

SECOND REGULAR SESSION

HOUSE BILL NO. 2294

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WIEMANN.

4461H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 161, RSMo, by adding thereto one new section relating to the rights of parents.

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

Section A. Chapter 161, RSMo, is amended by adding thereto one new section, to be known as section 161.842, to read as follows:

161.842. 1. This section shall be known and may be cited as the "Parents' Bill of Rights Act of 2022".

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

(1) "Medical examination", any medical examination that involves the exposure of private body parts; any act during such examination that includes incision, insertion, or injection into the body; or a mental health or substance use disorder screening. Such term shall not be construed to include a hearing, vision, or scoliosis screening;

(2) "Parent", a child's parent, guardian, or other person having control or custody of the child.

3. The general assembly hereby declares that it is the public policy of this state to empower parents to express their opinions about and influence decisions made by school districts and public schools and to communicate with local policymakers and educators about the education and well-being of their children by protecting the following rights of parents:

(1) The right to review the curricula of their child's school;

(2) The right to inspect without charge, upon the request of the parent, any instructional material used as part of the educational curriculum for their child and any

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.

18 **books or other reading materials made available to their child in such school district or**
19 **public school or through the library of such school district or public school;**

20 **(3) The right to meet with each teacher of their child at least twice during each**
21 **school year;**

22 **(4) The right to review the budget of their child's school;**

23 **(5) The right to review a list of the books and other reading materials contained**
24 **in the library of their child's school;**

25 **(6) The right to address the school board;**

26 **(7) The right to receive information about violent activity in their child's school;**

27 **(8) The right to receive information about any plans to eliminate gifted and**
28 **talented programs in their child's school; and**

29 **(9) The right to know about situations affecting their child's safety in school.**

30 **4. No school district or public school shall:**

31 **(1) Act as the agent of a parent of a child enrolled in such school district or**
32 **public school for purposes of providing verifiable parental consent under state or**
33 **federal law without first notifying the child's parent and providing an opportunity for**
34 **such parent to opt out of allowing such school district or public school to act as the agent**
35 **of such parent in providing such consent;**

36 **(2) Sell student information for commercial or financial gain; or**

37 **(3) Collect any biometric data or other sensitive personal information about a**
38 **child without obtaining written parental consent before collecting such data or**
39 **information.**

40 **5. Each school district and public school shall:**

41 **(1) Notify parents in a timely manner of any violent activity occurring on school**
42 **grounds or at school-sponsored activities in which one or more individuals suffer**
43 **injuries. Such notification shall not contain names or the grade level of any students**
44 **involved in such violent activity;**

45 **(2) Notify parents in a timely manner of any plan to eliminate gifted and talented**
46 **programs in such school district or public school;**

47 **(3) Provide the parents of each child who is enrolled in such school district or**
48 **public school with:**

49 **(a) The opportunity to meet in person with each teacher of such child at least**
50 **twice during each school year;**

51 **(b) A notification at the beginning of each school year of the opportunity for**
52 **such meetings; and**

53 **(c) The opportunity to address the school board on issues impacting the**
54 **education of their child;**

55 **(4) Provide the parents of a child who is enrolled in such school district or public**
56 **school a list of books and other reading materials available in the school district's or**
57 **public school's library. Such list shall be provided without charge at the beginning of**
58 **each school year;**

59 **(5) Develop each privacy policy or procedure with meaningful engagement by**
60 **parents of students enrolled in such school district or public school;**

61 **(6) Ensure that each of the following is available for inspection by the parents of**
62 **children enrolled in such school district or public school:**

63 **(a) All instructional materials including, but not limited to, teachers' manuals,**
64 **films, tapes, or other supplementary material that will be used in such school district or**
65 **public school or in connection with any survey, analysis, or evaluation; and**

66 **(b) Any books or other reading materials made available to students in such**
67 **school district or public school or through the library of such school district or public**
68 **school;**

