

117TH CONGRESS
1ST SESSION

H. R. 6056

To ensure the rights of parents are honored and protected in the Nation's
public schools.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2021

Ms. LETLOW (for herself, Mr. MCCARTHY, Ms. FOXX, Mr. OWENS, Mr. BANKS, Ms. STEFANIK, Mr. SCALISE, Mr. JOHNSON of Louisiana, Mr. HUDSON, Mr. GRAVES of Louisiana, Mr. JOYCE of Pennsylvania, Mrs. MILLER of Illinois, Mr. RESCHENTHALER, Mr. CAWTHORN, Mr. MAST, Mr. ADERHOLT, Mr. MCKINLEY, Mr. HIGGINS of Louisiana, Mrs. CAMMACK, Mr. MOOLENAAR, Mr. FITZGERALD, Mr. RUTHERFORD, Mr. CRAWFORD, Mr. CHABOT, Mr. LAMBORN, Mrs. STEEL, Mr. BOST, Mr. ROUZER, Mr. PALAZZO, Mr. HUIZENGA, Mr. OBERNOLTE, Mr. BABIN, Mr. PFLUGER, Mr. WALBERG, Mr. GUEST, Mr. MOONEY, Mr. MURPHY of North Carolina, Mr. TIFFANY, Ms. TENNEY, Mrs. MILLER-MEEKS, Mrs. HARSHBARGER, Mr. STEIL, Mr. WENSTRUP, Mr. STEUBE, Ms. VAN DUYNE, Mr. THOMPSON of Pennsylvania, Mr. KELLY of Pennsylvania, Mr. POSEY, Mr. VAN DREW, Mr. KELLER, Ms. MALLIOTAKIS, Mr. DUNCAN, Mr. KUSTOFF, Mr. BAIRD, Mr. BUCHANAN, Mrs. LESKO, Mr. GIMENEZ, Mr. BERGMAN, Mr. SESSIONS, Mr. MOORE of Alabama, Mr. HERN, Mr. JACOBS of New York, Mr. WALTZ, Mr. ALLEN, Mr. CARTER of Georgia, Mrs. RODGERS of Washington, Mr. FEENSTRA, Mr. GROTHMAN, Mr. HARRIS, Mr. WEBER of Texas, Mr. MULLIN, Mr. MCCAUL, Mr. LATURNER, and Mr. MEUSER) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To ensure the rights of parents are honored and protected
in the Nation's public schools.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Parents Bill of Rights
5 Act”.

6 **TITLE I—AMENDMENTS TO THE**
7 **ELEMENTARY AND SEC-**
8 **ONDARY EDUCATION ACT OF**
9 **1965**

10 **SEC. 101. STATE PLAN ASSURANCES.**

11 Section 1111(g)(2) of the Elementary and Secondary
12 Education Act of 1965 (20 U.S.C. 6311(g)(2)) is amend-
13 ed—

14 (1) in subparagraph (M), by striking “and” at
15 the end;

16 (2) in subparagraph (N), by striking the period
17 at the end and inserting a semicolon; and

18 (3) by adding at the end the following:

19 “(O) the State will ensure that each local
20 educational agency in the State posts the cur-
21 riculum for each elementary and secondary
22 school grade level on a publicly accessible
23 website of the agency or, if such agency does
24 not operate a website, widely disseminates to
25 the public such curriculum; and

1 “(P) in the case of any revisions to the
 2 State’s challenging State academic standards
 3 (including any revisions to the levels of achieve-
 4 ment within the State’s academic achievement
 5 standards), the State educational agency will
 6 post to the homepage of its website, and widely
 7 disseminate to the public, notice of such revi-
 8 sions and a copy of such revisions, except that
 9 the State educational agency shall not be re-
 10 quired to submit such notice or such revisions
 11 to the Secretary.”.

12 **SEC. 102. ANNUAL LOCAL EDUCATIONAL AGENCY REPORT**
 13 **CARDS.**

14 Section 1111(h)(2) of the Elementary and Secondary
 15 Education Act of 1965 (20 U.S.C. 6311(h)(2)) is amended
 16 by inserting at the end the following new subparagraph—

17 “(E) BUDGET.—Each local educational
 18 agency report card shall include the budget for
 19 the school year for which such report card is
 20 being prepared (including all revenues and ex-
 21 penditures (including expenditures made to pri-
 22 vate entities)) for the local educational agency
 23 as a whole, and for each elementary school and
 24 secondary school served by the local educational
 25 agency.”.

