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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

# H. R.

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

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## IN THE HOUSE OF REPRESENTATIVES

Ms. LETLOW introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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# 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”.

1 **TITLE I—AMENDMENTS TO THE**  
2 **ELEMENTARY AND SEC-**  
3 **ONDARY EDUCATION ACT OF**  
4 **1965**

5 **SEC. 101. STATE PLAN ASSURANCES.**

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

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

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

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

14 “(O) the State will ensure that each local  
15 educational agency in the State—

16 “(i) in a case in which the curriculum  
17 for an elementary or secondary school  
18 grade level is freely and publicly available  
19 on the internet—

20 “(I) posts on a publicly accessible  
21 website of the agency, such cur-  
22 riculum; or

23 “(II) if such agency does not op-  
24 erate a website, widely disseminates to  
25 the public such curriculum; or

1           “(ii) in a case in which the curriculum  
2           for an elementary or secondary school  
3           grade level is not freely and publicly avail-  
4           able on the internet—

5                   “(I) posts on a publicly accessible  
6           website of the agency—

7                           “(aa) a description of such  
8                   curriculum; and

9                           “(bb) information on how  
10           parents can review such cur-  
11           riculum as described in section  
12           1112(e)(1)(A); or

13                   “(II) if such agency does not op-  
14           erate a website, widely disseminates to  
15           the public the description and infor-  
16           mation described in items (aa) and  
17           (bb) of subclause (I); and

18                   “(P) in the case of any revisions to the  
19           State’s challenging State academic standards  
20           (including any revisions to the levels of achieve-  
21           ment within the State’s academic achievement  
22           standards), the State educational agency will  
23           post to the homepage of its website, and widely  
24           disseminate to the public, notice of such revi-  
25           sions and a copy of such revisions, except that

1 the State educational agency shall not be re-  
2 quired to submit such notice or such revisions  
3 to the Secretary.”.

4 **SEC. 102. ANNUAL LOCAL EDUCATIONAL AGENCY REPORT**  
5 **CARDS.**

6 Section 1111(h)(2) of the Elementary and Secondary  
7 Education Act of 1965 (20 U.S.C. 6311(h)(2)) is amended  
8 by inserting at the end the following new subparagraph:

9 “(E) BUDGET.—Each local educational  
10 agency report card shall include the budget for  
11 the school year for which such report card is  
12 being prepared (including all revenues and ex-  
13 penditures (including expenditures made to pri-  
14 vate entities)) for the local educational agency  
15 as a whole, and for each elementary school and  
16 secondary school served by the local educational  
17 agency.”.

18 **SEC. 103. LOCAL EDUCATIONAL AGENCY PLAN ASSUR-**  
19 **ANCES.**

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

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

24 (2) in paragraph (7), by striking the period at  
25 the end and inserting a semicolon; and

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

2 “(8) meet the requirements described in section  
3 1111(g)(2)(O); and

4 “(9) post on a publicly accessible website of the  
5 local educational agency or, if the local educational  
6 agency does not operate a website, widely dissemi-  
7 nate to the public, the plan for carrying out the par-  
8 ent and family engagement described in section  
9 1116 and all policies and procedures that result  
10 from such engagement.”.

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

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

14 (1) by redesignating paragraphs (1), (2), (3),  
15 and (4) as paragraphs (2), (3), (4), and (6), respec-  
16 tively;

17 (2) by inserting before paragraph (2) (as so re-  
18 designated), the following:

19 “(1) NOTICE OF RIGHTS.—A local educational  
20 agency receiving funds under this part shall ensure  
21 that each elementary school and secondary school  
22 served by such agency posts on a publicly accessible  
23 website of the school or, if the school does not oper-  
24 ate a website, widely disseminates to the public, a  
25 summary notice of the right of parents to informa-

1           tion about their children’s education as required  
2           under this Act, which shall be in an understandable  
3           format for parents and include, at minimum—

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

6                   “(B) the right to know if the State alters  
7                   the State’s challenging State academic stand-  
8                   ards;

9                   “(C) the right to meet with each teacher of  
10                  their child not less than twice during each  
11                  school year in accordance with paragraph  
12                  (5)(A);

13                  “(D) the right to review the budget, in-  
14                  cluding all revenues and expenditures, of their  
15                  child’s school;

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

19                  “(F) the right to address the school board  
20                  of the local educational agency;

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

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

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

3           (A) by redesignating clause (i) and clause  
4 (ii) as subclause (I) and subclause (II), respec-  
5 tively;

6           (B) by striking “(B) ADDITIONAL INFOR-  
7 MATION.—” and inserting:

8           “(B) ADDITIONAL INFORMATION.—

9           “(i) IN GENERAL.—”; and

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

11           “(ii) SCHOOL LIBRARY.—A local edu-  
12 cational agency receiving funds under this  
13 part shall ensure that each elementary  
14 school and secondary school served by such  
15 agency provides, at the beginning of each  
16 school year, the parents of a child who is  
17 a student in such school a list of books and  
18 other reading materials available to the  
19 students of such school in the school li-  
20 brary.

