IN THE SENATE OF THE UNITED STATES

MARCH 27, 2023

Received; read twice and referred to the Committee on Health, Education, Labor, and Pensions

AN ACT

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,
SECTION 1. SHORT TITLE.

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

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 101. STATE PLAN ASSURANCES.

Section 1111(g)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(g)(2)) is amended—

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

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

(3) by adding at the end the following:

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

“(i) in a case in which the curriculum for an elementary or secondary school (including secondary career and technical education schools) grade level is freely and publicly available on the internet—

“(I) posts on a publicly accessible website of the agency, such curriculum; or
“(II) if such agency does not operate a website, widely disseminates to the public such curriculum; or
“(ii) in a case in which the curriculum for an elementary or secondary school (including secondary career and technical education schools) grade level is not freely and publicly available on the internet—
“(I) posts on a publicly accessible website of the agency—
“(aa) a description of such curriculum; and
“(bb) information on how parents can review such curriculum as described in section 1112(e)(1)(A); or
“(II) if such agency does not operate a website, widely disseminates to the public the description and information described in items (aa) and (bb) of subclause (I); and
“(P) in the case of any revisions to the State’s challenging State academic standards (including any revisions to the levels of achievement within the State’s academic achievement...
standards), the State educational agency will post to the homepage of its website, and widely disseminate to the public, notice of such revisions and a copy of such revisions, except that the State educational agency shall not be required to submit such notice or such revisions to the Secretary.”.

SEC. 102. ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS.

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

“(E) BUDGET.—Each local educational agency report card shall include the budget for the school year for which such report card is being prepared (including all revenues and expenditures (including expenditures made to private entities)) for the local educational agency as a whole, and for each elementary school and secondary school (including secondary career and technical education schools) served by the local educational agency. In addition to the detailed budget information required under the preceding sentence, the agency shall include a separate fact sheet that summarizes such infor-
mation in a clear and easily understandable for-
mat.”.

SEC. 103. LOCAL EDUCATIONAL AGENCY PLAN ASSUR-
ANCES.

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

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

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

(3) by adding at the end the following:

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

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

“(10) ensure that each elementary school served
by the local educational agency notifies the parents
of any student enrolled at such school when the stu-
dent does not score as grade-level proficient in read-
ing or language arts at the end of the third grade
based on the reading or language arts assessments administered under section 1111(b)(2)(B)(v)(I)(aa) or another assessment administered to all third grade students by such school; and

“(11) ensure that each elementary school and secondary school (including secondary career and technical education schools) served by the local educational agency provides to the parents of students enrolled at such school, before a person speaks (in-person or virtually) to such students in a class, school assembly, or any other school-sponsored event, notice that includes the name of the speaker and the name of the organization or other entity being represented by the speaker.”.

SEC. 104. PARENTS RIGHT-TO-KNOW.

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

(1) by redesignating paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (6), respectively;

(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
(including secondary career and technical education schools) 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 (provided in accordance with the requirements of section 445(a)(2) of the General Education Provisions Act (20 U.S.C. 1232h(a)(2)) with respect to such local educational agency) to review, and make copies of, at no cost, 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 in accordance with paragraph (5)(A);
“(D) the right to review the budget, including all revenues and expenditures, of their child’s school;

“(E) the right to—

“(i) a list of the books and other reading materials available in the library of their child’s school; and

“(ii) inspect such books or other reading materials;

“(F) the right to information about all schools in which their child can enroll, including options for enrolling in or transferring to—

“(i) other schools served by the local educational agency;

“(ii) charter schools; and

“(iii) schools served by a different local educational agency in the State;

“(G) the right to address the school board of the local educational agency;

“(H) the right to information about violent activity in their child’s school;

“(I) the right to information about any plans to eliminate gifted and talented or college credit programs in the child’s school, including
Advanced Placement and dual-enrollment classes;

“(J) the right to review any professional development materials;

“(K) the right to know if their child is not grade-level proficient in reading or language arts at the end of the third grade as described in subsection (c)(10);

