

1 **CONCURRENT RESOLUTION ON EDUCATION**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Karianne Lisonbee**

5 Senate Sponsor: John D. Johnson

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**LONG TITLE**

7 **General Description:**

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

9 **Highlighted Provisions:**

10 This resolution:

11 ▶ reaffirms that the state is secondary to and supportive of the primary role of a parent  
12 in educating the parent’s children; and

13 ▶ recognizes the importance of flexibility in education schedules and systems and  
14 commits to support options for parents and children.

15 **Special Clauses:**

16 None

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

18 WHEREAS, Section [62A-4a-201](#) of the Utah Code establishes that under "both the  
19 United States Constitution and the constitution of this state, a parent possesses a fundamental  
20 liberty interest in the care, custody, and management of the parent's children";

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

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

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