



**SB 518 Sen. Theresa Manzella**  
**Revise Parental rights laws to increase parental involvement in education**  
**Chapter: 693 Effective Date(s): May 19, 2023, Secs. 1-6, July 1, 2023**

SB 518 amends sections 20-5-103, 25-1-202, MCA.

SB 518 revises laws involving parental rights in education. 54 | Page SB 518 imposes requirements on school districts boards of trustees to work with parents, teachers, and administrators to develop and adopt policies for involvement of parents of children in the district and establishes a non-exclusive list of multiple goals to be met. These goals include: • Improving cooperation on homework, attendance, and discipline, • educating parents on governance, • procedures for parents to learn their children’s course of study, • procedures for parents to opt their children out of instructions and other events which violate the parent’s beliefs, • procedures by which parents may learn about student extracurricular activities, • procedures for parents to be informed before students choose their pronouns, and • procedures for educating parents on their rights and responsibilities under the laws of MT SB 518 provides for statutory construction, indicating the parental rights established are more extensive than those listed in section 40-6-701, MCA. SB 518 dictates that section 40-6-701, MCA, must be construed to favor broad protection of fundamental rights of parents to raise and make decisions for their children, and that no provision of SB 518 may be construed to authorize a governmental entity to burden these rights. SB 518 imposes a duty on the school district board of trustees to provide information on educational opportunities to students and families. School district board of trustees must develop, update, and annually provide students and families with information on educational opportunities within the district. Requirements for what this information must minimally include are listed, including:

- Evaluation and identification of children with disabilities,
- admission to school beginning at age 5,
- proficiency-based learning opportunities; information regarding participation of all students, including nonpublic and home school students, in extracurricular activities,
- information regarding access to remote instruction,
- information on out-of-district attendance options,
- information regarding availability of funding to support student access to advanced opportunities,
- information regarding career and technical education opportunities,
- information regarding early college/college credit opportunities, and
- other opportunities.

Additional language in SB 518 requires that the boards of trustees and their organizations must communicate and collaborate with the education interim committee to demonstrate implementation of these requirements and identify additional opportunities for communicating available programs to students and families. SB 518 modifies section 20-5-13, MCA, Compulsory Attendance and Excuses. The modification grants an excuse from compulsory attendance under section 40-6-701, MCA, Interference with Fundamental Parental Rights Restricted – Cause of Action. SB 518 amends section 25-1-202, MCA, regarding additional filing fees, by raising filing fee in a civil action in district court from \$5 to \$6.

