

MARCH 9, 2023

**RULES COMMITTEE PRINT 118-2**  
**TEXT OF H.R. 5, THE PARENTS BILL OF RIGHTS**  
**ACT**

[Showing the text of H.R. 5, as ordered reported by the  
Committee on Education and the Workforce.]

1 **SECTION 1. SHORT TITLE.**

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

4 **TITLE I—AMENDMENTS TO THE**  
5 **ELEMENTARY AND SEC-**  
6 **ONDARY EDUCATION ACT OF**  
7 **1965**

8 **SEC. 101. STATE PLAN ASSURANCES.**

9       Section 1111(g)(2) of the Elementary and Secondary  
10 Education Act of 1965 (20 U.S.C. 6311(g)(2)) is amend-  
11 ed—

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

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

16           (3) by adding at the end the following:

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

1 “(i) in a case in which the curriculum  
2 for an elementary or secondary school  
3 grade level is freely and publicly available  
4 on the internet—

5 “(I) posts on a publicly accessible  
6 website of the agency, such cur-  
7 rriculum; or

8 “(II) if such agency does not op-  
9 erate a website, widely disseminates to  
10 the public such curriculum; or

11 “(ii) in a case in which the curriculum  
12 for an elementary or secondary school  
13 grade level is not freely and publicly avail-  
14 able on the internet—

15 “(I) posts on a publicly accessible  
16 website of the agency—

17 “(aa) a description of such  
18 curriculum; and

19 “(bb) information on how  
20 parents can review such cur-  
21 rriculum as described in section  
22 1112(e)(1)(A); or

23 “(II) if such agency does not op-  
24 erate a website, widely disseminates to  
25 the public the description and infor-

1                   mation described in items (aa) and  
2                   (bb) of subclause (I); and

3                   “(P) in the case of any revisions to the  
4                   State’s challenging State academic standards  
5                   (including any revisions to the levels of achieve-  
6                   ment within the State’s academic achievement  
7                   standards), the State educational agency will  
8                   post to the homepage of its website, and widely  
9                   disseminate to the public, notice of such revi-  
10                  sions and a copy of such revisions, except that  
11                  the State educational agency shall not be re-  
12                  quired to submit such notice or such revisions  
13                  to the Secretary.”.

14 **SEC. 102. ANNUAL LOCAL EDUCATIONAL AGENCY REPORT**  
15                   **CARDS.**

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

19                  “(E) BUDGET.—Each local educational  
20                  agency report card shall include the budget for  
21                  the school year for which such report card is  
22                  being prepared (including all revenues and ex-  
23                  penditures (including expenditures made to pri-  
24                  vate entities)) for the local educational agency  
25                  as a whole, and for each elementary school and

1 secondary school served by the local educational  
2 agency. In addition to the detailed budget infor-  
3 mation required under the preceding sentence,  
4 the agency shall include a separate fact sheet  
5 that summarizes such information in a clear  
6 and easily understandable format.”.

7 **SEC. 103. LOCAL EDUCATIONAL AGENCY PLAN ASSUR-**  
8 **ANCES.**

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

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

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

15 (3) by adding at the end the following:

16 “(8) meet the requirements described in section  
17 1111(g)(2)(O);

18 “(9) post on a publicly accessible website of the  
19 local educational agency or, if the local educational  
20 agency does not operate a website, widely dissemi-  
21 nate to the public, the plan for carrying out the par-  
22 ent and family engagement described in section  
23 1116 and all policies and procedures that result  
24 from such engagement;

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

10           “(11) ensure that each elementary school and  
11           secondary school served by the local educational  
12           agency provides to the parents of students enrolled  
13           at such school, before a person speaks (in-person or  
14           virtually) to such students in a class, school assem-  
15           bly, or any other school-sponsored event, notice that  
16           includes the name of the speaker and the name of  
17           the organization or other entity being represented by  
18           the speaker.”.