1 **SEC. 103. LOCAL EDUCATIONAL AGENCY PLAN ASSUR-**
2 **ANCES.**

3 Section 1112(c) of the Elementary and Secondary
4 Education Act of 1965 (20 U.S.C. 6312(c)) is amended—

5 (1) in paragraph (6), by striking “and” at the
6 end;

7 (2) in paragraph (7), by striking the period and
8 inserting a semicolon; and

9 (3) by adding at the end the following:

10 “(8) post on a publicly accessible website of the
11 agency or, if the agency does not operate a website,
12 widely disseminate to the public, the curriculum for
13 each elementary and secondary school grade level;
14 and

15 “(9) post on a publicly accessible website of the
16 agency or, if the agency does not operate a website,
17 widely disseminate to the public, the plan for car-
18 rying out the parent engagement described in section
19 1116 and all policies and procedures that result
20 from such engagement.”.

21 **SEC. 104. PARENTS RIGHT-TO-KNOW.**

22 Section 1112(e) of the Elementary and Secondary
23 Education Act of 1965 (20 U.S.C. 6312(e)) is amended—

24 (1) by redesignating paragraphs (1), (2), (3),
25 and (4) as paragraphs (2), (3), (4), and (6), respec-
26 tively;

(2) by inserting before paragraph (2) (as so redesignated), the following:

“(1) NOTICE OF RIGHTS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency posts on a publicly accessible website of the school or, if the school does not operate a website, widely disseminates to the public, a summary notice of the right of parents to information about their children’s education as required under this Act, which shall be in an understandable format for parents and include, at minimum—

“(A) the right to review the curriculum of their child’s school;

“(B) the right to know if the State alters the State’s challenging State academic standards;

“(C) the right to meet with each teacher of their child not less than twice during each school year;

“(D) the right to review the budget, including all revenues and expenditures, of their child’s school;

1 “(E) the right to a list of the books and
2 other reading materials contained in the library
3 of their child’s school;

4 “(F) the right to address the school board
5 of the local educational agency;

6 “(G) the right to information about violent
7 activity in their child’s school; and

8 “(H) the right to information about any
9 plans to eliminate gifted and talented programs
10 in the child’s school.”;

11 (3) in paragraph (2)(B) (as redesignated by
12 paragraph (1))—

13 (A) by striking “(B) ADDITIONAL INFOR-
14 MATION.—” and inserting:

15 “(B) ADDITIONAL INFORMATION.—

16 “(i) IN GENERAL.—”;

17 (B) by redesignating clause (i) and clause
18 (ii) as subclause (I) and subclause (II), respec-
19 tively; and

20 (C) by adding at the end the following:

21 “(ii) SCHOOL LIBRARY.—A local edu-
22 cational agency receiving funds under this
23 part shall ensure that each elementary
24 school and secondary school served by such
25 agency provides, at the beginning of each

1 school year, the parents of a child who is
2 a student in such school a list of books and
3 other reading materials available to the
4 students of such school in the school li-
5 brary.

6 “(iii) VIOLENT ACTIVITY.—A local
7 educational agency receiving funds under
8 this part shall ensure that each elementary
9 school and secondary school served by such
10 agency provides the parents of a child who
11 is a student in such school timely notifica-
12 tion of any violent activity occurring on
13 school grounds or at school-sponsored ac-
14 tivities in which one or more individuals
15 suffer injuries, except that such notifica-
16 tion shall not contain names or the grade
17 level of any students involved in the activ-
18 ity.

19 “(iv) GIFTED AND TALENTED PRO-
20 GRAMS.—A local educational agency receiv-
21 ing funds under this part shall ensure that
22 each elementary school and secondary
23 school served by such agency provides the
24 parents of a child who is a student in such
25 school timely notification of any plan to

1 eliminate gifted and talented programs in
2 such school.”; and

3 (4) by inserting after paragraph (4) (as redesign-
4 nated by paragraph (1)) the following:

5 “(5) TRANSPARENCY.—A local educational
6 agency receiving funds under this part shall provide
7 the parents of a child who is a student in an elemen-
8 tary school or secondary school served by such agen-
9 cy—

10 “(A)(i) the opportunity to meet in-person
11 with each teacher of such child not less than
12 twice during each school year; and

13 “(ii) a notification, at the beginning of
14 each school year, of the opportunity for such
15 meetings; and

16 “(B) the opportunity to address the school
17 board of such local educational agency on issues
18 impacting the education of children in such
19 agency.”.

