

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 482
102ND GENERAL ASSEMBLY

1250H.03C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 37.850 and 170.231, RSMo, and to enact in lieu thereof five new sections relating to rights in public education.

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

Section A. Sections 37.850 and 170.231, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 37.850, 161.841, 168.781, 170.231, and 170.355, to read as follows:

37.850. 1. The commissioner of administration shall maintain the Missouri accountability portal established in executive order 07-24 as a free, internet-based tool allowing citizens to demand fiscal discipline and responsibility.

2. The Missouri accountability portal shall consist of an easy-to-search database of financial transactions related to:

(1) The purchase of goods and services and the distribution of funds for state programs;

(2) All bonds issued by any public institution of higher education, **public school district**, or political subdivision of this state or its designated authority after August 28, 2013;

(3) All obligations issued or incurred pursuant to section 99.820 by any political subdivision of this state or its designated authority; ~~and~~

(4) The revenue stream pledged to repay such bonds or obligations;

(5) **All forms of compensation and benefits paid to or on behalf of public employees, including employees of political subdivisions, public institutions of higher education, public school districts, and public charter schools;** and

(6) All debt incurred by any public charter school.

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.

17 3. The Missouri accountability portal shall be updated each state business day and
18 maintained as the primary source of information about the activity of Missouri's government.

19 4. Upon the conducting of a withholding or a release of funds, the governor shall
20 submit a report stating all amounts withheld from the state's operating budget for the current
21 fiscal year, as authorized by Article IV, Section 27 of the Missouri Constitution which shall
22 be:

23 (1) Conspicuously posted on the accountability portal website;

24 (2) Searchable by the amounts withheld or released from each individual fund; and

25 (3) Searchable by the total amount withheld or released from the operating budget.

26 5. Every political subdivision of the state, including public institutions of higher
27 education ~~[but excluding]~~, **public school districts, and public charter schools** shall supply
28 all information described in subsection 2 of this section to the office of administration within
29 ~~[seven days of issuing or incurring such corresponding bond or obligation. For all such bonds~~
30 ~~or obligations issued or incurred prior to August 28, 2013, every such political subdivision~~
31 ~~and public institution of higher education shall have ninety days to supply such information~~
32 ~~to] the number of days and in a manner to be determined by the office of administration.~~

33 6. Every school district and public charter school shall supply all information
34 described in **subdivisions (2), (4), (5), and (6)** of subsection 2 of this section to the
35 department of elementary and secondary education ~~[within seven days of issuing such bond,~~
36 ~~or incurring such debt]~~. The department of elementary and secondary education shall have
37 forty-eight hours to deliver such information to the office of administration. ~~[For all such~~
38 ~~bonds issued or debt incurred prior to August 28, 2013, every school district and public~~
39 ~~charter school shall have ninety days to supply such information to the department of~~
40 ~~elementary and secondary education. The department of elementary and secondary education~~
41 ~~shall have forty-eight hours to deliver such information to the office of administration.]~~

**161.841. 1. This section shall be known and may be cited as the "Parents' Bill of
2 Rights Act of 2023".**

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

5 **3. This section shall be construed to empower parents with the right to enroll**
6 **their minor child in a public school or, as an alternative to public education, a private**
7 **school, including a religious school, a home education program, or other available**
8 **option, as authorized by law, and to empower parents to enforce the following rights**
9 **against school districts and public schools in which their children are enrolled that**
10 **receive any federal or state moneys:**

11 **(1) The right to know what their minor child is being taught in school including,**
12 **but not limited to, curricula adopted under section 160.514;**

13 **(2) The right to receive information about who is teaching their minor child**
14 **including, but not limited to, guest lecturers and outside presenters;**

15 **(3) The right to receive information about individuals and organizations**
16 **receiving school contracts and funding in the school in which their minor child is**
17 **enrolled, except that no personally identifiable information about any student shall be**
18 **released;**

19 **(4) The right to visit the school and check in on their minor child during school**
20 **hours;**

