

**SECOND CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 58**

As Agreed to March 31, 2022

Brief*

SB 58 would establish the Parents' Bill of Rights.

The bill would state that all parents have a right to direct the upbringing, education, care, and mental health of their child. The bill would also enumerate 12 rights reserved by the State for parents with regard to their child. Such enumerated rights would include, but not be limited to, the right to direct the education and care of the parent's child and the right to direct the upbringing and moral or religious training of the parent's child.

The bill would require the boards of education of each school district to develop and adopt policies to guarantee parents' rights. Such policies would include a parent's ability to:

- Be informed of and inspect any materials, activities, curriculum, syllabi, surveys, questionnaires, books, magazines, handouts, professional development and training materials, and other materials provided to the parent's child;
- Inspect and review all educational and health records of the parent's child maintained by the school district;
- Object to any learning material or activity based upon harm to the child or impairment of the parent's firmly held beliefs, values, or principles and withdraw the parent's child from said activity; and
- Challenge the material or educational benefit of any book, magazine, or other material available to students in the school library, the successful result of which would lead to the removal of the item from the school.

The bill would define the term "parent" as a parent, guardian, custodian, or any other person who has authority to act on behalf of a child.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/klrld>

Conference Committee Action

The second Conference Committee agreed to remove the contents of SB 58, as amended by the House Committee on Judiciary, and insert the contents of SB 496, as amended by the Senate Committee of the Whole, with further amendments to:

- Include the right of a parent to be “informed of and inspect,” rather than just “inspect,” their child’s curriculum, instructional material, activities and other various items; and
- Define “parent.”

Background

The second Conference Committee agreed to remove the contents of SB 58, as amended by the House Committee on Judiciary, regarding liens or claims against real and personal property and replace them with the contents of SB 496, as amended by the Senate Committee of the Whole regarding the Parent’s Bill of Rights. [Note: The provisions from SB 58, as amended by the House Committee on Judiciary, were included in HB 2390, which was signed by the Governor during the 2021 Session.]

SB 496 (Parents’ Bill of Rights)

The bill was introduced by the Senate Committee on Education at the request of Senator Erickson.

Senate Committee on Education

In the Senate Committee hearing, **proponent** testimony was provided by representatives of Americans for Prosperity – Kansas and Kansas Family Voice. The proponents generally stated the bill would codify and protect parental rights established by court rulings and federal statutes.

Written-only proponent testimony was provided by a representative of the Kansas Policy Institute.

Neutral testimony was provided by a representative of the Kansas PTA. The representative stated the organization was neutral because, while it supports parent engagement in education, it has questions and concerns regarding some aspects of the legislation.

Written-only neutral testimony was provided by a representative of the Kansas Association of School Boards.

Opponent testimony was provided by representatives of Game On for Kansas Schools, Immunize Kansas Coalition, Kansas Action for Children, Kansas Interfaith Action, Kansas Natural Education Association, Mainstream Coalition, and private citizens. The opponents generally stated the bill is unnecessary, as school districts and teachers are already doing much of what is required in the bill.

Written-only opponent testimony was provided by representatives of the Kansas City Kansas Public Schools, Kansas School Superintendents' Association, League of Women Voters of Kansas, State Board of Education, and United School Administrators of Kansas and private citizens.

Senate Committee of the Whole

The Senate Committee of the Whole amended the bill to:

- Change a parent's right to be informed of and inspect curriculum, instructional materials, and any other materials to only be a right to inspect said materials [*Note*: This amendment was not retained by the Conference Committee]; and
- Change a parent's right to make health care and medical decisions for their child including those regarding vaccinations and immunizations to state a parent has a right to be able to make health care and medical decisions for their child. [*Note*: This amendment was retained by the Conference Committee]

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on SB 496, as introduced, the Kansas State Department of Education states that any fiscal effects from the bill would be negligible.

Education; Parents' Bill of Rights; school districts; schools

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