

HCS HBs 1995 & 1474 -- PARENTAL RIGHTS IN PUBLIC SCHOOLS

SPONSOR: Richey

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elementary and Secondary Education by a vote of 12 to 8.

The following is a summary of the House Committee Substitute for HB 1995.

This bill enumerates rights for parents in areas relating to education, health care, and mental health, and establishes "The Parents' Bill of Rights for Student Well-Being". Rights listed include the right to direct ethical, moral, and religious training, the right to enroll his or her child in a public, parochial, or home school, and the right to exempt his or her child from immunizations. Additional rights are listed in the bill.

The bill requires school districts to adopt a policy to promote parental involvement with detailed procedures as outlined in the bill including procedures for objection to instructional materials and for parental withdrawal from health education courses relating to human sexuality and sexually transmitted diseases.

The bill requires that the Department of Elementary and Secondary Education (DESE) develop specific forms that school districts must use for parents to opt out of instructional material, and for parents to be notified in advance whenever a teacher intends to teach a divisive or controversial topic.

The bill permits information that is required to be provided to parents to be delivered electronically and establishes a formal request process with specific time periods for superintendents to comply before an appeal process to the school board with details outlined in the bill (Section 161.851 RSMo).

The bill requires the Department 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).

The bill provides that the Attorney General's office has the right to bring legal action for violations of Sections 161.851 to

161.852, and provides a penalty provision for each violation up to \$10,000 for each knowing or purposeful violation. The bill provides that fines for violations will be divided with 20% going to the parents who brought the suit and 80% to be given to the Missouri Empowerment Scholarship Fund. School district employees that disclose violations are protected from retaliation (Section 161.853).

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. The bill prohibits schools from requiring nondisclosure agreements for parental review of curricula and provides for a complaint process to the Department of Elementary and Secondary Education for violations. Any school or school employee found to be in violation of this section may have a private right of action brought against them (Section 170.355).

This bill contains an emergency clause and penalty provisions.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that the rights outlined by the bill are common sense and something that all parents already anticipate having. While some of the rights are already outlined in statute there are many "bad actors" that are not working with parents to ensure that the needs of students are foremost and that parental rights are being respected.

Testifying for the bill were Representative Richey; Amy Reed; Anthony Delgado; Elizabeth Stigall; Johanna Beaudean; Kathy Place; Krystin Bottoms; Mikal Wentz; Stacy Westercamp; Andrew Donald Wells, No Left Turn in Education; Joshua Reed; Amy Krebs; Elizabeth Weiss; Jennifer Spencer; Sariya D Saabye; Ursula G Lovemore; Ann Murphy; Anna Rodriguez; Arnie C. Dienoff; Brad Smyth; Camille Subramaniam; Cheryl Cable; Colette Nicholson; Danielle Schroeder; Hailey Rogers; Judith Kay Brown; Judy Sofka; Karina Crouch; Kristin Maher; Lindsey Naegel; Lori Richmeyer; Mary Teresa Lux; Matthew Mathes; Patricia Warner; Paula Juelich; Rebecca Klopstein; Renee Henke; Roberto G Flores; Sara Barnard; Sarah Lasman; Shauna Poggio;

Concerned Women for America; Melinda Ellen Richardson; Timothy Page; Lisa Jones; Michele Berhorst; Rachel Wood; Jason Moore; Jennell Houts; Melinda Branstetter; Mark Martin; Shaquila Remtula-Appling; Catherine Gauvreau; Jerome Stephen Jacobsmeyer; Haven Howard; Mary Byrne; Sheryl Schmidt, Families for Home Education, Inc; Ann Egenriether; and Geri Thwing.

OPPONENTS: Those who oppose the bill say that there are concerns about whose rights would come first, the right of the parent or the student. Additionally, there are few definitions in the bill and that provides some lack of clarity. This bill could drive potential teachers away from choosing the profession as it creates a personal penalty aspect. This language prevents students from learning anything that their parents don't want them to learn, this seems oppressive.