21 **(5) The right to view and, upon request, receive all school records, medical or**
22 **otherwise, concerning their minor child;**

23 **(6) The right to receive information about the collection and transmission of**
24 **their minor child's data;**

25 **(7) The right to have sufficient and effective accountability and transparency**
26 **regarding school boards; and**

27 **(8) The right to know about situations affecting their minor child's safety in**
28 **school.**

29 **4. (1) Each school district and charter school shall develop policies and**
30 **procedures for such school district and charter school to follow to accommodate and**
31 **assist parents in the exercise of the parental rights to know and receive information as**
32 **described in subsection 3 of this section. Such policies and procedures shall describe the**
33 **methods such school district and charter school shall use to allow parents to exercise**
34 **such parental rights to the fullest extent.**

35 **(2) Each school board and charter school's governing board shall affirm the**
36 **board's commitment to ensuring sufficient and effective accountability and**
37 **transparency to parents in the school district by adopting policies that require**
38 **members of the board to collectively and individually:**

39 **(a) Recognize and affirm the protected right of parents to seek effective means of**
40 **outreach to supervise and guide the education of their minor child;**

41 **(b) Assist parents in the exercise of parental rights to the fullest extent;**

42 **(c) Encourage communication between parents and board members relating to**
43 **parental rights and parental concerns about their minor child's education and**
44 **educational experience;**

45 **(d) Collaborate with parents to identify ways in which parents can exercise**
46 **parental rights and communicate such ways to parents in a clear, consistent manner that**
47 **can be easily understood by all parents; and**

48 **(e) Conduct board meetings in compliance with section 162.058, in public, and in**
49 **a manner that allows for public comments and informs parents of school board**

50 decisions and actions while encouraging and remaining responsive to parental input,
51 requests, concerns, and rights, subject to the authorized closure of any portion of such
52 meeting under section 610.021 when such meeting pertains to curricula or general
53 safety.

54 (3) Each school board and charter school's governing board shall adopt such
55 policies and procedures for the 2024-25 school year and all subsequent school years.

56 5. Each school district and public school shall develop policies and procedures
57 for such school district or public school to follow to notify parents in a timely manner of
58 all reported incidents pertaining to student safety including, but not limited to, any
59 instance of a teacher or other school employee being detained or arrested for or charged
60 with any felony or misdemeanor and any act or instance reportable under subsection 1,
61 2, or 3 of section 167.117, except that no personally identifiable information about any
62 individual involved shall be released.

63 6. (1) Each school district and public school shall adopt reasonable procedures
64 for parents to follow when exercising the parental right to visit the school and their
65 minor child during school hours.

66 (2) Each school district and public school shall adopt reasonable procedures for
67 parents to follow:

68 (a) During an emergency in which the safety of the students requires:

69 a. A lockdown to limit exposure of building occupants to an imminent hazard or
70 threat; or

71 b. A lockout to prevent an outside hazard or threat from entering the building;
72 or

73 (b) When such school district or public school is required to prohibit an
74 individual from having any interaction with a minor child that violates any order
75 entered under any provision of state or federal law restricting or prohibiting such
76 individual from interacting with such minor child.

77 7. No school district or public school shall require nondisclosure agreements or
78 similar forms for a parent's review of curricula. Each public school or school district
79 shall allow parents to make a copy of curriculum documents or receive such curriculum
80 documents in an electronic format, provided that no request would cause an
81 infringement of copyright protections provided under the federal Copyright Act of
82 1976 (17 U.S.C. Section 101 et seq.), as amended.

83 8. No school district or public school shall require nondisclosure agreements or
84 similar forms for a parent's review of individualized education program meetings,
85 mediations, due process hearings, or other dispute resolution options as outlined in

86 accordance with 34 CFR 300.320 to 300.324 and under 20 U.S.C. Section 1401, as
87 amended.

