



MODEL SCHOOL BOARD RESOLUTION | Center for 1776 & Center for Education Opportunity

RESTORING PARENTAL RIGHTS IN SCHOOLS

Alexandra Caro Campana, Laurie Todd-Smith, Ph.D., and Julia Butch

PURPOSE OF THIS RESOLUTION

- In spite of federal protections and some [state-level protections](#), parental rights continue to be breached in school districts across the country.
- COVID-19 revealed a [severe lack of accountability](#) in schools that has led to countless parental rights violations and subversions.
- By adopting the America First Policy Institute’s model resolution, school boards can express their commitment to:
 - Disclosing students’ identity issues to their parents and protecting students from transgender medical treatments, as required by legislation in [Arizona](#) and [Louisiana](#).
 - Making curriculum and classroom activities readily available to parents, as required by legislation in [Florida](#) and [Iowa](#).
 - Involving parents in every aspect of school operations and facilitating frequent parent-teacher communication.

Introduction

The America First Policy Institute’s model resolution, “Restoring Parental Rights in Schools,” is designed to be adapted by school board members for their respective districts. Due to the onslaught of radical ideology infiltrating school systems and extracurricular activities throughout the country, adopting this resolution is key to safeguarding parental rights. The Supreme Court has repeatedly validated fundamental parental rights, and many states have passed parental bills of rights, yet these established laws continue to be subverted in K–12 schools. This model resolution expresses a board’s intention to operate under and respect pre-existing parental rights legislation, keep parents informed regarding their children’s education and well-being, and protect children from exposure to Critical Race Theory and radical gender ideologies.



[School District] Resolution No. X
Restoring Parental Rights in [School District] School

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WHEREAS, the Supreme Court, in a host of opinions, has upheld parental rights. Specifically, the Court has stated that “the institution of the family is deeply rooted in this Nation’s history and tradition” and “the interest of parents in the care, custody, and control of their children—is perhaps the oldest of the fundamental liberty interests recognized by this Court” (*Moore v. East Cleveland*, 431 U.S. 494 (1977); *Troxel v. Granville*, 530 U.S. 57 (2000)); and

WHEREAS, The United States Supreme Court has long held that parental rights are “among those fundamental liberty interests protected by the Fourteenth Amendment to the Constitution;” and

WHEREAS, the [Family Educational Rights and Privacy Act](#) indicates that parents have the right to inspect and review the student’s education records maintained by the school; and

WHEREAS, the [Every Student Succeeds Act](#) is a federal law that requires public schools to facilitate “meaningful consultation with parents,” and state school administrators have an obligation to provide opportunities for parent-teacher conferences, access to school staff, observation of classroom activities, notification of teacher qualifications, and frequent reports on children’s progress; and

WHEREAS, the [Protection of Pupil Rights Amendment](#) is a law that gives parents the right to inspect “[a]ll instructional materials, including teacher’s manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program;” and

WHEREAS, in the case of *Meyer v. State of Nebraska* (1923), the Supreme Court struck down a Nebraska law that prohibited teachers from teaching foreign languages to grade school students, holding that the law was unconstitutional. The Court said that while it was in the interest of a state to promote “American ideals,” the right of Meyer to teach and the right of parents to guide their children’s education was within their liberties.



Robert Meyer had taught German to a student and was found guilty of violating the Nebraska law; and

WHEREAS, in the case of *Pierce v. Society of Sisters* (1925), the Supreme Court held that the state of Oregon could not force children to be instructed only by public school teachers. The state had passed an initiative, via the voters, that amended the Compulsory Education Act by requiring virtually all students to attend public schools. The Society of Sisters ran religious private schools, which would have been unable to operate under the newly enacted law. Moreover, the Court said that the law infringed on the rights of parents to dictate how their children were being raised; and

WHEREAS, the [Department of Education Organization Act \(1979\)](#) that established the Department of Education begins with Congressional findings, including that “parents have the primary responsibility for the education of their children, and States, localities, and private institutions have the primary responsibility for supporting that parental role.” It also commits the agency to respect the principle of American federalism, noting that “the primary public responsibility for education is reserved respectively to the States and the local school systems...” (20 U.S.C. 3401 §101); and