“(L) the right to know if a school employee or contractor acts to—

“(i) change a minor child’s gender markers, pronouns, or preferred name; or

“(ii) allow a child to change the child’s sex-based accommodations, including locker rooms or bathrooms;

“(M) the right to know if—

“(i) a school employee or contractor acts to—

“(I) treat, advise, or address the cyberbullying of a student;

“(II) treat, advise, or address the bullying or hazing of a student;

“(III) treat, advise, or address a student’s mental health, suicidal ideation, or instances of self-harm;
“(IV) treat, advise, or address a specific threat to the safety of a student;

“(V) treat, advise, or address the possession or use of drugs and other controlled substances; or

“(VI) treat, advise, or address an eating disorder; or

“(ii) a child brings a weapon to school;

“(N) the right to the notice described in subsection (c)(11) before a person speaks (in-person or virtually) to their child in a class, school assembly, or any other school-sponsored event;

“(O) the right to be informed of the total number of school counselors in their child’s school;

“(P) the right to know if their child’s school operates, sponsors, or facilitates athletic programs or activities that permit an individual whose biological sex is male to participate in an athletic program or activity that is designated for individuals whose biological sex is female;
“(Q) the right to know if their child’s school allows an individual whose biological sex is male to use restrooms or changing rooms designated for individuals whose biological sex is female; and

“(R) the right to timely notice of any major cyberattack against their child’s school that may have compromised student or parent information.”;

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

(A) by redesignating clause (i) and clause (ii) as subclause (I) and subclause (II), respectively;

(B) by striking “(B) ADDITIONAL INFORMATION.—” and inserting:

“(B) ADDITIONAL INFORMATION.—

“(i) IN GENERAL.—”; and

(C) by adding at the end the following:

“(ii) SCHOOL LIBRARY.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school (including secondary career and technical education schools) served by such agency provides
the parents of each child who is a student in such school—

“(I) at the beginning of each school year, a list of books and other reading materials available in the library of such school; and

“(II) the opportunity to inspect such books and other reading materials.

“(iii) VIOLENT ACTIVITY.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school (including secondary career and technical education schools) served by such agency provides the parents of each child who is a student in such school timely notification of any violent activity occurring on school grounds or at school-sponsored activities in which one or more individuals suffer injuries (including whether such agency is aware of videos or recordings of such violent activity), except that such notification shall not contain names or the grade level of any students involved in the activity.
“(iv) Gifted and Talented Programs.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school (including secondary career and technical education schools) served by such agency provides the parents of each child who is a student in such school timely notification of any plan to eliminate gifted and talented or college credit programs in such school, including Advanced Placement and dual-enrollment classes.

“(v) School Counselors.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school (including secondary career and technical education schools) served by such agency provides the parents of each child who is a student in such school the information described in paragraph (1)(O).

“(vi) Enrollment Options.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school (in-
including secondary career and technical
education schools) served by such agency
provides the parents of each child who is
a student in such school the information
described in paragraph (1)(F), including
the enrollment and transfer options de-
scribed in such paragraph.

“(vii) School employee or con-
tractor actions.—A local educational
agency receiving funds under this part
shall ensure that each elementary school
and secondary school (including secondary
career and technical education schools)
served by such agency notifies the parents
of any child who is a student in such
school if a school employee or contractor
takes, with respect to such child, any ac-
tion described in clause (i) or (ii) of para-
graph (1)(L).

“(viii) School and student safe-
ty.—A local educational agency receiving
funds under this part shall ensure that
each elementary school and secondary
school (including secondary career and
technical education schools) served by such agency notifies—

“(I) the parents of any child who is a student in such school if a school employee or contractor takes, with respect to such child, any action described in clause (i) of paragraph (1)(M); and

“(II) the parents of each child who is a student in such school if any child takes the action described in clause (ii) of paragraph (1)(M).

“(ix) PROFESSIONAL DEVELOPMENT MATERIALS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school (including secondary career and technical education schools) served by such agency provides the parents of each child who is a student in such school the opportunity to review professional development materials to ensure the parental right described in paragraph (1)(J).