19   **SEC. 104. PARENTS RIGHT-TO-KNOW.**

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

22           (1) by redesignating paragraphs (1), (2), (3),  
23           and (4) as paragraphs (2), (3), (4), and (6), respec-  
24           tively;

1           (2) by inserting before paragraph (2) (as so re-  
2 designated), the following:

3           “(1) NOTICE OF RIGHTS.—A local educational  
4 agency receiving funds under this part shall ensure  
5 that each elementary school and secondary school  
6 served by such agency posts on a publicly accessible  
7 website of the school or, if the school does not oper-  
8 ate a website, widely disseminates to the public, a  
9 summary notice of the right of parents to informa-  
10 tion about their children’s education as required  
11 under this Act, which shall be in an understandable  
12 format for parents and include, at minimum—

13           “(A) the right to review, and make copies  
14 of, at no cost, the curriculum of their child’s  
15 school;

16           “(B) the right to know if the State alters  
17 the State’s challenging State academic stand-  
18 ards;

19           “(C) the right to meet with each teacher of  
20 their child not less than twice during each  
21 school year in accordance with paragraph  
22 (5)(A);

23           “(D) the right to review the budget, in-  
24 cluding all revenues and expenditures, of their  
25 child’s school;

1 “(E) the right to—

2 “(i) a list of the books and other read-  
3 ing materials available in the library of  
4 their child’s school; and

5 “(ii) inspect such books or other read-  
6 ing materials;

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

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

12 “(ii) charter schools; and

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

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

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

19 “(I) the right to information about any  
20 plans to eliminate gifted and talented programs  
21 in the child’s school;

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

24 “(K) the right to know if their child is not  
25 grade-level proficient in reading or language

1 arts at the end of the third grade as described  
2 in subsection (c)(10);

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

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

7 “(ii) allow a child to change the  
8 child’s sex-based accommodations, includ-  
9 ing locker rooms or bathrooms;

10 “(M) the right to know if—

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

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

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

17 “(III) treat, advise, or address a  
18 student’s mental health, suicidal idea-  
19 tion, or instances of self-harm;

20 “(IV) treat, advise, or address a  
21 specific threat to the safety of a stu-  
22 dent;

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



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

3                   “(ii) a child brings a weapon to  
4                   school; and

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

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

12                   (A) by redesignating clause (i) and clause  
13                   (ii) as subclause (I) and subclause (II), respec-  
14                   tively;

15                   (B) by striking “(B) ADDITIONAL INFOR-  
16                   MATION.—” and inserting:

17                   “(B) ADDITIONAL INFORMATION.—

18                   “(i) IN GENERAL.—”; and

19                   (C) by adding at the end the following:

20                   “(ii) SCHOOL LIBRARY.—A local edu-  
21                   cational agency receiving funds under this  
22                   part shall ensure that each elementary  
23                   school and secondary school served by such  
24                   agency provides the parents of each child  
25                   who is a student in such school—

1                   “(I) at the beginning of each  
2 school year, a list of books and other  
3 reading materials available in the li-  
4 brary of such school; and

5                   “(II) the opportunity to inspect  
6 such books and other reading mate-  
7 rials.

8                   “(iii) VIOLENT ACTIVITY.—A local  
9 educational agency receiving funds under  
10 this part shall ensure that each elementary  
11 school and secondary school served by such  
12 agency provides the parents of each child  
13 who is a student in such school timely noti-  
14 fication of any violent activity occurring on  
15 school grounds or at school-sponsored ac-  
16 tivities in which one or more individuals  
17 suffer injuries, except that such notifica-  
18 tion shall not contain names or the grade  
19 level of any students involved in the activ-  
20 ity.

21                   “(iv) GIFTED AND TALENTED PRO-  
22 GRAMS.—A local educational agency receiv-  
23 ing funds under this part shall ensure that  
24 each elementary school and secondary  
25 school served by such agency provides the

1 parents of each child who is a student in  
2 such school timely notification of any plan  
3 to eliminate gifted and talented programs  
4 in such school.”; and

5 (4) by inserting after paragraph (4) (as redesign-  
6 nated by paragraph (1)) the following:

7 “(5) TRANSPARENCY.—A local educational  
8 agency receiving funds under this part shall provide  
9 the parents of each child who is a student in an ele-  
10 mentary school or secondary school served by such  
11 agency—

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

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

20 “(B) the opportunity to address the school  
21 board of such local educational agency on issues  
22 impacting the education of children in such  
23 agency.”.