WHEREAS, in the case of *Wisconsin v. Yoder* (1972), three Amish parents were sued for violating the compulsory education laws of Wisconsin by pulling their children out of school after eighth grade, which was in line with their religious beliefs, rather than leaving them in school until they were 16, which was required by the law. The Supreme Court found in favor of the parents, holding that the state cannot violate a sincere free exercise of religion by claiming the state has an interest in making education compulsory. Also, the Court specifically noted the vocational training that the Amish children receive from their parents and its relationship to their way of life; and

WHEREAS, in the case of *Moore v. East Cleveland* (1977), the sanctity not just of parents but of the institution of the family was upheld. Inez Moore was a grandmother who lived with her son and two grandsons, who were first cousins, not brothers. A housing ordinance permitted only a single family to live together in a housing unit and defined a family in a manner that was too narrow to encompass the cousin. The Supreme Court held that the law should not be so narrow in its definition of family and that “family is deeply rooted in this Nation’s history;” and

WHEREAS, COVID-19 revealed longstanding parental rights issues in America’s schools when education moved online, including issues that have been exacerbated by flaws in current accountability models, such as teaching radical gender ideology and Critical Race Theory without parental consent; and



WHEREAS, parental rights legislation requiring schools to inform parents on curriculum and school happenings has emerged in [32 states](#); and

WHEREAS, innumerable infringements on parental rights have occurred across the country, including:

- efforts to transition children’s genders in school without parental consent in [California](#), [Washington](#), [New York](#), [Kansas](#), [Colorado](#), and [more](#);
- efforts to [subvert and circumvent](#) state parental rights laws across the country, including “[gender support plans](#)” that often include confidential documents to allow transitioning, such as pronoun changes, without parental consent;
- efforts to address issues of gender identity, queer theory, gender ideology, or gender transition without parental consent in [Georgia](#), [California](#), and [more](#);
- efforts by organizations like the [National Council of Teachers of English](#) to place less curricular emphasis on pre-existing literacy standards and instead incorporate [activist teachings](#) of “race, antiracism, anti-Blackness, and LGBTQIA+” in K–12 classrooms; and
- efforts to minimize parental involvement in [school board meetings](#) and silence parents on curriculum concerns across the country.

THEREFORE, BE IT RESOLVED, that the [District] School Board recognizes and upholds parents’ fundamental rights as outlined by American legal precedent and federal law to:

- make decisions regarding their children;
- observe their children’s classroom activities;
- enhance their children’s educational experiences;
- protect their children’s privacy; and
- establish their family.

BE IT RESOLVED that the [District] School Board supports parents’ right to view all instructional materials in a timely and organized manner and supports their right to opt their children out of any lessons or activities they do not deem appropriate or useful in the educational advancement of their children; and

BE IT RESOLVED, that the [District] School Board supports frequent interaction between parents and teachers to facilitate communication between home life and school life. This includes regular meetings, making educational records readily available, and planning open houses in district schools to provide parents and guardians the opportunity to meet faculty; and



BE IT RESOLVED, that the [District] School Board supports an open line of communication with parents, not just at board meetings but by making school board member contact information easily available; and

BE IT RESOLVED, that the [District] School Board believes that parents have the right to determine the names and pronouns that school staff members use when referring to their children and that written authorization from a parent/guardian should be required to change a child's name or pronouns; and

BE IT RESOLVED that the [District] School Board supports the notion that parents are the ultimate decision-makers when it comes to their children; and

BE IT RESOLVED that the [District] School Board supports the notion that it is the role of parents, not school officials, to direct the religious and moral upbringing of their children; and

BE IT RESOLVED, that the [District] School Board is committed to protecting parental rights and will investigate parent, student, and staff complaints fully, in the same way we respond to allegations of race- or sex-based discrimination and harassment; and

BE IT RESOLVED, that the [District] School Board instructs [President/Chair of the School Board] to transmit a copy of Resolution No. X to every school principal within our district's control for distribution to teachers and staff members and to be posted in a prominent public location.

