

¶ Approved for Filing: R.H. Rees ¶

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1 CONCURRENT RESOLUTION ON EDUCATION

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Karianne Lisonbee**

5 Senate Sponsor: John D. Johnson

7 LONG TITLE**8 General Description:**

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

10 Highlighted Provisions:

11 This resolution:

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

16 Special Clauses:

17 None

*18 Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*19 WHEREAS, Section 62A-4a-201 of the Utah Code establishes that under "both the
20 United States Constitution and the constitution of this state, a parent possesses a fundamental
21 liberty interest in the care, custody, and management of the parent's children";22 WHEREAS, Section 62A-4a-201 also states that a parent has the "right, obligation,
23 responsibility, and authority" to educate the parent's children;24 WHEREAS, the law also makes clear that the state's role in education is "secondary and
25 supportive to the primary role of a parent";

26 WHEREAS, Utah's Public and Private Education Systems have demonstrated their



28 ability to provide, and the importance of, flexibility in education schedules and systems and of
29 adapting to different learning styles;

30 WHEREAS, Section 53G-6-204 fully exempts a child from compulsory education if the
31 child's parent elects to enroll the child in private school or to home school the child;

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

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

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

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

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