21           “(iii) VIOLENT ACTIVITY.—A local  
22 educational agency receiving funds under  
23 this part shall ensure that each elementary  
24 school and secondary school served by such  
25 agency provides the parents of a child who

1 is a student in such school timely notifica-  
2 tion of any violent activity occurring on  
3 school grounds or at school-sponsored ac-  
4 tivities in which one or more individuals  
5 suffer injuries, except that such notifica-  
6 tion shall not contain names or the grade  
7 level of any students involved in the activ-  
8 ity.

9 “(iv) GIFTED AND TALENTED PRO-  
10 GRAMS.—A local educational agency receiv-  
11 ing funds under this part shall ensure that  
12 each elementary school and secondary  
13 school served by such agency provides the  
14 parents of a child who is a student in such  
15 school timely notification of any plan to  
16 eliminate gifted and talented programs in  
17 such school.”; and

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

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



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

4           “(ii) a notification, at the beginning of  
5           each school year, of the opportunity for such  
6           meetings; and

7           “(B) the opportunity to address the school  
8           board of such local educational agency on issues  
9           impacting the education of children in such  
10          agency.”.

11 **SEC. 105. SENSE OF CONGRESS ON FIRST AMENDMENT**  
12           **RIGHTS.**

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

15           (1) by redesignating section 8549C as section  
16           8549D; and

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

19 **“SEC. 8549C. SENSE OF CONGRESS ON FIRST AMENDMENT**  
20           **RIGHTS.**

21          “(a) FINDINGS.—Congress finds the following:

22           “(1) Parents have a First Amendment right to  
23          express their opinions on decisions made by State  
24          and local education leaders.

1           “(2) States and local educational agencies  
2           should empower parents to communicate regularly  
3           with Federal, State, and local policymakers and edu-  
4           cators regarding the education and well-being of  
5           their children.

6           “(3) Transparent and cooperative relationships  
7           between parents and schools have significant and  
8           long-lasting positive effects on the development of  
9           children.

10           “(4) Parents’ concerns over content and peda-  
11           gogy deserve to be heard and fully considered by  
12           school professionals.

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

16           “(6) Educators, policymakers, and other stake-  
17           holders should never seek to criminalize the lawfully  
18           expressed concerns of parents about their children’s  
19           education.

20           “(b) SENSE OF CONGRESS.—It is the sense of Con-  
21           gress that the First Amendment guarantees parents and  
22           other stakeholders the right to assemble and express their  
23           opinions on decisions affecting their children and commu-  
24           nities, and that educators and policymakers should wel-

1 come and encourage that engagement and consider that  
2 feedback when making decisions.”.

3 **TITLE II—AMENDMENTS TO**  
4 **FERPA AND PPRA**

5 **SEC. 201. AMENDMENTS TO THE FAMILY EDUCATIONAL**  
6 **RIGHTS AND PRIVACY ACT OF 1974.**

7 (a) ENFORCEMENT.—Section 444(f) of the General  
8 Education Provisions Act (20 U.S.C. 1232g) (also known  
9 as the “Family Educational Rights and Privacy Act of  
10 1974”) (20 U.S.C. 1232g(f)) is amended by adding at the  
11 end the following: “The Secretary shall comply with the  
12 reporting requirement under section 445(e)(2)(C)(ii) with  
13 respect to the enforcement actions taken under this sub-  
14 section to ensure compliance with this section.”.

15 (b) PROHIBITION ON EDUCATIONAL AGENCIES OR  
16 INSTITUTIONS ACTING AS AN AGENT OF A PARENT.—Sec-  
17 tion 444 of the General Education Provisions Act (20  
18 U.S.C. 1232g) (also known as the “Family Educational  
19 Rights and Privacy Act of 1974”) is amended by adding  
20 at the end the following:

21 “(k) PROHIBITION ON EDUCATIONAL AGENCIES OR  
22 INSTITUTIONS ACTING AS AGENT OF A PARENT.—An  
23 educational agency or institution may not act as the agent  
24 of a parent of a student in attendance at a school of such  
25 agency or at such institution for purposes of providing

1 verifiable parental consent for the use of technology in the  
2 classroom for purposes of educating the student without  
3 providing notice and an opportunity for the parent to ob-  
4 ject to the use of such technology.”.

