

SENATE BILL NO. 89

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (26).

1121S.01H

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 161, RSMo, by adding thereto two new sections relating to elementary and secondary education.

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

Section A. Chapter 161, RSMo, is amended by adding thereto
2 two new sections, to be known as sections 161.852 and 161.1140,
3 to read as follows:

161.852. 1. The commissioner of education shall
2 establish the Missouri Education Transparency and
3 Accountability Portal, which shall be an internet-based tool
4 creating transparency in Missouri's public education system
5 and providing citizens access to every school district's
6 curriculum, source materials, and professional development
7 materials.

8 2. The portal shall consist of an easy-to-search
9 database, including, but not limited to, the following:

- 10 (1) All curriculum taught by the school district;
11 (2) All source materials used to develop a district's
12 curriculum;
13 (3) All documents used by a school district in the
14 professional development of the district's faculty and
15 staff, including, but not limited to, administrators,
16 teachers, counselors, and classroom support staff;

17 (4) All source materials used to develop the documents
18 used by a school district in their professional development
19 materials as outlined in subdivision (3) of this subsection;

20 (5) All speakers and guests used by a school district
21 in their professional development activities; and

22 (6) The cost associated with speakers and guests used
23 by a school district in their professional development
24 activities.

25 3. The commissioner of education shall establish an
26 online form that each school district in this state shall
27 complete with information required under subsection 2 of
28 this section.

29 4. A school district shall submit any updates to the
30 information outlined in subsection 2 of this section within
31 five business days of the information changing.

32 5. The commissioner of education shall update the
33 portal with the information required by this section to be
34 submitted by each school district no less than weekly and
35 shall ensure that the portal is maintained as the primary
36 centralized source of information about the curriculum and
37 instructional materials used by public school districts.

38 6. The department of elementary and secondary
39 education may promulgate rules to implement this section.
40 Any rule or portion of a rule, as that term is defined in
41 section 536.010, that is created under the authority
42 delegated in this section shall become effective only if it
43 complies with and is subject to all of the provisions of
44 chapter 536 and, if applicable, section 536.028. This
45 section and chapter 536 are nonseverable and if any of the
46 powers vested with the general assembly pursuant to chapter
47 536 to review, to delay the effective date, or to disapprove
48 and annul a rule are subsequently held unconstitutional,

49 then the grant of rulemaking authority and any rule proposed
50 or adopted after August 28, 2023, shall be invalid and void.

161.1140. 1. This act may be cited as the "Parents'
2 Bill of Rights Act of 2023".

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 to 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.

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