

SECOND REGULAR SESSION

HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR

HOUSE JOINT RESOLUTION NO. 110

101ST GENERAL ASSEMBLY

4504H.06C

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to Article IX of the Constitution of Missouri, by adopting one new section relating to education.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2022, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article IX of the Constitution of the state of Missouri:

Section A. Article IX, Constitution of Missouri, is amended by adopting one new section, to be known as Section 11, to read as follows:

Section 11. 1. This section shall be known and may be cited as the "Parents' Bill of Rights".

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

3. Parents of a child attending the public schools of this state have the right to participate in and direct the education of their child and to know what is being taught in their child's school.

4. This section shall be construed to protect and promote the rights of parents to participate in and direct the education of their child who attends a public school. Such parents' rights shall include, but are not limited to, the following:

(1) The right to be notified if any school employee or official suspects that a criminal offense has been committed against the parents' child, in a timely manner of all

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.

13 reported incidents pertaining to student safety including, but not limited to, any felony
14 or misdemeanor committed by a teacher or other school employee;

15 (a) No employee of any public school or school district shall encourage, coerce,
16 or attempt to coerce a minor child to withhold information from such minor child's
17 parents; provided, however, that any such person required to report suspected abuse or
18 neglect may encourage a minor child to withhold information where disclosure could
19 reasonably result in abuse or neglect;

20 (b) No employee required to report suspected abuse or neglect shall be required
21 to notify the parents of such suspected abuse or neglect of the parent's child if the parent
22 is the alleged perpetrator;

23 (2) The right to be involved in their child's education and to be notified of these
24 rights and of any information that affects the well-being of their child;

25 (3) The right to access and view school curricula, guest lecturer materials, and
26 staff training manuals in a timely manner and in easily accessible formats;

27 (4) The right to access school district and school building performance
28 information in a timely manner and in an easily understood and fully accessible format;

29 (5) The right to transparent access to school and school district financial
30 information in an easily understood and fully accessible format;

31 (6) The right to choose existing educational choice options provided by law that
32 best suit the learning needs of their child, but which shall not be construed to include
33 educational choice options for any school district or local educational agency that is not
34 specifically authorized by statute for such student, school district, or local educational
35 agency;

36 (7) The right to request to opt their child out of the classroom for any
37 presentation of content listed in the syllabus with which the parents disagree;

38 (8) The right to control their child's likeness in district materials, subject to
39 exceptions such as court orders; and

40 (9) The right to control their child's health and identifying markers including,
41 but not limited to, the right to opt out of health measures not required by state order or
42 statute.

43 5. The public schools of this state shall take all actions necessary to promote,
44 preserve, and protect the rights described in this section including, but not limited to,
45 the following actions:

46 (1) Making available all curricula such as the title of each textbook, course
47 outlines, and reading lists to the public at least thirty days before the beginning of a
48 semester in which the material will be taught;

49 **(2) Making available school building level and district academic performance**
50 **information including, but not limited to:**

51 **(a) Any financial and academic data submitted to the state department of**
52 **elementary and secondary education;**

53 **(b) The percentage of all students scoring at the proficient level or higher on all**
54 **assessments administered under the Missouri assessment program or any subsequent**
55 **equivalent assessment adopted; and**

56 **(c) The percentage of students in each reportable subgroup including, but not**
57 **limited to, race, ethnicity, economically disadvantaged, students with disabilities, and**
58 **English language learners scoring at the proficient level or higher on all assessments**
59 **administered under the Missouri assessment program or any subsequent equivalent**
60 **assessment adopted; and**

61 **(3) Making available all financial data available in a searchable and easily**
62 **understood format including, but not limited to:**

63 **(a) Financial reports and audits including, but not limited to, any reports**
64 **submitted to the state;**

65 **(b) Payment data showing all payments made by the school or school district;**
66 **and**

67 **(c) Information about the tax rates and revenues associated with the school or**
68 **school district.**

69 **6. No school or school employee shall compel a teacher or student to adopt,**
70 **affirm, adhere to, or profess ideas in violation of Title IV or Title VI of the federal Civil**
71 **Rights Act of 1964, as amended, including, but not limited to, the following:**

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

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

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

79 **(4) This subsection shall not be construed to prohibit teachers or students from**
80 **discussing public policy issues or ideas that individuals may find unwelcome,**
81 **disagreeable, or offensive; or**

82 **(5) This subsection shall not be construed to prohibit a school employee from**
83 **discussing the ideas and history of the ideas listed in this subsection.**

84 **7. Any material required to be available to parents under this section shall be**
85 **made available in a searchable electronic format at all times. Such material shall be**

86 **placed on the department of elementary and secondary education website or on such**
87 **electronic platform as may be provided by the department.**

Section B. Pursuant to chapter 116, and other applicable constitutional provisions and
2 laws of this state allowing the general assembly to adopt ballot language for the submission of
3 this joint resolution to the voters of this state, the official summary statement of this
4 resolution shall be as follows:

5 "Shall the Missouri Constitution be amended to adopt a Parents' Bill of Rights, which
6 includes:

- 7 • Requiring schools to promote parental involvement and notify parents of their
8 rights;
- 9 • Giving parents notice of and greater control over what is being taught to their
10 children; and
- 11 • Establishing policies and procedures for reporting public school performance?".

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