20 **SEC. 105. SENSE OF CONGRESS ON FIRST AMENDMENT**
21 **RIGHTS.**

22 Title VIII of the Elementary and Secondary Edu-
23 cation Act of 1965 (20 U.S.C. 7801 et seq.) is amended—

24 (1) by redesignating section 8549C as section
25 8549D; and

1 (2) by inserting after section 8549B the fol-
2 lowing new section:

3 **“SEC. 8549C. SENSE OF CONGRESS ON FIRST AMENDMENT**
4 **RIGHTS.**

5 “(a) FINDINGS.—The Congress finds as follows:

6 “(1) Parents have a First Amendment right to
7 express their opinions of decisions made by State
8 and local education leaders.

9 “(2) States and local educational agencies
10 should empower parents to communicate regularly
11 with Federal, State, and local policymakers and edu-
12 cators regarding the education and well-being of
13 their children.

14 “(3) Transparent and cooperative relationships
15 between parents and schools have significant and
16 long-lasting positive effects on the development of
17 children.

18 “(4) Parents’ concerns over content and peda-
19 gogy deserve to be heard and fully considered by
20 school professionals.

21 “(5) Parent and other community input about
22 schools that is presented in a lawful and appropriate
23 manner should always be encouraged.

24 “(6) Educators, policymakers, and other stake-
25 holders should never seek to criminalize the lawfully

1 expressed concerns of parents about their children’s
2 education.

3 “(b) SENSE OF CONGRESS.—It is the sense of the
4 Congress that the First Amendment guarantees parents
5 and other stakeholders the right to assemble and express
6 their opinions of decisions affecting their children and
7 communities, and that educators and policymakers should
8 welcome and encourage that engagement and consider
9 that feedback when making decisions.”.

10 **TITLE II—AMENDMENTS TO** 11 **FERPA AND PPRA**

12 **SEC. 201. AMENDMENTS TO THE FAMILY RIGHTS AND PRI-** 13 **VACY ACT OF 1974.**

14 (a) PROHIBITION ON EDUCATIONAL AGENCIES ACT-
15 ING AS AN AGENT OF A PARENT.—Section 444 of the
16 General Education Provisions Act (20 U.S.C. 1232g) (also
17 known as the “Family Rights and Privacy Act of 1974”)
18 is amended by adding at the end the following:

19 “(k) PROHIBITION ON EDUCATIONAL AGENCIES
20 ACTING AS AGENT OF A PARENT.—An educational agency
21 may not act as the agent of a parent of a student in at-
22 tendance at a school served by such agency for purposes
23 of providing verifiable parental consent under the regula-
24 tions prescribed under section 1303(b) of the Children’s
25 Online Privacy Protection Act of 1998 (15 U.S.C.

1 6502(b)) without providing notice and a chance for such
2 parent to opt out of the provision of such consent.”.

3 (b) PROHIBITION ON SALE OF INFORMATION FOR
4 COMMERCIAL PURPOSES.—Section 444 of the General
5 Education Provisions Act (20 U.S.C. 1232g) (also known
6 as the “Family Rights and Privacy Act of 1974”), as
7 amended by this section, is further amended by adding
8 at the end the following:

9 “(l) PROHIBITION ON SALE OF INFORMATION FOR
10 COMMERCIAL PURPOSES.—No educational agency or au-
11 thorized representative of such agency may sell student
12 information for commercial or financial gain.”.

13 (c) PARENTAL CONSULTATION.—Section 444 of the
14 General Education Provisions Act (20 U.S.C. 1232g) (also
15 known as the “Family Rights and Privacy Act of 1974”),
16 as amended by this section, is further amended by adding
17 at the end the following:

18 “(m) PARENTAL CONSULTATION.—An educational
19 agency shall develop any privacy policy or procedure with
20 meaningful engagement by parents of students in attend-
21 ance at the schools of the agency.”.

22 **SEC. 202. PROTECTION OF PUPIL RIGHTS.**

23 (a) AVAILABILITY FOR INSPECTION BY PARENTS.—
24 Section 445(a) of the General Education Provisions Act
25 (20 U.S.C. 1232h(a)) is amended to read as follows:

1 “(a) AVAILABILITY FOR INSPECTION BY PARENTS.—
 2 A local educational agency that receives funding under any
 3 applicable program shall ensure that each of the following
 4 shall be available for inspection by the parents or guard-
 5 ians of the children in attendance at the schools of such
 6 agency:

7 “(1) All instructional materials, including
 8 teacher’s manuals, films, tapes, or other supple-
 9 mentary material which will be used in such school
 10 or in connection with any survey, analysis, or evalua-
 11 tion.