5 (c) PROHIBITION ON SALE OF INFORMATION FOR  
6 COMMERCIAL PURPOSES.—Section 444 of the General  
7 Education Provisions Act (20 U.S.C. 1232g) (also known  
8 as the “Family Educational Rights and Privacy Act of  
9 1974”), as amended by this section, is further amended  
10 by adding at the end the following:

11 “(1) PROHIBITION ON SALE OF INFORMATION FOR  
12 COMMERCIAL PURPOSES.—

13 “(1) IN GENERAL.—Except as provided in para-  
14 graph (2), no educational agency or institution or  
15 authorized representative of such agency or institu-  
16 tion may sell student information for commercial or  
17 financial gain.

18 “(2) EXCEPTIONS.—The prohibition described  
19 in paragraph (1) shall not apply to products sold to  
20 students by or on behalf of the educational agency  
21 or institution, such as yearbooks, prom tickets, and  
22 school pictures.”.

23 (d) PARENTAL CONSULTATION.—Section 444 of the  
24 General Education Provisions Act (20 U.S.C. 1232g) (also  
25 known as the “Family Educational Rights and Privacy

1 Act of 1974’), as amended by this section, is further  
2 amended by adding at the end the following:

3 “(m) PARENTAL CONSULTATION.—In developing a  
4 privacy policy or procedure, an educational agency or insti-  
5 tution shall engage meaningfully with parents of students  
6 in attendance at the schools served by such agency or in-  
7 stitution.”.

8 (e) DISCLOSURE OF INFORMATION.—Section 444 of  
9 the General Education Provisions Act (20 U.S.C. 1232g)  
10 (also known as the “Family Educational Rights and Pri-  
11 vacy Act of 1974’), as amended by this section, is further  
12 amended by adding at the end the following:

13 “(n) DISCLOSURE OF INFORMATION.—An edu-  
14 cational agency or institution or authorized representative  
15 of such agency or institution shall, upon request from a  
16 parent of a student, disclose to such parent the identity  
17 of any individual or entity with whom information is  
18 shared from the education record of the student or any  
19 response of the student to a survey.”.

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

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

1           “(a) AVAILABILITY FOR INSPECTION BY PARENTS OR  
2 GUARDIANS.—A local educational agency (as such term  
3 is defined in subsection (c)(6)(C)) that receives funds  
4 under any applicable program shall ensure that each of  
5 the following shall be available for inspection by the par-  
6 ents or guardians of the children in attendance at the  
7 schools served by such agency:

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

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

16           (b) SINGLE ISSUE NOTIFICATION.—Section 445(b) of  
17 the General Education Provisions Act (20 U.S.C. 1232h)  
18 is amended—

19           (1) by striking “prior consent of the student”  
20 and inserting “prior written consent of the student”;  
21 and

22           (2) by inserting “, which is provided specifically  
23 for such survey, analysis, or evaluation” before the  
24 period at the end.

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

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

6           (2) in paragraph (1)—

7               (A) in the matter preceding subparagraph  
8 (A), by striking “in consultation with parents”  
9 and inserting “in consultation with parents in  
10 accordance with paragraph (2)(A)”;

11               (B) by amending subparagraph (C)(i) to  
12 read as follows:

13                   “(C)(i) The right of a parent of a student  
14 to inspect, upon the request of the parent, any  
15 instructional material used as part of the edu-  
16 cational curriculum for the student, and any  
17 books or other reading materials made available  
18 to the student in a school served by the agency  
19 or through the school library; and”;

20               (C) by amending subparagraph (D) to read  
21 as follows:

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

1           “(i) prior notice to parents of such a  
2           medical examination or screening, and re-  
3           ceipt of consent from parents before ad-  
4           ministering such an examination or screen-  
5           ing; and

6           “(ii) in the event of an emergency  
7           that requires a medical examination or  
8           screening without time for parental notifi-  
9           cation and consent, the procedure for  
10          promptly notifying parents of such exam-  
11          ination or screening subsequent to such ex-  
12          amination or screening.”; and

13          (D) by amending subparagraph (E) to  
14          read as follows:

15          “(E) The prohibition on the collection, dis-  
16          closure, or use of personal information collected  
17          from students for the purpose of marketing or  
18          for selling that information (or otherwise pro-  
19          viding that information to others for that pur-  
20          pose), other than for a legitimate educational  
21          purpose to improve the education of students as  
22          described in paragraph (4), and the arrange-  
23          ments to protect student privacy that are pro-  
24          vided by the agency in the event of such collec-



1           tion, disclosure, or use for such a legitimate  
2           educational purpose.”.