Testifying against the bill were Aginah Sims; Alecia Hoyt; Alice Foster; Alice Martin; Amanda Perschall; Amber Kempf; Amelia Freeberg; Amy Drummond; Amy Imafidon; Amy Ravin; Angela Glazebrook; Angela Miller; Angela Richard; Ann Dillon; Annabel Eyrick; April Ferrao; Ashley Gallaher; Barbara J Ward; Beth Gialde; Brandi Koziatek; Brandi Vanantwerp; Bryan Campbell; C M; Casey Blakemore; Christine Novalis; Clarisse Teepe-Fryrear; Clifford C. Sodergren; Crista Chenoweth-Beracha; Daniel Brigman; Deborah Veis; Dianne A Gray; Don Crozier; Dr. Amy Gangloff; Dr. Praveen Raju Chenna; Elise Robinson; Elizabeth Barker; Elizabeth Beck; Elizabeth Rickard; Emily Bowen-Marler; Emily Bushmann; Emily Coen; Emily Kohring; Emma Tiemann; Erin Gray; Erin Krewet; Ethan E Evans; Gabrielle Williams; Ida Fogle; Jacquelyn Sample; Jade Jones; Jade Venditte; Jeane L Stohldrier; Jess Piper; Joseph Murphy; Judy Johnson; Julie Hess; Julie Tietz; Kathryn Walter; Katie Molitor; Kent Donald Monzyk; Kevin Bachmann; Kristin Moomey; Kristin Rehg; Laura Ann Guthrie Eads; Lisa Hummel; Lisa Thompson; Lola Butcher; Loretta Fuge; Lori Staub; Lynn Courter; Margaret Rowe; Marguerite Bogle; Marjorie M. Ivey; Mary Waggener; Megan M O'Brien; Melisa Colvin; Michelle Shepherd; Minal Gandhi-Shepard; Monica Horton; Nancy L. Williams, Phd; Nancy Tracy; Nicholas Garcia; Nicole; Nicole Laux; Pamela J Speh; Pamela Jean Shaver; Patrice Rosenkranz; Paula S Cochran; Rebecca Shaw; Rebecca Watson; Richard Schur; Sarah Garcia; Sohon Fulstone; Stephanie Elliott; Stephen Berkwitz; Steve Lindee; Susan Cannon; Susan E Tiffany; Susan Gibson; Taleyna Morris; Tara Reuter Johnson; Travis Howser; Vanessa Bandom; Victoria Pine; William C. Rowe; Allison Price; Becky Patel; Cathleen A. Fleck; Chi Nguyen-Rettig; David I Berland; Gwendolyn Marberry Van Asselt; Jenna Roberson; Jenny Smith; Johnelle Lamarque; Nancy Bell; Sally Brooks; Suzanne Whitman; Nancy Zoellner; Daniel Teasley; Olivia Jones; Susan Craig; Amy Schaefer; Catherine Dunsford; Darcy Klonsky; Emily Koehn; Heather Harrison; Lein Shory; Lynda Partee; Marcus Moomey; Michelle Studer; Necia Baxter; Rebecca Weaver; Rebekah Getz; Sarah