12 “(2) Any books or other reading materials
 13 made available to students in such school or through
 14 the school library of such school.”.

15 (b) DEVELOPMENT AND ADOPTION OF LOCAL POLI-
 16 CIES.—Section 445(c) of the General Education Provi-
 17 sions Act (20 U.S.C. 1232h(c)) is amended—

18 (1) in the subsection heading, by striking
 19 “PHYSICAL” and inserting “MEDICAL”;

20 (2) in paragraph (1)—

21 (A) in the matter preceding subparagraph
 22 (A), by striking “in consultation with parents”
 23 and inserting “in consultation with parents in
 24 accordance with paragraph (2)(A)”;

1 (B) by amending subparagraph (C)(i) to
2 read as follows:

3 “(C)(i) The right of a parent of a student
4 to inspect, upon the request of the parent, any
5 instructional material used as part of the edu-
6 cational curriculum for the student, and any
7 books or other reading materials made available
8 to the student in a school served by the agency
9 or through the school library; and”;

10 (C) by amending subparagraph (D) to read
11 as follows:

12 “(D) The administration of medical exami-
13 nations or screenings that the school or agency
14 may administer to a student, including—

15 “(i) the notice to parents of such a
16 medical examination or screening, and re-
17 ceipt of consent from parents for such an
18 examination or screening; and

19 “(ii) in the event of an emergency
20 that requires a medical examination or
21 screening without time for parental notifi-
22 cation or consent, the procedure for
23 promptly notifying parents of such exam-
24 ination or screening subsequent to such ex-
25 amination or screening.”; and

1 (D) by amending subparagraph (E) to
2 read as follows:

3 “(E) The prohibition on the collection, dis-
4 closure, or use of personal information collected
5 from students for the purpose of marketing or
6 for selling that information (or otherwise pro-
7 viding that information to others for that pur-
8 pose), other than for a legitimate educational
9 purpose to improve the education of students as
10 described in paragraph (4), and the arrange-
11 ments to protect student privacy that are pro-
12 vided by the agency in the event of such collec-
13 tion, disclosure, or use for such a legitimate
14 educational purpose.”.

15 (c) PARENTAL NOTIFICATION.—Paragraph (2) of
16 section 445(c) of the General Education Provisions Act
17 (20 U.S.C. 1232h(c)) is amended—

18 (1) in the paragraph heading, by inserting
19 “CONSULTATION AND” before “NOTIFICATION”;

20 (2) by redesignating subparagraphs (A) through
21 (C) as subparagraphs (B) through (D), respectively;

22 (3) in subparagraph (B) (as so redesignated)—

23 (A) by amending clause (ii) to read as fol-
24 lows:

1 “(ii) offer an opportunity and clear in-
2 structions for the parent (and for purposes
3 of an activity described in subparagraph
4 (D)(i), in the case of a student of an ap-
5 propriate age, the student) to opt the stu-
6 dent out of participation in an activity de-
7 scribed in subparagraph (D); and”; and
8 (B) by adding at the end the following:

9 “(iii) in the case of an activity de-
10 scribed in subparagraph (D)(i), a descrip-
11 tion of how such activity is for a legitimate
12 educational purpose to improve the edu-
13 cation of students as described in para-
14 graph (4).”;

15 (4) by inserting before subparagraph (B) (as so
16 amended and redesignated), the following:

17 “(A) PARENTAL CONSULTATION.—The pa-
18 rental consultation required for the purpose of
19 developing and adopting policies under para-
20 graph (1) by a local educational agency shall
21 ensure that such policy is developed with mean-
22 ingful engagement by parents of students en-
23 rolled in schools served by that agency.”; and

24 (5) in subparagraph (D) (as designated by
25 paragraph (2))—

1 (A) by amending clause (i) to read as fol-
2 lows:

3 “(i) Activities involving the collection,
4 disclosure, or use of personal information
5 collected from students for a legitimate
6 educational purpose to improve the edu-
7 cation of students as described in para-
8 graph (4).”; and

9 (B) in clause (iii), by striking “physical”
10 and inserting “medical”.

