be notified, upon request, of books accessed by such**  
37 **parent or legal guardian's student.**

38           **(5) (a) The attorney general of this state or any parent of a minor child enrolled**  
39 **in a school district or a public school may bring a civil action for injunctive relief against**  
40 **the school district or public school in which their child is enrolled if such school district**  
41 **or public school violates this subsection. Such action shall be brought in the county**  
42 **where the violation occurred.**

43           **(b) If a court finds that the school district or public school has knowingly**  
44 **engaged in multiple or repeated violations of this subsection, the department of**  
45 **elementary and secondary education shall withhold all moneys provided by monthly**  
46 **distribution of state formula funding to such school district or public school until such**  
47 **school district or public school is in compliance with this subsection.**

48           **(c) After the school district or public school provides evidence that such school**  
49 **district or public school is in compliance with this subsection, the department shall**  
50 **restore the distribution of the funding to its original amount before the distribution was**  
51 **withheld.**

52           **(d) Any moneys that were withheld under this subsection shall be released to**  
53 **such school district or public school only if such school district or public school**  
54 **establishes compliance with this subsection in the same school year in which the**  
55 **department withheld such moneys.**

56           **(6) This subsection shall apply in the 2025-26 school year and all subsequent**  
57 **school years.**

**170.355. 1. As used in this section, the following terms mean:**

2           **(1) "Parent", a student's parent, guardian, or other person having control or**  
3 **custody of the student;**

4           **(2) "School", a public school or school district as such terms are defined in**  
5 **section 160.011.**

6           **2. No school or school employee shall compel a teacher or student to personally**  
7 **adopt, affirm, adhere to, or profess ideas in violation of Title IV or Title VI of the federal**  
8 **Civil Rights Act of 1964, as amended, including the following:**

9           **(1) That individuals of any race, ethnicity, color, or national origin are inherently**  
10 **superior or inferior;**

11           **(2) That individuals should be adversely or advantageously treated on the basis**  
12 **of individual race, ethnicity, color, or national origin; or**

13           **(3) That individuals, by virtue of their race, ethnicity, color, or national origin,**  
14 **bear collective guilt and are inherently responsible for actions committed in the past by**  
15 **other members of the same race, ethnicity, color, or national origin.**

16           **3. No course of instruction or unit of study offered by any school shall direct or**  
17 **otherwise compel students to personally affirm, adopt, or adhere to any of the ideas**  
18 **listed in subsection 2 of this section.**

19           **4. No course of instruction, unit of study, professional development, or training**  
20 **program shall direct or otherwise compel teachers to personally affirm, adopt, or**  
21 **adhere to any of the ideas listed in subsection 2 of this section.**

22           **5. (1) No school employee, when acting in the course of such employee's official**  
23 **duties, shall organize, participate in, or carry out any act or communication that would**  
24 **violate subsection 2 of this section.**

25           **(2) This subsection shall not be construed to prohibit a school employee from**  
26 **discussing the ideas and history of the ideas listed in subsection 2 of this section.**

27           **6. This section shall not be construed to prohibit teachers or students from**  
28 **discussing public policy issues or ideas that individuals may find unwelcome,**  
29 **disagreeable, or offensive.**

30           **7. Students, parents, or teachers may file a complaint with the department of**  
31 **elementary and secondary education or with the state attorney general's office**  
32 **regarding any violation of this section.**

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