

# Resolution - Parents Right to Know and Consent

## Rationale:

- **Parents have the right to direct the moral and religious training of their children – Texas Family Code 151.** Schools must not usurp that right.
- **The fundamental right of parents to direct the education and upbringing of their children has been upheld by the U.S. Supreme Court. The Texas Attorney General has affirmed these rights in an AG Opinion.**
- **Parents Rights must be recognized, affirmed and protected.**
- **Parents are to be partners in the education of their children – Texas Education Code 4.**
- **Parental rights are being violated with districts not provide full disclosure about the contents of sex education and other programs, such as the Day of Silence.**
- **Schools are taking responsibility to fix the social ills of the culture which encroaches on parental rights and responsibility.**

## What is Needed to Protect Parental Rights:

### **Parents have the right to know about and consent to the following instruction and activities:**

- Sexuality education topics, including but not limited to human reproduction, pregnancy, relationships, dating, gender, gender-identity ideology, homosexuality, lesbianism, bisexuality, transgenderism, family planning, sexually transmitted infections, sexual practices and acts, pornography, pedophilia, incest, bestiality.
- Religion
- Classroom and student assemblies by speakers who are not employed by the district.
- Presentations on topics not related to the subject of the class the student is enrolled in.
- Counseling materials, resources, and referrals.
- Classroom presentations by school counselors and psychologists.

**Schools must provide full disclosure of all sexuality education programs and curricula,** including curriculum writers/developers and contracts with individuals or entities involved in the development or presentation of curriculum. Summaries are not adequate.

**School Health Advisory Council Meetings must be open to the public and notices of meetings and meeting minutes must be posted in a timely manner.** Note: One tactic to keep SHAC meetings closed is to include students and declare that meetings must be closed to protect students. Students should not be included in SHAC meetings.

**School Health Advisory Council members must be appointed by the school board and should not include individuals who oppose the intent of TEC 28.004. Members must live in the district. District employees should not determine the agenda or membership on subcommittees, and they should not vote unless they have children in the district.**

**School districts should post on their websites any documents, such as contracts and Memoranda of Understanding with community organizations or agencies concerning sex education, health education, including mental health education.**

**Parents have the right to know about medical treatment and referrals.** Except for an emergency, schools may not without parental consent provide medical treatment. Schools may not without parental consent provide or recommend counseling, treatment or devices. prescriptions or over-the-counter medication to students or refer students to any medical or psychological services, counseling, treatment, or testing without parental consent, including but not limited to abortion, family planning,

hormone therapy, sexuality, STDs, LGBTs issues or gender treatment or counseling. Consent forms must provide full and fair disclosure of any counseling or services to be provided.

**Parents have the right to know if their children will be instructed in a new methodology, curriculum, pilot program, or if a program is used that is experimental in nature, including the names of the writers/developers.** Children should not be used as guinea pigs for experimental programs without proven records of successful results. For example: The failed whole language method of reading was used in many districts for years and we have only recently returned to phonics-based instruction.

**Parents have the right to be informed about and inspect all instructional materials, including teachers' materials and supplemental materials prior to their use. Materials should be available and accessible in a reasonably convenient location and on the district's website, whenever possible.**

**District administrators, counselors, school psychologists, teachers and others who provide Health instruction must sign a statement that they have read the "Parents Right to Know and Consent" law and agree to it.**

**Parents have the right to know about and consent to psychological, psychiatric, and behavioral surveys, treatment, and counseling.** See the federal Protection of Pupil Rights Amendment (PPRA) for language.

The **Protection of Pupil Rights Amendment (PPRA)** should be codified in Texas law. It applies to the programs and activities of a state education agency (SEA), local education agency (LEA), or other recipient of funds under any program funded by the U.S. Department of Education. It governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following eight protected areas:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating, or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors. The rights under PPRA transfer from the parents to a student who is 18 years old or an emancipated minor under state law.

### **Proposed plank**

We call upon the legislature to respect and protect parental rights by enacting penalties for violations of parental rights and by requiring a Parent's Right to Know and Consent booklet be developed that contains all state and federal law that relate to education.

The federal Pupil Protection Rights Amendment and the Children's Internet Protection Act should be codified in Texas law.

A copy of this resolution should be sent to the \_\_\_\_\_ County/Senate District # \_\_\_\_\_ Convention Resolutions Committee from Precinct # \_\_\_\_\_ with the recommendation that it be passed and sent to the State Convention Platform Committee of the \_\_\_\_\_ Party of Texas.