

A Resolution in Support of Parental Rights

\_\_\_\_\_ <sup>1</sup> Public Schools

A resolution to affirm the commitment of the \_\_\_\_\_ School Board to the fundamental rights of parents to direct the education of their children.

WHEREAS, parents are in the best position to know their own child’s needs and circumstances, and therefore, should maintain authority over all decisions that could impact the health and well-being of their children; and

WHEREAS, the fundamental right of parents over the upbringing of their children has been unequivocally established in the United States,<sup>2</sup> and the natural fundamental right of parents to determine and direct the care, teaching, and education of their children has always been a cornerstone declaration in Virginia law;<sup>3</sup> and

WHEREAS, the \_\_\_\_\_ School Board recognizes § 1-240.1 of the Code of Virginia entitled the “Rights of Parents” which emphatically states “a parent has a fundamental right to make decisions concerning the upbringing, education, and care of the parent's child”, and

WHEREAS, the \_\_\_\_\_ School Board believes that all academic success begins by embracing these fundamental parental rights in our educational institutions; and

WHEREAS, it is essential that parents’ voices are respected and incorporated into the development of academic curricula to ensure that their children are receiving an appropriate education; and

WHEREAS, one of the \_\_\_\_\_ Public School Division’s stated policies is to “recognize that the education of each student is a responsibility shared by the school and the student’s family”; and<sup>4</sup>

WHEREAS, the \_\_\_\_\_ School Board believes that education must focus on academic subjects, and, without exception, should not include personal bias, personal political opinion, or indoctrination; and

WHEREAS, the \_\_\_\_\_ School Board believes that any parent has the right to see and evaluate all surveys, data collection, and psychological profiling before they are administered to \_\_\_\_\_ students and that parents have the right to ‘opt out’ of any or all such testing, participation, and/or data collection; and<sup>5</sup>

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<sup>1</sup> Insert name of City/County School Board, here and all blanks following.

<sup>2</sup> See, e.g., *Meyer v. Nebraska*, 262 U.S. 390 (1923), *Pierce v. Society of Sisters*, 268 U.S. 510 (1925), *Wisconsin v. Yoder*, 406 U.S. 205 (1972), and *Troxel v. Granville*, 530 U.S. 57 (2000).

<sup>3</sup> See, e.g., *L.F. v. Breit*, 736 SE 2d 711 (Va. 2013).

<sup>4</sup> Note that this paragraph is optional and should be included if the school district does have such a policy but will be dependent on the exact wording of any such policy. If the school district does not have such a policy, this paragraph should be removed.

<sup>5</sup> Note that this paragraph may need to be re-worded to account for state law regarding curriculum opt-out. Recommend talking to school district counsel to determine best wording.

WHEREAS, as a governmental entity in the Commonwealth of Virginia, the \_\_\_\_\_ School Board must adhere to §1-240.1 of the Code of Virginia in all of its practices;

NOW, THEREFORE, BE IT RESOLVED that the \_\_\_\_\_ School Board affirms our commitment to the fundamental rights of parents to direct the education of their children, including the right to play a central role in what their children are learning; and

BE IT FURTHER RESOLVED that the \_\_\_\_\_ School Board, Administration, and employees will uphold the traditional partnership between teachers, students, and parents by directly communicating with and involving parents in the education of their children.