

BILL ANALYSIS

Senate Research Center

S.J.R. 29
By: Paxton
Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In choosing professional educators to facilitate their child's education, parents do not cede their right to educate their child. Therefore, the right for parents to be the ultimate decider of their child's education should be enumerated in the Texas Constitution.

Parental rights listed in S.J.R. 29 include the right to direct the education of the parent's child, such as to:

- Make choices within the public school system, or to choose an alternative educational setting, including private, parochial, or home school;
- Access and view instructional materials and library books;
- Attend meetings of a public school's governing body; and
- Access the public school's records regarding their child, including the child's health records.

S.J.R. 29 proposes a constitutional amendment to be decided upon on the November 2023 ballot. Texans voter may vote for or against the proposition which shall read: "The constitutional amendment establishing a parent's right to direct a child's education."

S.J.R. 29 proposes a constitutional amendment establishing a parent's right to direct a child's education.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article I, Texas Constitution, by adding Section 36, as follows:

Sec. 36. (a) Defines "parent."

(b) Provides that a parent has the right to direct the education of the parent's child, including the right to:

- (1) make reasonable choices within the public school system;
- (2) choose an alternative to public education, including a private school, parochial school, or home school;
- (3) access and view public school teaching materials, textbooks and other instructional materials, and library books;
- (4) attend meetings of the governing body of a public school;

(5) access public school student records for the parent's child, including the child's student health records; and

(6) access and view academic assessment instruments, including state-mandated academic assessment instruments, provided the access and viewing of the assessment may be controlled to protect the security of the assessment prior to the administration of the assessment.

(c) Prohibits the rights described by Subsection (b) of this section from being denied or restricted because the parent or the child is an individual with a disability.

(d) Authorizes the legislature by general law to provide for processes to ensure that the rights described by Subsection (b) of this section are upheld.

SECTION 2. Requires that the proposed constitutional amendment be submitted to the voters at an election to be held November 7, 2023. Sets forth the required language of the ballot.