Renfro; Sherry Nelson; Theresa Debuhr; Tony Smith; Katharine Moloney; Yoana Zamora Miranda; Adam C. Leigh; Andrew Yawitz; Brittni Martin; C. J. O'callaghan; Carly Warhurst; Carol Stocks; Christina Parker; Christine Brown; Daniel Lamping; Eric A. Brown; Jacob Hummel, Missouri AFL-CIO; Janice Seele; Jennifer McGee; Jennifer Van Horn; John Grelle; Leslie Martyn Gennari; Linda Kram; Maggie Beavers; Pro Choice Missouri; Maryellen Picker; Natalie Rolwes; Nikisha Bridges; Nikisha Bridges; Rebecca Vennemann; Samuel Cohen; Shawn Chereskin; Sophia Nguyen; Stacie Dixon; Susan Randolph; Suzan Nikol Dague; Teresa Bladt; Thomas Cudd; Yvette Baxter; Kristie Beck; A. K.; Abigail Pankau; Alicia Dietz; Allison Adler; Amanda J Hughes; Amy Eyler; Amy Heitkamp; Amy Murphy; Amy Rhoades; Amy Stringer Hessel; Amy Thompson; Amy White; Angie; Angie Dunlap, League of Women Voters of Metro St. Louis; Anita Cleaver; Ann Flory; Anya Liao; Ben Smith; Bethany Keller; Bethre Means; Beverly Price; Brett Parker, American Atheists; Brianna D Price; Brittany Kiefer; Brittany Steinbrueck; Camelia Johnson; Carla L Brown; Carla Leininger; Carla Wimmmler; Carrie Love; Carson Monetti, St. Louis Art Supply; Catherine Holmes; Cheryl Ogolin; Christin Beavers; Christina Andrade Melly; Curtis Conrod; Damon Murray; Daniel W Frey; Danielle Otte; Dean Kathleen Adams-Shepherd; Deana McKelvie; Debbie Hatfield; Deborah S Holmes; Deborah T Gregg; Debra Esposito; Debra P. Yerkes; Diana Ziegler-Haydon; Doug Bono; Dr. Shelly Farnan; Eileen Krahman; Eleanor Gund; Elisha Wrighton; Elizabeth Arras; Elizabeth Davis; Ellen Bern; Emily Coffman; Eric Godfroy; Erich Gerding; Erin Cramer; Erin Suess; Geralyn Madigan; Hannah E Flores; Hannah Johnson; Jacob Berkowitz; Jacqueline Farr; James Thurow; Jamie A. Becker, M.A., M.Ed.; Jan Ward; Janet Noe; Jennifer Beckmann; Jennifer Biermann; Jennifer Bradfors; Jennifer Harris Dault; Jennifer Main; Jeremy Mapp; Jerome Grisanti; Jessica Hunsberger; Jessica Kearns; Jessica Niehaus; Jessica Risenhoover; Jill Seib-Schaub; Joan Gentry; Jodi Walsh; John Hardin; Joslyn Richardson; Julian Vizitei; Julie Lakey; Julie Northrip; June B. Ewing, Rev. Edd.; Karen Gibson; Katherine Christine Sudholt; Kathleen Hurley; Katy Beckemeyer; Kelly Hall; Kelly O'Brien Loretta; Kelvin Belle; Kerith Lucco; Kim Forsythe; Kristen Sheets; Kristi N Addis; Kristin Bryant-Gilreath; Kristin Scully; Laura Abadie; Laura Sue Johnson; Lauren Cordy; Leah Borden; Liesl Fressola; Linda Austin; Lisa Langley; Lisa Pavia-Higel; Lynn Blosser, NBCT; Lynne Gronefeld; Maggie Klonsky; Mallory Nezam; Margaret Stockmann; Maria Bayless; Mary Coore; Mary R Ferguson; Megan Fennell; Megan Langford; Meghan Maher; Meghan Parish; Melany Boewer; Melissa Blank; Meredith Anderson; Michael Hughes; Michele Dubrouillet; Michelle Ridlen; Mollie Gulino; Nathan Lee Thompson; Nicole Arb Wiethop; Nicole David-Pennington; Nicole Thompson; Oba Bonner; Olivia Raye Sudholt; Missouri NEA; Pamela K Hill; Paola Rijos; Patricia Bartell; Patricia Fisher; Patricia Fisher; Paul Hyde; Phil Snider; Phyllis Davis; Ramona Williams; Rebecca Morfeld; Regina Jacobs; Rhonda Shrum; Rob Fulstone; Robert L Bloch; Robin