1 **SEC. 105. SENSE OF CONGRESS ON FIRST AMENDMENT**  
2 **RIGHTS.**

3 Title VIII of the Elementary and Secondary Edu-  
4 cation Act of 1965 (20 U.S.C. 7801 et seq.) is amended—

5 (1) by redesignating section 8549C as section  
6 8549D; and

7 (2) by inserting after section 8549B the fol-  
8 lowing new section:

9 **“SEC. 8549C. SENSE OF CONGRESS ON FIRST AMENDMENT**  
10 **RIGHTS.**

11 “(a) FINDINGS.—Congress finds the following:

12 “(1) Parents have a First Amendment right to  
13 express their opinions on decisions made by State  
14 and local education leaders.

15 “(2) States and local educational agencies  
16 should empower parents to communicate regularly  
17 with Federal, State, and local policymakers and edu-  
18 cators regarding the education and well-being of  
19 their children.

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

24 “(4) Parents’ concerns over content and peda-  
25 gogy deserve to be heard and fully considered by  
26 school professionals.

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

4           “(6) Educators, policymakers, elected officials,  
5           Executive Branch officials and employees, and other  
6           stakeholders should never seek to use law enforce-  
7           ment to criminalize the lawfully expressed concerns  
8           of parents about their children’s education, but  
9           should never hesitate to contact public safety offi-  
10          cials if there is a credible threat to the safety and  
11          security of students, parents, educators, policy-  
12          makers, elected officials, executive branch officials or  
13          employees, or other stakeholders, school faculty, or  
14          staff.

15          “(b) SENSE OF CONGRESS.—It is the sense of Con-  
16          gress that the First Amendment guarantees parents and  
17          other stakeholders the right to assemble and express their  
18          opinions on decisions affecting their children and commu-  
19          nities, and that educators and policymakers should wel-  
20          come and encourage that engagement and consider that  
21          feedback when making decisions.”.

1           **TITLE II—AMENDMENTS TO**  
2                           **FERPA AND PPRA**

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

5           (a) **ENFORCEMENT.**—Section 444(f) of the General  
6 Education Provisions Act (20 U.S.C. 1232g) (also known  
7 as the “Family Educational Rights and Privacy Act of  
8 1974”) (20 U.S.C. 1232g(f)) is amended by adding at the  
9 end the following: “The Secretary shall comply with the  
10 reporting requirement under section 445(e)(2)(C)(ii) with  
11 respect to the enforcement actions taken under this sub-  
12 section to ensure compliance with this section.”.

13           (b) **PROHIBITION ON EDUCATIONAL AGENCIES OR**  
14 **INSTITUTIONS ACTING AS AN AGENT OF A PARENT.**—Sec-  
15 tion 444 of the General Education Provisions Act (20  
16 U.S.C. 1232g) (also known as the “Family Educational  
17 Rights and Privacy Act of 1974”) is amended by adding  
18 at the end the following:

19           “(k) **PROHIBITION ON EDUCATIONAL AGENCIES OR**  
20 **INSTITUTIONS ACTING AS AGENT OF A PARENT FOR USE**  
21 **OF TECHNOLOGY.**—An educational agency or institution  
22 may not act as the agent of a parent of a student in at-  
23 tendance at a school of such agency or at such institution  
24 for purposes of providing verifiable parental consent for  
25 the use of technology in the classroom for purposes of edu-

1 eating the student without providing notice and an oppor-  
2 tunity for the parent to object to the use of such tech-  
3 nology.

4 “(l) PROHIBITION ON EDUCATIONAL AGENCIES OR  
5 INSTITUTIONS ACTING AS AGENT OF A PARENT FOR VAC-  
6 CINES.—An educational agency or institution may not act  
7 as the agent of a parent of a student in attendance at  
8 a school of such agency or at such institution for purposes  
9 of providing verifiable parental consent for a vaccina-  
10 tion.”.

11 (c) PROHIBITION ON SALE OF INFORMATION FOR  
12 COMMERCIAL PURPOSES.—Section 444 of the General  
13 Education Provisions Act (20 U.S.C. 1232g) (also known  
14 as the “Family Educational Rights and Privacy Act of  
15 1974”), as amended by this section, is further amended  
16 by adding at the end the following:

17 “(m) PROHIBITION ON SALE OF INFORMATION FOR  
18 COMMERCIAL PURPOSES.—

19 “(1) IN GENERAL.—Except as provided in para-  
20 graph (2), no educational agency or institution or  
21 authorized representative of such agency or institu-  
22 tion may sell student information for commercial or  
23 financial gain.