“(x) ATHLETIC PROGRAMS OR ACTIVITIES.—A local educational agency receiving
funds under this part shall ensure that each elementary school and secondary school (including secondary career and technical education schools) served by such agency provides the parents of each child who is a student in such school the information described in paragraph (1)(O).

“(xi) ACCOMMODATIONS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school (including secondary career and technical education schools) served by such agency provides the parents of each child who is a student in such school the information described in paragraph (1)(O).

“(xii) CYBERATTACKS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school (including secondary career and technical education schools) served by such agency provides the parents of each child who is a student in such school notifications described in paragraph (1)(O).”; and
(4) by inserting after paragraph (4) (as redesignated by paragraph (1)) the following:

“(5) TRANSPARENCY.—A local educational agency receiving funds under this part shall provide the parents of each child who is a student in an elementary school or secondary school (including secondary career and technical education schools) served by such agency—

“(A)(i) the opportunity to meet in-person or virtually via videoconference with each teacher of such child not less than twice during each school year; and

“(ii) a notification, at the beginning of each school year, of the opportunity for such meetings, including the option to attend such meetings virtually via videoconference; and

“(B) the opportunity to address the school board of such local educational agency on issues impacting the education of children in such agency and on any violations of the rights specified in paragraph (1).”).
SEC. 105. SENSE OF CONGRESS ON FIRST AMENDMENT RIGHTS.

(a) IN GENERAL.—Title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801 et seq.) is amended—

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

(2) by inserting after section 8549B the following new section:

"SEC. 8549C. SENSE OF CONGRESS ON FIRST AMENDMENT RIGHTS.

"(a) FINDINGS.—Congress finds the following:

"(1) The right of parents to educate their children is a pre-political natural right that the U.S. Supreme Court has recognized as ‘beyond debate’ and rooted in the ‘history and culture of Western civilization’.

"(2) Parents have a First Amendment right to express their opinions on decisions made by State and local education leaders.

"(3) States and local educational agencies should empower parents to communicate regularly with Federal, State, and local policymakers and educators regarding the education and well-being of their children."
“(4) Transparent and cooperative relationships between parents and schools have significant and long-lasting positive effects on the development of children.

“(5) Parents’ concerns over content and pedagogy deserve to be heard and fully considered by school professionals.

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

“(7) Educators, policymakers, elected officials, Executive Branch officials and employees, and other stakeholders should never seek to use law enforcement to criminalize the lawfully expressed concerns of parents about their children’s education, but should never hesitate to contact public safety officials if there is a credible threat to the safety and security of students, parents, educators, policymakers, elected officials, executive branch officials or employees, or other stakeholders, school faculty, or staff.

“(b) SENSE OF CONGRESS.—It is the sense of Congress that—

“(1) the First Amendment guarantees parents and other stakeholders the right to assemble and ex-
press their opinions on decisions affecting their children and communities, and that educators and policymakers should welcome and encourage that engagement and consider that feedback when making decisions; and

“(2) parents have a fundamental right, protected by the U.S. Constitution, to direct the education of their children, and the strict scrutiny test used by courts to evaluate cases concerning fundamental rights is the correct standard of review for government actions that interfere with the right of parents to educate their children.”.

(b) TABLE OF CONTENTS.—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended—

(1) by striking the item relating to section 8549C; and

(2) by inserting after the item relating to section 8549B the following:

Sec. 8549C. Sense of Congress on First Amendment Rights.

Sec. 8549D. Technical assistance.

SEC. 106. DEFINITION OF SECONDARY CAREER AND TECHNICAL EDUCATION SCHOOL.

Section 8101 the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) is amended—
(1) by redesignating paragraphs (45) through (52) as paragraphs (46) through (53), respectively; and

(2) by inserting after paragraph (44) the following new paragraph:

“(45) SECONDARY CAREER AND TECHNICAL EDUCATION SCHOOL.—The term ‘secondary career and technical education school’ means a secondary school (including secondary career and technical education schools) that is an area career and technical education school described in subparagraph (A) or (B) of paragraph (3) of section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2032(3)(A); (B)).”.