88 **9. No school district or public school shall allow student involvement in school**
89 **assemblies, field trips, or other extracurricular activities unless the child's parents**
90 **provide written authorization for such student involvement.**

91 **10. No school district or public school shall collect any biometric data or other**
92 **sensitive personal information about a minor child without obtaining written parental**
93 **consent before collecting such data or information.**

94 **11. No school district or public school shall provide any school records as**
95 **described in subdivision (5) of subsection 3 of this section in violation of any relevant**
96 **state or federal privacy law or policy protecting or limiting access to such minor child's**
97 **school records.**

98 **12. No employee of any public school or school district shall encourage, coerce,**
99 **or attempt to coerce a minor child to withhold information from such minor child's**
100 **parents; provided, however, that any such person required to report suspected abuse or**
101 **neglect under sections 210.109 to 210.183 may encourage a minor child to withhold**
102 **information where disclosure could reasonably result in abuse or neglect.**

103 **13. (1) The attorney general of this state or any parent of a minor child enrolled**
104 **in a school district or a public school may bring a civil action for injunctive relief against**
105 **the school district or public school in which their child is enrolled if such school district**
106 **or public school violates this section. Such action shall be brought in the county where**
107 **the violation occurred.**

108 **(2) If a court finds that the school district or public school has knowingly**
109 **engaged in multiple or repeated violations of this section, the department of elementary**
110 **and secondary education shall withhold all moneys provided by monthly distribution of**
111 **state formula funding to such school district or public school until such school district or**
112 **public school is in compliance with this section.**

113 **(3) After the school district or public school provides evidence that such school**
114 **district or public school is in compliance with this section, the department shall restore**
115 **the distribution of the funding to its original amount before the distribution was**
116 **withheld.**

117 **(4) Any moneys that were withheld under this subsection shall be released to**
118 **such school district or public school only if such school district or public school**
119 **establishes compliance with this section in the same school year in which the department**
120 **withheld such moneys.**

121 **14. This section shall not be construed to limit the inalienable rights of a parent**
122 **or taxpayer, regardless of whether such rights are enumerated in the provisions of this**
123 **section.**

168.781. 1. This section shall be known and may be cited as the "Teacher Bill of
2 **Rights".**

3 **2. As used in this section, the term "parent" means a parent, guardian, or other**
4 **person having control or custody of a child.**

5 **3. (1) The general assembly hereby recognizes that:**

6 **(a) Teachers have a profound effect on Missouri children, second only to**
7 **parents;**

8 **(b) Considering the years of education and continuous updating of knowledge**
9 **that teachers undertake and achieve, it is important and necessary for the success of**
10 **society in this state that teachers be given the respect such teachers have earned and**
11 **deserve;**

12 **(c) Teachers should not be viewed as responsible for all of society's ills but as**
13 **individuals who are trying to cope with problems not of such teachers' own creation;**
14 **and**

15 **(d) Teachers deal with societal changes and dysfunction that may exist in the**
16 **homes of the children teachers are charged with serving.**

17 **(2) The general assembly hereby declares that it is the public policy of this state**
18 **that respecting the authority of teachers in public schools is essential to creating an**
19 **environment conducive to learning, effective instruction in the classroom, and proper**
20 **administration of public schools.**

21 **4. To maintain and protect the authority of teachers in public schools, each**
22 **teacher has the following rights under this section:**

23 **(1) To be free from physical abuse from a student or a parent of a student.**
24 **Physical abuse from a student or a parent of a student is grounds for permanent**
25 **expulsion of such student from the school at which such teacher has the right to work;**

26 **(2) To be protected from oral, written, or electronically generated abuse from**
27 **any student or parent. Such abuse is grounds for the suspension of the student as**
28 **provided in chapter 167 and subsequent abuse may result in expulsion of the student;**

29 **(3) To be evaluated for competency by an administrator. If such evaluation**
30 **becomes harassment, such teacher has the right to mediation of grievances by a**
31 **committee of such teacher's peers and another administrator;**

32 **(4) To exercise the freedom of speech, religion, and the expression of such**
33 **teacher's opinions through the media as is guaranteed by the Constitution of the United**
34 **States;**

35 **(5) To be free from any requirement to refer to a student by a name or pronoun**
36 **other than such student's legal name or pronoun when referring to a student without**
37 **threat of reprisal;**