24 “(2) EXCEPTIONS.—The prohibition described  
25 in paragraph (1) shall not apply to products sold to

1 students by or on behalf of the educational agency  
2 or institution, such as yearbooks, prom tickets, and  
3 school pictures.”.

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

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

14 (e) DISCLOSURE OF INFORMATION.—Section 444 of  
15 the General Education Provisions Act (20 U.S.C. 1232g)  
16 (also known as the “Family Educational Rights and Pri-  
17 vacy Act of 1974”), as amended by this section, is further  
18 amended by adding at the end the following:

19 “(o) DISCLOSURE OF INFORMATION.—An edu-  
20 cational agency or institution or authorized representative  
21 of such agency or institution shall, upon request from a  
22 parent of a student, disclose to such parent the identity  
23 of any individual or entity with whom information is  
24 shared from the education record of the student or any  
25 response of the student to a survey.”.



1 **SEC. 202. PROTECTION OF PUPIL RIGHTS.**

2 (a) AVAILABILITY FOR INSPECTION BY PARENTS OR  
3 GUARDIANS.—Section 445(a) of the General Education  
4 Provisions Act (20 U.S.C. 1232h(a)) is amended to read  
5 as follows:

6 “(a) AVAILABILITY FOR INSPECTION BY PARENTS OR  
7 GUARDIANS.—A local educational agency (as such term  
8 is defined in subsection (c)(6)(C)) that receives funds  
9 under any applicable program shall ensure the following:

10 “(1) INFORMATION AVAILABLE.—Each of the  
11 following shall be available for inspection by the par-  
12 ents or guardians of the children in attendance at  
13 the schools served by such agency, and the avail-  
14 ability of each of the following for inspection shall  
15 not be conditioned on any requirement that such  
16 parents or guardians sign a nondisclosure agree-  
17 ment:

18 “(A) All instructional materials, including  
19 teacher’s manuals, films, tapes, or other supple-  
20 mentary material which will be used in such  
21 school or in connection with any survey, anal-  
22 ysis, or evaluation.

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

1           “(C) Any professional development mate-  
2           rials.

3           “(2) COMMENT PERIODS FOR PARENTS.—

4           “(A) IN GENERAL.—The agency shall pro-  
5           vide comment periods during which parents or  
6           guardians of the children in attendance at the  
7           schools served by the agency may inspect and  
8           provide feedback on any of the materials re-  
9           ferred to in paragraph (1) that—

10           “(i) are expected to be used to teach  
11           such children during the three weeks fol-  
12           lowing the comment period; or

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

16           “(B) FREQUENCY AND DURATION.—The  
17           comment periods described in subparagraph (A)  
18           shall be held not less frequently than once every  
19           three weeks during the school year and each  
20           comment period shall be not less than three  
21           school days in duration.”.

22           (b) SINGLE ISSUE NOTIFICATION.—Section 445(b) of  
23           the General Education Provisions Act (20 U.S.C. 1232h)  
24           is amended—

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

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

7 (c) DEVELOPMENT AND ADOPTION OF LOCAL POLI-  
8 CIES.—Section 445(c) of the General Education Provi-  
9 sions Act (20 U.S.C. 1232h(c)) is amended—

10 (1) in the subsection heading, by striking  
11 “PHYSICAL” and inserting “MEDICAL”;

12 (2) in paragraph (1)—

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

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

19 “(i) The right of a parent of a student  
20 to inspect, upon the request of the parent,  
21 any instructional material used as part of  
22 the educational curriculum for the student,  
23 and any books or other reading materials  
24 made available to the student in a school

1 served by the agency or through the school  
2 library; and”;

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

5 “(D) The administration of medical exami-  
6 nations or screenings that the school or agency  
7 may administer to a student, including—

8 “(i) prior notice to parents of such a  
9 medical examination or screening, and re-  
10 ceipt of consent from parents before ad-  
11 ministering such an examination or screen-  
12 ing; and

13 “(ii) in the event of an emergency  
14 that requires a medical examination or  
15 screening without time for parental notifi-  
16 cation and consent, the procedure for  
17 promptly notifying parents of such exam-  
18 ination or screening subsequent to such ex-  
19 amination or screening.”; and

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

22 “(E) The prohibition on the collection, dis-  
23 closure, or use of personal information collected  
24 from students for the purpose of marketing or  
25 for selling that information (or otherwise pro-

1           viding that information to others for that pur-  
2           pose), other than for a legitimate educational  
3           purpose to improve the education of students as  
4           described in paragraph (4), and the arrange-  
5           ments to protect student privacy that are pro-  
6           vided by the agency in the event of such collec-  
7           tion, disclosure, or use for such a legitimate  
8           educational purpose.”.

