

CONCURRENT RESOLUTION ON EDUCATION

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karianne Lisonbee

Senate Sponsor: John D. Johnson

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12	Joel Ferry	Adam Robertson	
13	Francis D. Gibson	Mike Schultz	

LONG TITLE

General Description:

This concurrent resolution addresses issues relating to the education of children.

Highlighted Provisions:

This resolution:

- ▶ reaffirms that the state is secondary to and supportive of the primary role of a parent in educating the parent's children; and
- ▶ recognizes the importance of flexibility in education schedules and systems and commits to support options for parents and children.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, Section 62A-4a-201 of the Utah Code establishes that under "both the

29 United States Constitution and the constitution of this state, a parent possesses a fundamental
30 liberty interest in the care, custody, and management of the parent's children";

31 WHEREAS, Section [62A-4a-201](#) also states that a parent has the "right, obligation,
32 responsibility, and authority" to educate the parent's children;

33 WHEREAS, the law also makes clear that the state's role in education is "secondary and
34 supportive to the primary role of a parent";

35 WHEREAS, Utah's Public and Private Education Systems have demonstrated their
36 ability to provide, and the importance of, flexibility in education schedules and systems and of
37 adapting to different learning styles;

38 WHEREAS, Section [53G-6-204](#) fully exempts a child from compulsory education if the
39 child's parent elects to enroll the child in private school or to home school the child;

40 WHEREAS, "pandemic pods," private schools, home schools, tutors, and other
41 alternative educational systems have provided families additional options to support their
42 child's education during the ongoing COVID-19 pandemic;

43 WHEREAS, state law regarding education should be accommodating of different
44 learning options and family preferences, and always be "secondary and supportive" to the
45 parent's decision; and

46 WHEREAS, parents and families are best served when they have many options from
47 which to choose to match educational opportunities to the specific needs and interests of their
48 children:

49 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
50 Governor concurring therein, reaffirms that the state of Utah is secondary and supportive to the
51 primary role of a parent in educating the parent's children.

52 BE IT FURTHER RESOLVED that the Legislature, the Governor concurring therein,
53 recognizes the importance of flexibility in education schedules and systems and commits to
54 continue to support options for parents and children.