38 **(6) To be treated with civility and respect as a professional and to be free from**
39 **any requirement by school administration to perform tasks unrelated to such teacher's**
40 **employment and that are onerous or result in an undue burden on such teacher;**

41 **(7) To be given classroom preparation time each day during the regular**
42 **classroom hours, with compensation from the school district to such teacher in an**
43 **amount equal to a full day's pay for a substitute teacher in such teacher's school district**
44 **for each day such teacher is not allowed such preparation time;**

45 **(8) To be free from coercion to participate in or promote a political, religious, or**
46 **moral position that violates such teacher's personal religious convictions;**

47 **(9) To be afforded all rights any other individual in such teacher's local**
48 **community has without making such teacher's classroom a hostile environment to**
49 **students of different philosophical, religious, or moral persuasion;**

50 **(10) To teach without the fear of frivolous lawsuits and to be entitled to qualified**
51 **immunity, a legal defense, and indemnification by such teacher's employing school**
52 **district for actions taken in the performance of duties of such teacher's employment, as**
53 **provided by state law;**

54 **(11) To appropriately discipline students in accordance with state law and**
55 **policies or procedures adopted by such teacher's school board;**

56 **(12) To remove any persistently disruptive student from such teacher's**
57 **classroom when the student's behavior prevents the orderly instruction of other**
58 **students or when the student displays impudent or defiant behavior and to place the**
59 **student in the custody of the principal or such principal's designee, as provided by state**
60 **law;**

61 **(13) To have such teacher's professional judgment and discretion respected by**
62 **school and school district administrators in any disciplinary action taken by such**
63 **teacher in accordance with state law and policies or procedures adopted by such**
64 **teacher's school board;**

65 **(14) To teach in a safe, secure, and orderly environment that is conducive to**
66 **learning and free from recognized dangers or hazards that are causing or likely to cause**
67 **serious injury, as provided by state law; and**

68 **(15) If such teacher is a beginning teacher, to receive leadership and support in**
69 **accordance with state law including, but not limited to, the assignment of a qualified,**
70 **experienced mentor who commits to helping such teacher become a competent,**

71 **confident professional in the classroom and who offers support and assistance as needed**
72 **to help such teacher meet performance standards and professional expectations.**

73 **5. No political subdivision of this state shall establish policies that prevent a**
74 **teacher from exercising the rights listed in this section or in any other provision of law.**

75 **6. No provision of this section shall be construed to supersede any other state**
76 **law, any regulation or policy adopted by the department of elementary and secondary**
77 **education or the state board of education, or any political subdivision's order,**
78 **ordinance, or policy relating to the discipline of students.**

79 **7. Teachers, school administrators, parents, and students shall be fully informed**
80 **of the rights conferred upon teachers under this section. Each school district shall**
81 **provide a copy of this section to each teacher at the beginning of each school year. Each**
82 **school district shall post the rights listed in this section in a prominent place in each**
83 **school and administrative building the school district operates and provide a copy to a**
84 **parent of each student who attends a school in such school district in a form and manner**
85 **approved by the school board. Each school district and school under such school**
86 **board's jurisdiction that maintains a website shall post the rights listed in this section on**
87 **such school district's or school's website.**

170.231. **1. The school board of each school district and the governing board of**
2 **each charter school shall provide that all public school instructional material intended for**
3 **use in connection with any public school classroom instruction, or any public school research**
4 **or experimentation program or project, shall be available for inspection by any person. For**
5 **the purpose of this section, "classroom instruction" shall mean any public school instruction**
6 **involving teachers and students or peers and students; "research or experimentation program**
7 **or project" shall mean any public school research or experimentation program or project**
8 **designed to explore or develop new and unproven teaching methods and techniques.**