TITLE II—AMENDMENTS TO FERPA AND PPRA

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

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

(b) **Prohibition on Educational Agencies or
Institutions Acting as an Agent of a Parent.**—Sec-
tion 444 of the General Education Provisions Act (20
U.S.C. 1232g) (also known as the “Family Educational
Rights and Privacy Act of 1974”) is amended by adding
at the end the following:

“(k) **Prohibition on Educational Agencies or
Institutions Acting as Agent of a Parent for Use
of Technology.**—An educational agency or institution
may not act as the agent of a parent of a student in at-
tendance at a school of such agency or at such institution
for purposes of providing verifiable parental consent for
the use of technology in the classroom for purposes of edu-
cating the student without providing notice and an oppor-
tunity for the parent to object to the use of such tech-
nology.

“(l) **Prohibition on Educational Agencies or
Institutions Acting as Agent of a Parent for Vaccines.**—An educational agency or institution may not act
as the agent of a parent of a student in attendance at
a school of such agency or at such institution for purposes
of providing verifiable parental consent for a vaccination.”.

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(c) Prohibition on Sale of Information for Commercial Purposes.—Section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (also known as the “Family Educational Rights and Privacy Act of 1974”), as amended by this section, is further amended by adding at the end the following:

“(m) Prohibition on Sale of Information for Commercial Purposes.—

“(1) In general.—Except as provided in paragraph (2), no educational agency or institution or authorized representative of such agency or institution may sell student information for commercial or financial gain.

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

(d) Parental Consultation.—Section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (also known as the “Family Educational Rights and Privacy Act of 1974”), as amended by this section, is further amended by adding at the end the following:

“(n) Parental Consultation.—In developing a privacy policy or procedure, an educational agency or insti-
tution shall engage meaningfully with parents of students
in attendance at the schools served by such agency or in-
stitution.”.

(e) Disclosure of Information.—Section 444 of
the General Education Provisions Act (20 U.S.C. 1232g)
(also known as the “Family Educational Rights and Pri-
vaey Act of 1974”), as amended by this section, is further
amended by adding at the end the following:

“(o) Disclosure of Information.—An edu-
cational agency or institution or authorized representative
of such agency or institution shall, upon request from a
parent of a student, disclose to such parent the identity
of any individual or entity with whom information is
shared from the education record of the student or any
response of the student to a survey.”.

SEC. 202. PROTECTION OF PUPIL RIGHTS.

(a) Availability for Inspection by Parents or
Guardians.—Section 445(a) of the General Education
Provisions Act (20 U.S.C. 1232h(a)) is amended to read
as follows:

“(a) Availability for Inspection by Parents or
Guardians.—A local educational agency (as such term
is defined in subsection (c)(6)(C)) that receives funds
under any applicable program shall ensure the following:
“(1) INFORMATION AVAILABLE.—Each of the following shall be available for inspection by the parents or guardians of the children in attendance at the schools served by such agency, and the availability of each of the following for inspection shall not be conditioned on any requirement that such parents or guardians sign a nondisclosure agreement:

“(A) All instructional materials, including teacher’s manuals, films, tapes, or other supplementary material which will be used in such school or in connection with any survey, analysis, or evaluation.

“(B) Any books or other reading materials made available to students in such school or through the school library of such school.

“(C) Any professional development materials.

“(2) COMMENT PERIODS FOR PARENTS.—

“(A) IN GENERAL.—The agency shall provide comment periods during which parents or guardians of the children in attendance at the schools served by the agency may inspect and provide feedback on any of the materials referred to in paragraph (1) that—
“(i) are expected to be used to teach such children during the three weeks following the comment period; or

“(ii) were used to teach such children during preceding portions of the school year.

“(B) Frequency and Duration.—The comment periods described in subparagraph (A) shall be held not less frequently than once every three weeks during the school year and each comment period shall be not less than three school days in duration.”.

