H. R. 5

[Report No. 118–9]

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2023

Ms. Letlow (for herself, Mr. Scalise, Mr. Emmer, Ms. Stefanik, Mr. Johnson of Louisiana, Mr. Hudson, Ms. Foxx, Mrs. Miller of Illinois, Mr. Fitzgerald, Mr. Wilson of South Carolina, Mr. Thompson of Pennsylvania, Mr. Grothman, Mr. Allen, Mr. Banks, Mr. Smucker, Mr. Owens, Mrs. Steel, Mr. Bean of Florida, Mr. Williams of New York, Mrs. Houchin, Mr. Reschenthaler, Mr. Moolenaar, Mr. Newhouse, Mrs. Miller-Meeks, Mr. Buchanan, Mr. Higgins of Louisiana, Mr. Finstad, Ms. Tenney, Mr. DesJarlais, Mr. Fallon, Mr. Kelly of Pennsylvania, Mr. Edwards, Mr. Tiffany, Mr. Carl, Mr. Calvert, Mr. Valadao, Mrs. Hinson, Mr. Norman, Mr. Bost, Mr. Meuser, Mr. Waltz, Mr. Kustoff, Mr. Mike Garcia of California, Mr. Guthrie, Ms. Mace, Mr. Steil, Mr. Wenstrup, Mr. Rutherford, Mr. Graves of Louisiana, Mrs. Rodgers of Washington, Mr. Duncan, Mr. Miller of Ohio, Mr. McClinton, Mr. Crenshaw, Mr. Mooney, Mr. Gooden of Texas, Mr. Gimenez, Mrs. Harshaarger, Mr. Guest, Mr. Tony Gonzales of Texas, Mr. Huizenga, Mrs. Luna, Mr. Balderson, Mr. Wittman, Mr. Rouzer, Mr. Crawford, Mr. Ezell, Mr. Carey, Mrs. Cammack, Mr. Zinke, Mr. McCaul, Mr. Joyce of Pennsylvania, and Mr. Hern) introduced the following bill; which was referred to the Committee on Education and the Workforce.
Additional sponsors: Mr. Ellzey, Ms. Hageman, Mr. Lawler, Mr. Lamber, Mr. Estes, Ms. Lee of Florida, Mr. Steube, Mr. Van Drew, Mr. Feenstra, Mr. Diaz-Balart, Mr. Williams of Texas, Mr. D’Esposito, Mr. Mann, Mr. LaHood, Ms. Greene of Georgia, Mr. Smith of New Jersey, Mrs. Chavez-Deremer, Ms. Malliotakis, Mr. Langworthy, Mr. Buchanan, Mr. LaTurner, Mr. Adenhalt, Mr. Ferguson, Mr. Posey, Mr. Nehls, Mr. Amodei, Mrs. Fischbach, Mrs. Bice, Mr. LaMalfa, Mr. Carter of Georgia, Mr. Baird, Mr. Moran, Mr. Ogles, Mr. C. Scott Franklin of Florida, Mr. Molinari, Mr. Babin, Mr. Santos, Mr. Walberg, Mr. Kelly of Mississippi, Mr. Green of Tennessee, Mr. Cline, Mrs. Boebert, Mr. Nunn of Iowa, Mr. Stauber, Mr. Burgess, Mr. Van Orden, Mr. Johnson of South Dakota, Mrs. Lesko, Mr. Hunt, and Mr. Jackson of Texas

March 14, 2023
Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 1, 2023]

A BILL

To ensure the rights of parents are honored and protected in the Nation’s public schools.
Be it enacted by the Senate and House of Representa-
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 SEC-
ONDARY 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 amend-
ed—

(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 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 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 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 information in a clear
and easily understandable format.”.

**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 disseminate to the public, the plan for carrying out the parent 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 student does not score as grade-level proficient in reading 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 as-

tessment administered to all third grade students by
such school; and

“(11) ensure that each elementary school and sec-
ondary school 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), respec-

(2) by inserting before paragraph (2) (as so re-
designated), 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, 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 programs in the child’s school;
“(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;

and

“(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.”;
(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 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 served by such
agency provides the parents of each child
who is a student in such school timely noti-
fication of any violent activity occurring on
school grounds or at school-sponsored activi-
ties in which one or more individuals suffer
injuries, except that such notification shall
not contain names or the grade level of any
students involved in the activity.

“(iv) GIFTED AND TALENTED PRO-
GRAMS.—A local educational agency receiv-
ing funds under this part shall ensure that
each elementary school and secondary school
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 programs in such
school.”; and

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

“(5) TRANSPARENCY.—A local educational agen-
cy receiving funds under this part shall provide the
parents of each child who is a student in an elemen-
(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.”.

SEC. 105. SENSE OF CONGRESS ON FIRST AMENDMENT RIGHTS.

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

“(2) 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.

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

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

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

“(6) 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 the First Amendment guarantees parents and other stakeholders the right to assemble and express 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.”.

**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 subsection to ensure compliance with this section.”.

(b) PROHIBITION ON EDUCATIONAL AGENCIES OR INSTITUTIONS ACTING AS AN AGENT OF A PARENT.—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”) 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 attendance 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 educating the student without providing notice and an opportunity for the parent to object to the use of such technology.

“(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.”.

(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 institution shall engage meaningfully with parents of students in attendance at the schools served by such agency or institution.”.

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

“(o) DISCLOSURE OF INFORMATION.—An educational 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(c) of the General Education Provisions Act (20 U.S.C. 1232h(c)) 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 administering 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 education 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 edu-
cational purpose to improve the education of stu-
dents 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 SCREEN-
ing.—The term ‘medical examination or screen-
ing’ means any medical examination or screen-
ing that involves the exposure of private body
parts, or any act during such examination or
screening that includes incision, insertion, or in-
jection into the body, or a mental health or sub-
stance use disorder screening, except that such
term does not include a hearing, vision, or scoli-
osis screening, or an observational screening car-
rried out to comply with child find obligations
under the Individuals with Disabilities Edu-
cation Act (20 U.S.C. 1400 et seq.).”;

(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 program 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 preceding 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, 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 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 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 students should have opportunities to learn the history of the Holocaust and anti-Semitism.
A BILL

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

MARCH 14, 2023

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed.

[Report No. 118-9]