69 **(7) (a) In consultation with parents of children enrolled in such school district or**
70 **public school, develop and adopt policies relating to the following:**

71 **a. The administration of medical examinations or screenings that the school or**
72 **agency are authorized to administer to a student. Such policies shall require at least the**
73 **following:**

74 **(i) The notice to parents of any medical examination or screening;**

75 **(ii) Receipt of consent from parents for such examination or screening; and**

76 **(iii) If an emergency requires a medical examination or screening without time**
77 **for parental notification or consent, the procedure for promptly notifying parents of**
78 **such examination or screening subsequent to such examination or screening;**

79 **b. The prohibition on the collection, disclosure, or use of personal information**
80 **collected from students for the purpose of marketing or selling such information or**
81 **otherwise providing such information to others for such purposes other than for a**
82 **legitimate educational purpose to improve the education of students; and**

83 **c. The arrangements to protect student privacy that are provided by the school**
84 **district or public school in the event of such collection, disclosure, or use of personal**
85 **information for such a legitimate educational purpose.**

86 **(b) The policies developed by a school district or public school under paragraph**
87 **(a) of this subdivision shall provide for reasonable notice of the adoption or continued**
88 **use of such policies directly to the parents of students enrolled in such school district or**
89 **public school. Such school district or public school shall:**

90 **a. Provide such notice at least annually, at the beginning of the school year, and**
91 **within a reasonable period after any substantive change in such policies; and**

92 **b. Offer an opportunity for the parent to opt the student out of participation in**
93 **an activity described in this subsection; and**

94 **(8) Prominently post on the home page of the school board's and the public**
95 **school's websites, in such a manner that the information is available to the public, the**
96 **following information:**

97 **(a) A summary notice of the rights listed in subsection 3 of this section;**

98 **(b) The curriculum for each grade level; and**

99 **(c) The plan for carrying out any parent engagement required under state law**
100 **and all policies and procedures resulting from such engagement.**

101 **6. Each school district shall submit the budget for each school year for the school**
102 **district and each public school within such school district at the same time the school**
103 **district submits the data required for the school accountability report produced under**
104 **section 160.522. The data submitted under this subsection shall include at least all**
105 **revenues and expenditures made by the school district and each public school within**
106 **such school district. Such data shall be displayed and provided in the same manner as**
107 **all other data is displayed and provided under section 160.522.**

108 **7. Each school district and public school shall:**

109 **(1) Without identifying any personal information of any student, report to the**
110 **department of elementary and secondary education any enforcement actions or**
111 **investigations carried out for the preceding school year to ensure compliance with this**
112 **section; and**

113 **(2) Publish such information on its website or through other public means used**
114 **by such school district or public school for parental notification.**

115 **8. The department of elementary and secondary education shall take such action**
116 **as the department determines appropriate to enforce this section, except that action to**
117 **withhold state aid provided under chapter 163 shall be taken only if the department**
118 **determines that there has been a failure to comply with this section and compliance with**
119 **this section cannot be secured by voluntary means.**

120 **9. No later than one year after the effective date of this section, and annually**
121 **thereafter, the department of elementary and secondary education shall submit to the**
122 **house committee on elementary and secondary education, or any other education**
123 **committee designated by the speaker of the house of representatives, and to the senate**
124 **committee on education, or any other education committee designated by the president**
125 **pro tempore of the senate, the following:**

126 **(1) The reports received under subsection 7 of this section; and**

127 **(2) A description of the enforcement actions taken by the department of**
128 **elementary and secondary education under subsection 8 of this section to ensure full**
129 **compliance with this section.**

130 **10. The department of elementary and secondary education may promulgate all**
131 **necessary rules and regulations for the administration of this section. Any rule or**
132 **portion of a rule, as that term is defined in section 536.010, that is created under the**
133 **authority delegated in this section shall become effective only if it complies with and is**
134 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**
135 **section and chapter 536 are nonseverable, and if any of the powers vested with the**
136 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**
137 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
138 **rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be**
139 **invalid and void.**

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