Blatt; Ronnie Reese; Saba Fajors; Sara Arunski; Sara Gail Sallings; Sara Santhuff; Sarah Hill; Sarah Jones; Sarah Wright; Missouri Association of School Administrators; Shaelynn Tice; Shawn Walsh; Shelby Hahn; Sheryl Foster; Silvia Dadian-Smith; Sloan Sheffield Cowell; Stephenie Godfroy; Tabea Linhard; Tara Scheer; Terica Donnelly; Thomas M Ferri; Tina Thomason; Tracy Hansen; Una McGarry; Valerie S. Moon; Vicki Marino; Victoria Godfrey-Zeller; Wendy L Shore; Zella Williams; Amy Rogers; Catherine Chamberlin; Cynthia J. Gardner; Scott Randolph; Angela Sanders; Ann Shabazz; Ashley O'Daniel; Beth Collom; Christina Grove; Clair E. Laughlin; Claudia Walk; Dana Manternach; Elaine Derrough; Eric Sentell; Jeanna Stark; Jenifer Newmark; Jessica James; Jessica Patton; Kate Pannell; Kathleen Bay; Marissa Polzin; Megan Von Arb; Michael R Walk; Olivia Holzum; Patrick James; Rebecca McCarthy; Rebecca Schriefer; Shawn Daugherty; Susanne Elizabeth Voss; Tamara Orahod; Amanda Knittel; Brian Trojahn; Debbie Hipp; Erin Hladik; Kathryn Sesti; Kyle Brown; Kyle Brown; Margaret Smith; Mary Hubbard; Nichole Brinkmann; Pam Novak; Shannon Besch; Tracy Novak; Tracy Tegethoff; Amanda Swindle; Carolyn Kribs; Cindy M Wilson; Emily Klein; Harold Johnson; Ila McGuire; Jemile Dragovic; Lisa Lennon; Lisa Marie Dorner; Lori Markson; Maggie McCoy; Michael Byrd; Molly Burns; Nakita S Anthony; Seletha Tucker; Stephanief; Tanya; Theresa Schlafly; Timothy Domian; Amber Irvin; Angela Mason; Angela Murnin; Ashley Drury; Behelehem Tesfu; Cheryl Moore; Courtney Kamp; David Reece; Elan McMillin; Elizabeth Curry; Emilie Lytton; Jamie Seeburger; Mara Perry; Margo G McNeil; Mary Ellen Zerr; Maureen Jordan; Ryan Tinker; S. Bruce; Sally Graczyk; Scott Jensen; Abby Coats; Brigitte Sheridan; Christy Potthast; Dale Greenbury; James Nesthus; Jordan Ault; Julianne Crockett; Stefanie Buscher; Thomas Ruzicka; Yvonne D Reeves-Chong; Catherine Devaney; Darian Wigfall; Dava-Leigh Brush; Hattie Stel; Jennifer Starbird; Joshua Trampier; Julia Maranan; Laura Turner; Aaron McMullin; Amelia Glass; Carleen Murray; Charles Purnell; Emily Bergersen; Emily Conley; Florence Jeanine Molloff; Gloria Ventura; James Janes; Marla Stewart; Maura Curry; Megan Frank; Melissa Powers; Scott Shafrin, Kol Rinah; Shalom Palmer; Shea Kerkhoff; Sheila K Vogel; Tierney Furlong; Adam Simpson; Allison Klinghammer; Amanda Matheu; Amy De La Hunt; Barbara Loehrer; Caleb Zustiak; Casey Wombacher; Claire Baker; Dawn Fogle; Dr. Shonda Ambers-Phillips; Erin Tate; Jaclyn Jezik; Jessica Shepherd; John Defoor Sr.; Kathleen Berberich; Kelley Van Dyck Murphy; Kerrion Dean; Kristen Lyle; Patricia Panzica; Rachel Wohlers; Tenille-Rose Martin; Jamie B Martin; Alexa Drouin; Ann Zimpfer; Cara Hiripitiyage, Pattonville School District; Cha Cha Rubin; David Rosman, American Atheists; Dawn Chapman; Dennis Barbour; Michael L. Lester; Dr. Stacy Ray, Hazelwood School District; Heather Fleming; Jamie Johnson; Kerry Moloney; Linnet Early; Penelope Orchard; Phedre Schlagenhauff; American Federation of Teachers-Missouri; Shereka Barnes; PROMO; Stacey McMackin; Sylvester Taylor II; Alexis Coleman; Carly Faye; Rachel Tate; Allyn

Harris Dault; and Rhonda Torno.

OTHERS: Others testifying on the bill say the Missouri Supreme Court has determined that the bond between a child and parent is a fundamental relationship, and that allowing students to learn from "controversial" material provides a well rounded education.

Testifying on the bill were Shelli A Thelen; Cynthia Venditte; William A. Estrada; Patricia Schneider Gibson; Eimee E Cook; Katherine Rash; Christina Hughes; and Lindi Williford.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.