9 **2. (1) The school board of each school district and the governing board of each**
10 **charter school shall prominently post on the home page of the school board's or charter**
11 **school's website, in such a manner that the information is available to the public,**
12 **curricula adopted under section 160.514 that is intended for use by such school district**
13 **or charter school in connection with school instruction in math, social studies, science,**
14 **English, foreign language, fine arts, health, physical education, and vocational**
15 **education. If such school board or governing board adopts a change of any**
16 **curriculum used by such school district or charter school, such school board's or**
17 **charter school's website shall be updated within thirty days after such change is**
18 **adopted.**

19 **(2) The school board of each school district and the governing board of each**
20 **charter school shall notify parents and guardians that the curriculum list on the website**

21 has been updated by posting a notice on such school board's or charter school's website
22 and providing notice in a newsletter or other written communication that is regularly
23 distributed to parents and guardians.

24 (3) Where the curricular materials being made available to parents for review
25 are subject to copyright, trademark, or other intellectual property protection, the
26 review process shall include technical and procedural safeguards to ensure that the
27 materials are not able to be widely disseminated to the general public in violation of the
28 intellectual property rights of the publisher and content validity is not undermined.

29 (4) (a) The school board of each school district and the governing board of each
30 charter school shall prominently post on the home page of the school district or charter
31 school's website, in such a manner that the information is available to the public, a link
32 that will provide access to the title, author, and bibliographic information for all books
33 available for students to read or access through the district or charter school's library
34 management system.

35 (b) Each school district and charter school shall provide a system by which a
36 parent or legal guardian may be notified, upon request, of books accessed by such
37 parent or legal guardian's student.

38 (5) (a) The attorney general of this state or any parent of a minor child enrolled
39 in a school district or a public school may bring a civil action for injunctive relief against
40 the school district or public school in which their child is enrolled if such school district
41 or public school violates this subsection. Such action shall be brought in the county
42 where the violation occurred.

43 (b) If a court finds that the school district or public school has knowingly
44 engaged in multiple or repeated violations of this subsection, the department of
45 elementary and secondary education shall withhold all moneys provided by monthly
46 distribution of state formula funding to such school district or public school until such
47 school district or public school is in compliance with this subsection.

48 (c) After the school district or public school provides evidence that such school
49 district or public school is in compliance with this subsection, the department shall
50 restore the distribution of the funding to its original amount before the distribution was
51 withheld.

52 (d) Any moneys that were withheld under this subsection shall be released to
53 such school district or public school only if such school district or public school
54 establishes compliance with this subsection in the same school year in which the
55 department withheld such moneys.

56 (6) This subsection shall apply in the 2024-25 school year and all subsequent
57 school years.

170.355. 1. As used in this section, the following terms mean:

2 **(1) "Parent", a student's parent, guardian, or other person having control or**
3 **custody of the student;**

4 **(2) "School", a public school or school district as such terms are defined in**
5 **section 160.011.**

6 **2. No school or school employee shall compel a teacher or student to personally**
7 **adopt, affirm, adhere to, or profess ideas in violation of Title IV or Title VI of the federal**
8 **Civil Rights Act of 1964, as amended, including the following:**

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

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

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

16 **3. No course of instruction or unit of study offered by any school shall direct or**
17 **otherwise compel students to personally affirm, adopt, or adhere to any of the ideas**
18 **listed in subsection 2 of this section.**

19 **4. No course of instruction, unit of study, professional development, or training**
20 **program shall direct or otherwise compel teachers to personally affirm, adopt, or**
21 **adhere to any of the ideas listed in subsection 2 of this section.**

22 **5. (1) No school employee, when acting in the course of such employee's official**
23 **duties, shall organize, participate in, or carry out any act or communication that would**
24 **violate subsection 2 of this section.**

25 **(2) This subsection shall not be construed to prohibit a school employee from**
26 **discussing the ideas and history of the ideas listed in subsection 2 of this section.**

27 **6. This section shall not be construed to prohibit teachers or students from**
28 **discussing public policy issues or ideas that individuals may find unwelcome,**
29 **disagreeable, or offensive.**

30 **7. Students, parents, or teachers may file a complaint with the department of**
31 **elementary and secondary education or with the state attorney general's office**
32 **regarding any violation of this section.**

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