

HCS HB 1858 -- TRANSPARENCY IN PUBLIC EDUCATION (Baker)

COMMITTEE OF ORIGIN: Standing Committee on Elementary and Secondary Education

The following is a summary of the House Committee Substitute for HB 1858 as perfected.

This bill creates the "Parents' Bill of Rights Act of 2022" and provides a list of rights that parents may require school districts that receive federal or state money to follow. Rights listed in the bill include but are not limited to:

- (1) The right to review curricula, books, and instructional materials;
- (2) The right to visit school during school hours with restrictions; and
- (3) The right to have sufficient accountability and transparency regarding school boards.

School district restrictions are also outlined in the bill and include:

- (1) Limits on nondisclosure agreements to review curriculum or for IEP meetings and certain other meeting and hearings specified in the bill;
- (2) Allowing student involvement in school assemblies, field trips, or other extracurricular activities without written authorization from the parent;
- (3) Biometric data collection; and
- (4) Public meeting requirements that allow public comment.

Each school district and public school must notify parents of all reported incidents pertaining to student safety including, but not limited to, any felony or misdemeanor committed by teachers or other school employees.

Each school board shall adopt policies that will ensure accountability and transparency for parents in the district as outlined in the bill, and employees of the school are prohibited from coercing a minor child from withholding information from a parent.

The bill provides details on civil actions that may be taken

against a school district and provides that withholdings from state funding may occur for noncompliance (Section 161.841, RSMo.).

The bill requires the Department of Elementary and Secondary Education (DESE) to develop a tool within the Department's comprehensive data system which shall consist of an Internet-based tool to give access to every school district's curriculum, source materials, and professional development materials. Details for the database are outlined and the DESE shall establish forms for districts to complete. School districts are required to submit updates to any required information every six months and DESE shall update the tool monthly (Section 161.852).

This bill requires that school boards as defined by the bill adopt a school board meeting speaker policy by the 2023-24 school year. The policy must designate a time for an open forum at the beginning of each public school board meeting. Boards may set time limits no less than three minutes per individual and the policy may outline specific information that each individual must provide before speaking. The school board may limit topics to exclude personnel issues and litigation issues and school boards shall not ban individuals except as provided in the bill. Parents may bring a civil action against the school district for a violation of the policy and if found to have knowingly engaged in repeated violations DESE shall withhold state formula money from the school district until they come into compliance (Section 162.005).

This bill requires that beginning in the 2023-24 school year that all school districts and charter schools post on the school's website the approved school curriculum that will be used for pupil instruction. Any changes to the curriculum must be updated on the website within 30 days and notice must be provided in a form of written communication with parents. Any curriculum that is trademarked or copyrighted may not be widely disseminated to the public.

The bill outlines a cause of action to require that the school board comply and if any resident prevails in a cause of action the bill provides that attorney fees shall be paid up to \$15,000 (Section 170.231).

This bill provides that no school or school employee shall compel teachers or students to discuss public policy issues without consent. The bill outlines additional ideas related to Title IV and VI of the Civil Rights Act of 1964 that teachers and students cannot be compelled to adopt, affirm, or profess including but not limited to: that individuals of any race, ethnicity, color, or national origin are inherently superior or inferior and that

individuals, by virtue of their race, ethnicity, color, or national origin, bear collective guilt and are inherently responsible for actions committed in the past by other members of the same race, ethnicity, color, or national origin. Students, parents, or teachers may file a complaint with the Department of Elementary and Secondary Education or the state Attorney General for violations (Section 170.355).