3           (d) PARENTAL NOTIFICATION.—Paragraph (2) of  
4 section 445(c) of the General Education Provisions Act  
5 (20 U.S.C. 1232h(c)) is amended—

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

8           (2) by redesignating subparagraphs (A) through  
9           (C) as subparagraphs (B) through (D), respectively;

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

11           (A) in clause (i), by striking “and” at the  
12           end;

13           (B) by amending clause (ii) to read as fol-  
14           lows:

15                   “(ii) in the case of an activity de-  
16                   scribed in clause (i) or (iii) of subpara-  
17                   graph (D), offer an opportunity and clear  
18                   instructions for the parent (or in the case  
19                   of a student who is an adult or emanci-  
20                   pated minor, the student) to opt the stu-  
21                   dent out of participation in such activity;”;

22           and

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

24                   “(iii) in the case of an activity de-  
25                   scribed in subparagraph (D)(i), a descrip-

1                   tion of how such activity is for a legitimate  
2                   educational purpose to improve the edu-  
3                   cation of students as described in para-  
4                   graph (4); and

5                   “ (iv) not require a student to submit  
6                   to a survey described in subparagraph  
7                   (D)(ii) without the prior written consent of  
8                   the student (if the student is an adult or  
9                   emancipated minor), or in the case of an  
10                  unemancipated minor, without the prior  
11                  written consent of the parent, which is pro-  
12                  vided specifically for such survey.”;

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

15                  “(A) PARENTAL CONSULTATION.—The pa-  
16                  rental consultation required for the purpose of  
17                  developing and adopting policies under para-  
18                  graphs (1) and (3) by a local educational agen-  
19                  cy shall ensure that such policy is developed  
20                  with meaningful engagement by parents of stu-  
21                  dents enrolled in schools served by that agen-  
22                  cy.”; and

23                  (5) in subparagraph (D) (as designated by  
24                  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 “invasive  
10 physical” and inserting “medical”.

11 (e) 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 funds 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 (f) 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 (g) 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 OR SCREEN-  
2           ING.—The term ‘medical examination or screen-  
3           ing’ means any medical examination or screen-  
4           ing that involves the exposure of private body  
5           parts, or any act during such examination or  
6           screening that includes incision, insertion, or in-  
7           jection into the body, or a mental health or sub-  
8           stance use disorder screening, except that such  
9           term does not include a hearing, vision, or scoli-  
10          osis screening, or an observational screening  
11          carried out to comply with child find obligations  
12          under the Individuals with Disabilities Edu-  
13          cation Act (20 U.S.C. 1400 et seq.).”; and  
14          (2) in subparagraph (E)—

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

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

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

19                         “(v) an email address.”.

20          (h) ENFORCEMENT AND REPORTING.—Subsection  
21          (e) of section 445 of the General Education Provisions Act  
22          (20 U.S.C. 1232h) is amended to read as follows:

23                 “(e) ENFORCEMENT AND REPORTING.—

24                         “(1) ENFORCEMENT.—The Secretary shall take  
25                         such action as the Secretary determines appropriate

1 to enforce this section, except that action to termi-  
2 nate assistance provided under an applicable pro-  
3 gram shall be taken only if the Secretary determines  
4 that—

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

7 “(B) compliance with such section cannot  
8 be secured by voluntary means.

9 “(2) REPORTING.—

10 “(A) LOCAL EDUCATIONAL AGENCIES.—

11 On an annual basis, each local educational  
12 agency (as such term is defined in subsection  
13 (c)(6)(C)) that receives funds under any appli-  
14 cable program shall—

15 “(i) without identifying any personal  
16 information of a student or students, re-  
17 port to the State educational agency any  
18 enforcement actions or investigations car-  
19 ried out for the preceding school year to  
20 ensure compliance with this section; and

21 “(ii) publish such information on its  
22 website or through other public means  
23 used for parental notification if the agency  
24 does not have a website.

1           “(B) STATES.—On an annual basis, each  
2           State educational agency shall provide to the  
3           Secretary a report, with respect to the pre-  
4           ceding school year, that includes all actions  
5           local educational agencies have reported under  
6           subparagraph (A), and a description of the en-  
7           forcement actions the State educational agency  
8           took to ensure parents’ rights were protected.

9           “(C) SECRETARY.—Not later than 1 year  
10          after the date of enactment of the Parents Bill  
11          of Rights Act, and annually thereafter, the Sec-  
12          retary shall submit to the Committee on Edu-  
13          cation and the Workforce of the House of Rep-  
14          resentatives and the Committee on Health,  
15          Education, Labor, and Pensions of the Sen-  
16          ate—

17                 “(i) the reports received under sub-  
18                 paragraph (B); and

19                 “(ii) a description of the enforcement  
20                 actions taken by the Secretary under this  
21                 subsection and section 444(f) to ensure full  
22                 compliance with this section and section  
23                 444, respectively.”.