

LC003298

**IN GENERAL ASSEMBLY**

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RELATING TO EDUCATION -- RIGHTS OF PARENTS AND GUARDIANS IN PUBLIC  
EDUCATIONAL INSTRUCTION ACT

Referred To: Senate Education

1           SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by  
2   adding thereto the following chapter:

ACT

This chapter shall be known and may be cited as the "Rights of Parents and Guardians in Public Educational Instruction Act."

It is the purpose of this chapter to enable parents and guardians to have a voice in the materials taught to their kindergarten through grade twelve (K-12) children.

As used in this chapter, the following words and terms shall have the following meanings

unless the context shall clearly indicate another or different meaning or intent:

(1) "Lesson plan" means the daily, weekly, or other routinely produced guide, description  
or outline of the instruction to be provided by a teacher to students at school.

(2) "Objects to any learning material or activity on the basis that the material or activity is harmful" means objecting to the material or activity because of sexual content, violent content or

profane or vulgar language.

(3) "Procedures or processes" means procedures or processes that may vary by subject, area or grade.

(4) "Public educational institution" means any of the following:

(i) A school district, including its schools; or

(ii) A charter school.

(5) "Used for student instruction" means:

(i) Assigned, distributed or otherwise presented to students in any course for which students receive academic credit or in any educational capacity in which the school requires the student body to participate or in which a majority of students, in a given grade level, participate; and

(ii) Includes learning materials or activities from which students are required to choose one or more from a selection of materials that is restricted to specific titles.

**16-117-4. Publication and posting by municipality.**

(a) Every municipality shall publish or prominently place on the municipal website, at least annually, a directory summarizing the subject matter of all currently applicable ordinances, codes and substantive policy statements. The municipality shall keep copies of the directory and all substantive policy statements at one location. The directory, ordinances, codes and substantive policy statements and any materials incorporated by reference in the documents shall be open to public inspection at the office of the municipality or posted on the municipal website.

(b) The municipality may post on its website links to the website of each school that posts materials pursuant to this chapter and that is located within the municipality

**16-117-5. Parents' and guardians' rights in educational materials.**

(a) A parent or guardian of a student in a public educational institution has the right to review learning materials and activities in advance. A parent or guardian who objects to any learning material or activity on the basis that the material or activity is harmful may request to withdraw their student from the activity or from the class or program in which the material is used and request an alternative assignment.

(b) To ensure a parent's or guardian's right to review learning materials and activities as described in subsection (a) of this section, beginning in the 2026-2027 school year, each school committee or school district governing board and charter school governing body shall ensure that each school under its authority prominently discloses on a publicly accessible portion of its website all of the following:

(1) The procedures or processes in effect at the school for a parent or guardian to access in advance to review the current learning materials and activities used for student instruction at the

1 school;

2 (2) The procedures or processes in effect for the school principal or other staff to document,

3 review or approve lesson plans or the learning materials and activities used for student instruction

4 or teacher training at the school and any change in those procedures or processes from the prior

5 year;

6 (3) A listing of the learning materials and activities used for instruction at the school in the

7 current year, including the following, organized, at a minimum, by subject area and grade:

8 (i) Textbooks, articles and other required reading materials;

9 (ii) Videos and audio recordings;

10 (iii) Digital materials;

11 (iv) Websites;

12 (v) Online applications for a phone, laptop or tablet;

13 (vi) Instructional handouts and worksheets;

14 (vii) Grade level or school wide assemblies;

15 (viii) Guest lecturers;

16 (ix) Action-oriented civics learning assignments or projects, including the contacting of

17 elected officials, advocating for or commenting on a political or social issue or participating in

18 political or social demonstrations;

19 (x) Service-learning, internships or other forms of collaboration with outside organizations

20 after regular school hours for course credit or as a class project or assignment; and

21 (xi) Other educational events facilitated by the school's staff, including those events

22 conducted by outside individuals or organizations;

23 (4) A listing of the teacher training materials and activities used at the school in the current

24 year;

25 (5) A listing of available resources in the school library at each school that maintains a

26 catalog or documented inventory of those resources; and

27 (6) A copy of each survey or the full text of any question included on a survey administered

28 at the school that solicits personal information about a student, and that requires the authorization

29 of the school district or charter school.

30 (c) The information required by this section shall be displayed online at least seven (7)

31 days before the start of each school year, if available, or, at the latest, three (3) calendar days before

32 the first use of each training or learning material or activity, survey or library resource in the current

33 year. Information posted pursuant to this section may be posted on an ongoing basis; provided that,

34 parents or guardians are notified of additions made during the school year at least three (3) calendar

days before the first use of the material or activity. The listing of materials shall remain accessible via the school website until at least the conclusion of the following school year.