(b) Single Issue Notification.—Section 445(b) of the General Education Provisions Act (20 U.S.C. 1232h) is amended—

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

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

(c) Development and Adoption of Local Policies.—Section 445(e) of the General Education Provisions Act (20 U.S.C. 1232h(e)) is amended—
(1) in the subsection heading, by striking “PHYSICAL” and inserting “MEDICAL”;

(2) in paragraph (1)—

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

(B) in subparagraph (C), by amending clause (i) to read as follows:

“(i) The right of a parent of a student to inspect, upon the request of the parent, any instructional material used as part of the educational curriculum for the student, and any books or other reading materials made available to the student in a school served by the agency or through the school library; and”;

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

“(D) The administration of medical examinations or screenings that the school or agency may administer to a student, including—

“(i) prior notice to parents of such a medical examination or screening, and receipt of consent from parents before ad-
ministering such an examination or screening; and

“(ii) in the event of an emergency that requires a medical examination or screening without time for parental notification and consent, the procedure for promptly notifying parents of such examination or screening subsequent to such examination or screening.”; and

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

“(E) The prohibition on the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), other than for a legitimate educational purpose to improve the education of students as described in paragraph (4), and the arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure, or use for such a legitimate educational purpose.”.
(d) PARENTAL NOTIFICATION.—Paragraph (2) of section 445(c) of the General Education Provisions Act (20 U.S.C. 1232h(c)) is amended—

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

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

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

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

(B) by amending clause (ii) to read as follows:

“(ii) in the case of an activity described in clause (i) or (iii) of subparagraph (D), offer an opportunity and clear instructions for the parent (or in the case of a student who is an adult or emancipated minor, the student) to opt the student out of participation in such activity;”;

and

(C) by adding at the end the following:

“(iii) in the case of an activity described in subparagraph (D)(i), a description of how such activity is for a legitimate educational purpose to improve the edu-
cation of students as described in paragraph (4); and

“(iv) not require a student to submit to a survey described in subparagraph (D)(ii) without the prior written consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, which is provided specifically for such survey.”;

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

“(A) PARENTAL CONSULTATION.—The parental consultation required for the purpose of developing and adopting policies under paragraphs (1) and (3) by a local educational agency shall ensure that such policy is developed with meaningful engagement by parents of students enrolled in schools served by that agency.”; and

(5) in subparagraph (D) (as redesignated by paragraph (2))—

(A) by amending clause (i) to read as follows:
“(i) Activities involving the collection, disclosure, or use of personal information collected from students for a legitimate educational purpose to improve the education of students as described in paragraph (4).”; and

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

(e) Updates to Existing Policies.—Paragraph (3) of section 445(c) of the General Education Provisions Act (20 U.S.C. 1232h(c)) is amended to read as follows:

“(3) Updates to Existing Policies.—

“(A) In General.—Not later than 180 days after the date of enactment of the Parents Bill of Rights Act, a local educational agency that receives funds under any applicable program shall—

“(i) review policies covering the requirements of paragraph (1) as in effect on the day before such date of enactment; and

“(ii) develop and update such policies to reflect the changes made to paragraph (1) by the amendments made by the Parents Bill of Rights Act.
“(B) Consultation and Notification.—In developing and updating the policies under subparagraph (A), the agency shall comply with the consultation and notification requirements under paragraph (2).”.

(f) Exceptions.—Paragraph (4)(A) of section 445(c) of the General Education Provisions Act (20 U.S.C. 1232h(c)) is amended by amending the matter preceding clause (i) to read as follows:

“(A) Educational products or services.—For purposes of paragraph (1)(E), the collection, disclosure, or use of personal information collected from students for a legitimate educational purpose to improve the education of students means the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or schools, such as the following:”.

(g) Definitions.—Paragraph (6) of section 445(c) of the General Education Provisions Act (20 U.S.C. 1232h(c)) is amended—

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

“(B) Medical examination or screening.—The term ‘medical examination or screen-
ing means any medical examination or screening that involves the exposure of private body parts, or any act during such examination or screening that includes incision, insertion, or injection into the body, or a mental health or substance use disorder screening, except that such term does not include a hearing, vision, or scoliosis screening, or an observational screening carried out to comply with child find obligations under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).’’; and

(2) in subparagraph (E)—

(A) in clause (iii), by striking ‘‘or’’;

(B) in clause (iv), by striking the period at the end and inserting ‘‘; or’’; and

(C) by adding at the end the following:

‘‘(v) an email address.’’.

