

CONCURRENT RESOLUTION ON EDUCATION

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karianne Lisonbee

Senate Sponsor: John D. Johnson

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12	Joel Ferry	Adam Robertson	
13	Francis D. Gibson	Mike Schultz	

LONG TITLE

General Description:

This concurrent resolution addresses issues relating to the education of children.

Highlighted Provisions:

This resolution:

- ▶ reaffirms that the state is secondary to and supportive of the primary role of a parent in educating the parent's children; and
- ▶ recognizes the importance of flexibility in education schedules and systems and commits to support options for parents and children.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, Section 62A-4a-201 of the Utah Code establishes that under "both the

29 United States Constitution and the constitution of this state, a parent possesses a fundamental  
30 liberty interest in the care, custody, and management of the parent's children";

31 WHEREAS, Section [62A-4a-201](#) also states that a parent has the "right, obligation,  
32 responsibility, and authority" to educate the parent's children;

33 WHEREAS, the law also makes clear that the state's role in education is "secondary and  
34 supportive to the primary role of a parent";

35 WHEREAS, Utah's Public and Private Education Systems have demonstrated their  
36 ability to provide, and the importance of, flexibility in education schedules and systems and of  
37 adapting to different learning styles;

38 WHEREAS, Section [53G-6-204](#) fully exempts a child from compulsory education if the  
39 child's parent elects to enroll the child in private school or to home school the child;

40 WHEREAS, "pandemic pods," private schools, home schools, tutors, and other  
41 alternative educational systems have provided families additional options to support their  
42 child's education during the ongoing COVID-19 pandemic;

43 WHEREAS, state law regarding education should be accommodating of different  
44 learning options and family preferences, and always be "secondary and supportive" to the  
45 parent's decision; and

46 WHEREAS, parents and families are best served when they have many options from  
47 which to choose to match educational opportunities to the specific needs and interests of their  
48 children:

49 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the  
50 Governor concurring therein, reaffirms that the state of Utah is secondary and supportive to the  
51 primary role of a parent in educating the parent's children.

52 BE IT FURTHER RESOLVED that the Legislature, the Governor concurring therein,  
53 recognizes the importance of flexibility in education schedules and systems and commits to  
54 continue to support options for parents and children.