11 (d) UPDATES TO EXISTING POLICIES.—Paragraph
12 (3) of section 445(c) of the General Education Provisions
13 Act (20 U.S.C. 1232h(c)) is amended to read as follows:

14 “(3) UPDATES TO EXISTING POLICIES.—

15 “(A) IN GENERAL.—Not later than 180
16 days after the date of enactment of the Parents
17 Bill of Rights Act, a local educational agency
18 that receives funding under any applicable pro-
19 gram shall—

20 “(i) review policies covering the re-
21 quirements of paragraph (1) as in effect on
22 the day before such date of enactment; and

23 “(ii) develop and update such policies
24 to reflect the changes made to paragraph

1 (1) by the amendments made by the Par-
2 ents Bill of Rights Act.

3 “(B) CONSULTATION AND NOTIFICA-
4 TION.—In developing and updating the policies
5 under subparagraph (A), the agency shall com-
6 ply with the consultation and notification re-
7 quirements under paragraph (2).”.

8 (e) EXCEPTIONS.—Paragraph (4)(A) of section
9 445(c) of the General Education Provisions Act (20
10 U.S.C. 1232h(c)) is amended by amending the matter pre-
11 ceding clause (i) to read as follows:

12 “(A) EDUCATIONAL PRODUCTS OR SERV-
13 ICES.—For purposes of paragraph (1)(E), the
14 collection, disclosure, or use of personal infor-
15 mation collected from students for a legitimate
16 educational purpose to improve the education of
17 students means the exclusive purpose of devel-
18 oping, evaluating, or providing educational
19 products or services for, or to, students or
20 schools, such as the following:”.

21 (f) DEFINITIONS.—Paragraph (6) of section 445(c)
22 of the General Education Provisions Act (20 U.S.C.
23 1232h(c)) is amended—

24 (1) by amending subparagraph (B) to read as
25 follows:

1 “(B) MEDICAL EXAMINATION.—The term
 2 ‘medical examination’ means any medical exam-
 3 ination that involves the exposure of private
 4 body parts, or any act during such examination
 5 that includes incision, insertion, or injection
 6 into the body, or a mental health or substance
 7 use disorder screening, but does not include a
 8 hearing, vision, or scoliosis screening.”; and
 9 (2) in subparagraph (E)—

10 (A) in clause (iii), by striking “or”;

11 (B) in clause (iv), by striking the period at
 12 the end and inserting “; or”; and

13 (C) by adding at the end the following:

14 “(v) an email address.”.

15 (g) ENFORCEMENT AND REPORTING.—Subsection
 16 (e) of section 445 of the General Education Provisions Act
 17 (20 U.S.C. 1232h) is amended to read as follows:

18 “(e) ENFORCEMENT AND REPORTING.—

19 “(1) ENFORCEMENT.—The Secretary shall take
 20 such action as the Secretary determines appropriate
 21 to enforce this section, except that action to termi-
 22 nate assistance provided under an applicable pro-
 23 gram shall be taken only if the Secretary determines
 24 that—

1 “(A) there has been a failure to comply
2 with such section; and

3 “(B) compliance with such section cannot
4 be secured by voluntary means.

5 “(2) REPORTING.—

6 “(A) LOCAL EDUCATIONAL AGENCIES.—
7 Each local educational agency that receives
8 funding under any applicable program shall—

9 “(i) without identifying any personal
10 information of a student or students, re-
11 port to the State any enforcement actions
12 or investigations carried out for the pre-
13 ceding school year to ensure compliance
14 with this section; and

15 “(ii) publish such information on its
16 website or through other public means
17 used for parental notification if the agency
18 does not have a website.

19 “(B) STATES.—A State shall provide to
20 the Secretary a report, with respect to the pre-
21 ceding school year, that includes all actions
22 local educational agencies have reported under
23 subparagraph (A), and a description of the en-
24 forcement actions the State took to ensure par-
25 ents’ rights were protected.

1 “(C) SECRETARY.—Not later than 1 year
2 after the date of enactment of the Parents Bill
3 of Rights Act, and annually thereafter, the Sec-
4 retary shall provide to the Committee on Edu-
5 cation and Labor of the House of Representa-
6 tives and the Committee on Health, Education,
7 Labor, and Pensions of the Senate, the reports
8 received under subparagraph (B) and a descrip-
9 tion of the enforcement actions taken by the
10 Secretary under this subsection to ensure full
11 compliance with this section.”.

○