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

‘‘(e) ENFORCEMENT AND REPORTING.—

‘‘(1) ENFORCEMENT.—The Secretary shall take such action as the Secretary determines appropriate to enforce this section, except that action to terminate assistance provided under an applicable pro-
gram shall be taken only if the Secretary determines that—

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

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

“(2) Reporting.—

“(A) Local educational agencies.—On an annual basis, each local educational agency (as such term is defined in subsection (c)(6)(C)) that receives funds under any applicable program shall—

“(i) without identifying any personal information of a student or students, report to the State educational agency any enforcement actions or investigations carried out for the preceding school year to ensure compliance with this section; and

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

“(B) States.—On an annual basis, each State educational agency shall provide to the Secretary a report, with respect to the pre-
ceeding school year, that includes all actions local educational agencies have reported under subparagraph (A), and a description of the enforcement actions the State educational agency took to ensure parents’ rights were protected.

“(C) SECRETARY.—Not later than 1 year after the date of enactment of the Parents Bill of Rights Act, and annually thereafter, the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate—

“(i) the reports received under subparagraph (B); and

“(ii) a description of the enforcement actions taken by the Secretary under this subsection and section 444(f) to ensure full compliance with this section and section 444, respectively.”.
TITLE III—PROHIBITION ON
FEDERAL INVOLVEMENT IN
CURRICULUM

SEC. 301. RULE OF CONSTRUCTION.
Nothing in this Act may be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system.

TITLE IV—GENDER MARKERS,
PRONOUNS, AND PREFERRED NAMES ON SCHOOL FORMS

SEC. 401. REQUIREMENT RELATED TO GENDER MARKERS,
PRONOUNS, AND PREFERRED NAMES ON SCHOOL FORMS.
As a condition of receiving Federal funds from the Department of Education, any elementary school (as such term is defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) or school that consists of only middle grades (as such term is defined in such section), that receives such Federal funds shall be required to obtain parental consent before—
(1) changing a minor child’s gender markers, pronouns, or preferred name on any school form; or

(2) allowing a child to change the child’s sex-based accommodations, including locker rooms or bathrooms.

**TITLE V—ACCESS TO SCHOOL BROADBAND**

**SEC. 501. SENSE OF CONGRESS.**

It is the sense of Congress that all public elementary and public secondary school (including public secondary career and technical education school) students should have access to broadband.

**TITLE VI—SENSE OF CONGRESS**

**SEC. 601. SENSE OF CONGRESS.**

It is the sense of Congress that all public elementary school and secondary school (including public secondary career and technical education school) students should have opportunities to learn the history of the Holocaust and anti-Semitism.

**TITLE VII—GAO REPORT**

**SEC. 701. GAO REPORT.**

Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Education and the Workforce and the Committee on Appropriations of the
House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate a report that evaluates and analyzes the impact of this Act, and the amendments made by this Act, on—

(1) protecting parents’ rights in the education of their children; and

(2) costs to State educational agencies, local educational agencies, elementary schools, and secondary schools (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).

TITLE VIII—RULE OF CONSTRUCTION ON STUDENT ACCESS TO BOOKS AND OTHER READING MATERIALS

SEC. 801. RULE OF CONSTRUCTION ON STUDENT ACCESS TO BOOKS AND OTHER READING MATERIALS.

Nothing in this Act, or the amendments made by this Act, shall be construed as authorizing or granting parents the right or ability to deny any student who is not their child from accessing any books or other reading materials that are otherwise available in the library of their child’s school.
TITLE IX—INAPPLICABILITY TO NON-PUBLIC SCHOOLS

SEC. 901. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to impose any requirements on non-public elementary or secondary schools.

SEC. 902. SENSE OF CONGRESS.

It is the sense of Congress that local educational agencies do not have the authority to exercise any direction, supervision, or control over the curriculum or program of instruction of non-public elementary or secondary schools.

Passed the House of Representatives March 24, 2023.

Attest: CHERYL L. JOHNSON,

Clerk.