

FAMILY ISSUE FACT SHEET

NO. 2020-03 (JANUARY 2020)

SB 1061 SCHOOLS; PARENTAL RIGHTS; POSTING

EXECUTIVE SUMMARY

Parents possess the fundamental right to direct the upbringing, education, and health care of their children. The U.S. Supreme Court has repeatedly recognized this right. Arizona's Parents' Bill of Rights (ARS 1-601, -602) and various provisions in Title 15 recognize these rights. However, many parents are not fully aware of their rights, especially as it relates to their child's education. SB 1061 makes it easier for parents with children in district and charter schools to know their parental rights under Arizona law.

WHAT DOES THE BILL DO?

SB 1061 requires the Arizona Department of Education to create and post on its website a statutory handbook of parental rights. The handbook must include the text of the following statutes:

- 1-601 and 1-602 (Parents' Bill of Rights)
- 15-102 (Parental involvement; various education-related rights)
- 15-110 (Religious freedom for students in public schools)
- 15-113 (Right of parents to withdraw child from harmful materials or activities)
- 15-117 (Parental permission before administering survey to student)
- 15-351 (School council consisting of parents, teachers, community members and others)
- 15-721 (School board selection of courses of study and textbooks; elementary school)
- 15-722 (School board selection of courses of study and textbooks; high school)
- 15-730 (Parental right to access instructional materials)

Each district and charter school must "prominently post on a publicly accessible portion of its website a link" to the handbook.

TALKING POINTS

1. **Parents possess the fundamental right to direct the upbringing, education, and health care of their children.** However, many parents are not fully aware of their rights under Arizona law. SB 1061 will help parents understand and defend their fundamental rights as parents.

2. **Parental rights do not end when school begins.** Arizona law explicitly protects the rights of parents to direct their children’s education, even within the public school system. SB 1061 is a simple notification bill. It provides parents the information they need to make the best decisions for their child’s education.
3. **Arizona provides strong parental rights in public education.** Parents have the right to access textbooks and instructional materials, as well as religious freedom, and the ability to pull students from certain situations. **But those rights are worthless if parents are unaware of them.** SB 1061 simply notifies parents of their existing rights.

CONCLUSION

Parents possess the fundamental right to direct the upbringing, education, and health care of their children. SB 1061 makes it easier for parents with children in district and charter schools to know their parental rights under Arizona law.