(d) In preparing the listing of learning materials and activities, the school:

(1) Shall list the information necessary to identify the specific learning materials and activities used for student instruction, including at least the title and the author, organization or Internet address associated with each learning material and activity. A short description of the learning material or activity may be included as necessary. This section does not require:

(i) The digital reproduction of the learning materials or activities;

(ii) The disclosure of academic assessments; or

(iii) The separate reporting of individual components of learning materials that are produced as a single volume, except that for digital volumes containing works by multiple authors, the school shall provide either a table of contents or Internet address that discloses the discrete works and authors contained within the volume. Articles, videos or other materials from websites shall be identified, if possible, with an Internet address specific to the relevant content used for student instruction;

(2) May use collaborative online document or spreadsheet software that allows multiple authorized users to update or make additions to posted content on an ongoing basis; provided that, the information is publicly accessible via a posted link on the school website; and

(3) May satisfy the requirements of this section by posting a copy or the full text of the lesson plans submitted to the school principal or other staff by instructors at the school in the current year; provided that, any learning materials and activities not recorded on the lesson plans are also listed via a publicly accessible portion of the school website.

**16-117-6. Waiver.**

(a) A charter school may require parents or guardians to waive the right to object to learning materials or activities pursuant to this chapter as a condition of enrollment if the charter school provides a complete list of books and materials to be used each school year before the student enrolls. If the charter school introduces books or materials that were not disclosed prior to enrollment, the parent or guardian retains the right to object to those materials pursuant to this chapter.

(b) A charter school may require that any request to review learning materials or activities or to withdraw the student from learning materials or activities pursuant to this chapter be made in writing.

(c) A public educational institution shall obtain signed, written consent from a student's parent or guardian before doing either of the following:

1       (1) Using video, audio or electronic materials that may be inappropriate for the age of the  
2 student; or

3       (2) Providing sex education instruction to the student. At the same time the public  
4 educational institution seeks consent, it shall inform the student's parent or guardian of their right  
5 to review the learning materials and activities.

6       (d) This section does not require a school to post or distribute a training or learning material  
7 or activity in a manner that would constitute an infringement of copyright under the copyright act  
8 (P. L. 94-553; 90 stat. 2541 to 2598; 17 USC §§ 101 to 1332).

9       **16-117-7. Remedies.**

10       (a) The parent or guardian may not initiate legal action to enforce this chapter unless the  
11 party adheres to the following process:

12       (1) The party shall submit a complaint in writing with the specific facts of the alleged  
13 violation to the principal of the school. The principal shall investigate the complaint and respond  
14 in writing, including a description of any action taken to resolve the complaint, within fifteen (15)  
15 days after receiving the written complaint.

16       (2) If the action taken by the principal of the school does not resolve the complaint, the  
17 party shall submit a complaint in writing with the specific facts of the alleged violation to the school  
18 district governing board or charter school governing body or the administrator designated by the  
19 governing board or governing body. The school district governing board, charter school governing  
20 body or designated administrator shall investigate the complaint and respond in writing, including  
21 a description of any action taken to resolve the complaint, within twenty-five (25) days after  
22 receiving the written complaint.

23       (3) If the action taken by the school district governing board, charter school governing  
24 body or designated administrator does not resolve the complaint, the party may pursue legal action  
25 to enforce this chapter.

26       (4) If a complaint is not resolved after pursuing resolution pursuant to this section, the parent  
27 or guardian may initiate a suit in superior court to bring action for injunctive relief to compel the  
28 school district or charter school to bring the school into compliance with this chapter.

29       **16-117-8. Liberal construction.**

30       This chapter, being necessary for the welfare of the state and its inhabitants, shall be  
31 liberally construed in order to effectuate its purposes.

32       **16-117-9. Severability.**

33       If any clause, sentence, paragraph, section, or part of this chapter shall be adjudged by any  
34 court of competent jurisdiction to be invalid, that judgment shall not affect, impair, or invalidate

1 the remainder of the chapter but shall be confined in its operation to the clause, sentence, paragraph,  
2 section, or part directly involved in the controversy in which that judgment shall have been  
3 rendered.

4           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION -- RIGHTS OF PARENTS AND GUARDIANS IN PUBLIC  
EDUCATIONAL INSTRUCTION ACT

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1           This act would enable parents and guardians to review public school learning materials in  
2   advance and object if they decide that the material is harmful. The act would provide that a parent  
3   or guardian may then withdraw their student from the activity or class, where the material is used  
4   and request an alternative assignment. The act would also require, that in order to ensure the  
5   parent's or guardian's rights, every school committee or charter school governing body shall  
6   disclose on their website a list of the learning materials and activities used for instruction organized  
7   by subject area and grade level.

8           This act would take effect upon passage.

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