9           (d) PARENTAL NOTIFICATION.—Paragraph (2) of  
10          section 445(c) of the General Education Provisions Act  
11          (20 U.S.C. 1232h(c)) is amended—

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

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

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

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

19                         (B) by amending clause (ii) to read as fol-  
20                         lows:

21                                 “(ii) in the case of an activity de-  
22                                 scribed in clause (i) or (iii) of subpara-  
23                                 graph (D), offer an opportunity and clear  
24                                 instructions for the parent (or in the case  
25                                 of a student who is an adult or emanci-

1 pated minor, the student) to opt the stu-  
2 dent out of participation in such activity;”;  
3 and

4 (C) by adding at the end the following:

5 “(iii) in the case of an activity de-  
6 scribed in subparagraph (D)(i), a descrip-  
7 tion of how such activity is for a legitimate  
8 educational purpose to improve the edu-  
9 cation of students as described in para-  
10 graph (4); and

11 “(iv) not require a student to submit  
12 to a survey described in subparagraph  
13 (D)(ii) without the prior written consent of  
14 the student (if the student is an adult or  
15 emancipated minor), or in the case of an  
16 unemancipated minor, without the prior  
17 written consent of the parent, which is pro-  
18 vided specifically for such survey.”;

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

21 “(A) PARENTAL CONSULTATION.—The pa-  
22 rental consultation required for the purpose of  
23 developing and adopting policies under para-  
24 graphs (1) and (3) by a local educational agen-  
25 cy shall ensure that such policy is developed

1 with meaningful engagement by parents of stu-  
2 dents enrolled in schools served by that agen-  
3 cy.”; and

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

6 (A) by amending clause (i) to read as fol-  
7 lows:

8 “(i) Activities involving the collection,  
9 disclosure, or use of personal information  
10 collected from students for a legitimate  
11 educational purpose to improve the edu-  
12 cation of students as described in para-  
13 graph (4).”; and

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

16 (e) UPDATES TO EXISTING POLICIES.—Paragraph  
17 (3) of section 445(c) of the General Education Provisions  
18 Act (20 U.S.C. 1232h(c)) is amended to read as follows:

19 “(3) UPDATES TO EXISTING POLICIES.—

20 “(A) IN GENERAL.—Not later than 180  
21 days after the date of enactment of the Parents  
22 Bill of Rights Act, a local educational agency  
23 that receives funds under any applicable pro-  
24 gram shall—

1 “(i) review policies covering the re-  
2 quirements of paragraph (1) as in effect on  
3 the day before such date of enactment; and

4 “(ii) develop and update such policies  
5 to reflect the changes made to paragraph  
6 (1) by the amendments made by the Par-  
7 ents Bill of Rights Act.

8 “(B) CONSULTATION AND NOTIFICA-  
9 TION.—In developing and updating the policies  
10 under subparagraph (A), the agency shall com-  
11 ply with the consultation and notification re-  
12 quirements under paragraph (2).”.

13 (f) EXCEPTIONS.—Paragraph (4)(A) of section  
14 445(c) of the General Education Provisions Act (20  
15 U.S.C. 1232h(c)) is amended by amending the matter pre-  
16 ceding clause (i) to read as follows:

17 “(A) EDUCATIONAL PRODUCTS OR SERV-  
18 ICES.—For purposes of paragraph (1)(E), the  
19 collection, disclosure, or use of personal infor-  
20 mation collected from students for a legitimate  
21 educational purpose to improve the education of  
22 students means the exclusive purpose of devel-  
23 oping, evaluating, or providing educational  
24 products or services for, or to, students or  
25 schools, such as the following:”.



