A Resolution in Support of Parental Rights

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_[[1]](#footnote-1) 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;[[2]](#footnote-2) and

WHEREAS, the \_\_\_\_\_\_\_\_\_\_\_ School Board recognizes Idaho Code § 32-1010 – 1014, titled the “Idaho Parental Rights Act,” which emphatically declares in § 32-1010(2) – (5) that “[t]he interests and role of parents in the care, custody and control of their children are both implicit in the concept of ordered liberty and deeply rooted in our nation’s history and tradition. They are also among the unalienable rights retained by the people under the ninth amendment to the constitution of the United States. The interests of the parents include the high duty and right to nurture and direct their children’s destiny, including their upbringing and education. The state of Idaho has independent authority to protect its parents’ fundamental right to nurture and direct their children’s destiny, upbringing and education. The protections and rights recognized in sections 32-1011 through 32-1014, Idaho Code, are rooted in the due process of law guaranteed pursuant to section 13, article I, of the constitution of the state of Idaho.”; and further declares in § 32-1011 that “[p]arents who have legal custody of any minor child or children have the fundamental right to make decisions concerning their care, custody and control.”; and further declares in § 32-1012 that “[p]arents who have legal custody of any minor child or children have the fundamental right and duty to make decisions concerning their education…”; 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, 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 recognizes its duties under Idaho law, including Idaho Code § 32-1010 – 1014, the “Idaho Parental Rights Act,” and 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, survey participation, and/or data collection; and[[3]](#footnote-3)

WHEREAS, as a governmental entity in the State of Idaho, the \_\_\_\_\_\_\_\_\_\_\_\_ School Board must adhere to Idaho law, including Idaho Code § 32-1010 – 1014, the “Idaho Parental Rights Act,” 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 it is 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.

1. Insert name of City/County School Board, here and all blanks following. [↑](#footnote-ref-1)
2. *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); *Parham v. J.R.,* 442 U.S. 584 (1979);and *Troxel v. Granville,* 530 U.S. 57 (2000). [↑](#footnote-ref-2)
3. 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. [↑](#footnote-ref-3)