1 (g) DEFINITIONS.—Paragraph (6) of section 445(c)  
2 of the General Education Provisions Act (20 U.S.C.  
3 1232h(c)) is amended—

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

6 “(B) MEDICAL EXAMINATION OR SCREEN-  
7 ING.—The term ‘medical examination or screen-  
8 ing’ means any medical examination or screen-  
9 ing that involves the exposure of private body  
10 parts, or any act during such examination or  
11 screening that includes incision, insertion, or in-  
12 jection into the body, or a mental health or sub-  
13 stance use disorder screening, except that such  
14 term does not include a hearing, vision, or scoli-  
15 osis screening, or an observational screening  
16 carried out to comply with child find obligations  
17 under the Individuals with Disabilities Edu-  
18 cation Act (20 U.S.C. 1400 et seq.).”; and

19 (2) in subparagraph (E)—

20 (A) in clause (iii), by striking “or”;

21 (B) in clause (iv), by striking the period at  
22 the end and inserting “; or”; and

23 (C) by adding at the end the following:

24 “(v) an email address.”.

1 (h) ENFORCEMENT AND REPORTING.—Subsection  
2 (e) of section 445 of the General Education Provisions Act  
3 (20 U.S.C. 1232h) is amended to read as follows:

4 “(e) ENFORCEMENT AND REPORTING.—

5 “(1) ENFORCEMENT.—The Secretary shall take  
6 such action as the Secretary determines appropriate  
7 to enforce this section, except that action to termi-  
8 nate assistance provided under an applicable pro-  
9 gram shall be taken only if the Secretary determines  
10 that—

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

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

15 “(2) REPORTING.—

16 “(A) LOCAL EDUCATIONAL AGENCIES.—  
17 On an annual basis, each local educational  
18 agency (as such term is defined in subsection  
19 (c)(6)(C)) that receives funds under any appli-  
20 cable program shall—

21 “(i) without identifying any personal  
22 information of a student or students, re-  
23 port to the State educational agency any  
24 enforcement actions or investigations car-

1           ried out for the preceding school year to  
2           ensure compliance with this section; and

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

7                   “(B) STATES.—On an annual basis, each  
8           State educational agency shall provide to the  
9           Secretary a report, with respect to the pre-  
10          ceding school year, that includes all actions  
11          local educational agencies have reported under  
12          subparagraph (A), and a description of the en-  
13          forcement actions the State educational agency  
14          took to ensure parents’ rights were protected.

15                   “(C) SECRETARY.—Not later than 1 year  
16          after the date of enactment of the Parents Bill  
17          of Rights Act, and annually thereafter, the Sec-  
18          retary shall submit to the Committee on Edu-  
19          cation and the Workforce of the House of Rep-  
20          resentatives and the Committee on Health,  
21          Education, Labor, and Pensions of the Sen-  
22          ate—

23                           “(i) the reports received under sub-  
24          paragraph (B); and

1 “(ii) a description of the enforcement  
2 actions taken by the Secretary under this  
3 subsection and section 444(f) to ensure full  
4 compliance with this section and section  
5 444, respectively.”.

6 **TITLE III—PROHIBITION ON**  
7 **FEDERAL INVOLVEMENT IN**  
8 **CURRICULUM**

9 **SEC. 301. RULE OF CONSTRUCTION.**

10 Nothing in this Act may be construed to authorize  
11 any department, agency, officer, or employee of the United  
12 States to exercise any direction, supervision, or control  
13 over the curriculum, program of instruction, administra-  
14 tion, or personnel of any educational institution, school,  
15 or school system.

16 **TITLE IV—GENDER MARKERS,**  
17 **PRONOUNS, AND PREFERRED**  
18 **NAMES ON SCHOOL FORMS**

19 **SEC. 401. REQUIREMENT RELATED TO GENDER MARKERS,**  
20 **PRONOUNS, AND PREFERRED NAMES ON**  
21 **SCHOOL FORMS.**

22 As a condition of receiving Federal funds, any ele-  
23 mentary school (as such term is defined in section 8101  
24 of the Elementary and Secondary Education Act of 1965  
25 (20 U.S.C. 7801)) or school that consists of only middle

1 grades (as such term is defined in such section), that re-  
2 ceives Federal funds shall be required to obtain parental  
3 consent before—

4 (1) changing a minor child’s gender markers,  
5 pronouns, or preferred name on any school form; or

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

9 **TITLE V—ACCESS TO SCHOOL**  
10 **BROADBAND**

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

12 It is the sense of Congress that all public elementary  
13 and public secondary school students should have access  
14 to broadband.

15 **TITLE VI—SENSE OF CONGRESS**

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

17 It is the sense of Congress that all public elementary  
18 school and secondary school students should have opportu-  
19 nities to learn the history of the Holocaust and anti-Semi-  
20 tism.

