

Public Schools, Not Private Ones, Protect Parental Rights

Parental rights are at the center of many heated debates over public education right now. Of course, passionate discourse on important K-12 topics should be viewed as a good thing. Since 1876 when public schools were first established in Texas, debate and community input have played a key role in helping ensure our public schools remain responsive to the parents and community members they serve.

Some special interest groups, though, have recently co-opted the topic of parental rights for their own political goals — the privatization of schools. These organizations argue that school vouchers will enhance the rights of Texas parents by allowing families to choose to have public funds follow their student to a school of their choice — including private and parochial schools. While that may sound good on paper, this claim doesn't hold up. The fact is that **Texas parents who accept a voucher would lose out on a long list of important [Parental Rights](#)** outlined in Texas state education code and in federal law.

Simply put, taxpayer-funded school vouchers are a bad deal for parents and students.

Here's a look at some key rights and protections that Texas parents would forfeit if they chose to participate in a state-funded voucher program and send their child to a private or parochial school:

Parental Rights and Protections	Public Schools	Private Schools
Right to review their child's educational records and request corrections	Yes	No
Right to be notified of incidents of bullying	Yes	No
Right to receive their child's academic progress report	Yes	No
Protection of student and family privacy	Yes	No
Right to review a school's performance data	Yes	No
Right to weigh in on district and school matters	Yes	No
Protection of their child from discrimination	Yes	No
Protection of their family's faith	Yes	No
Right to receive a free education for their child	Yes	No

Parental Right To Review Their Child's Educational Records and Request Corrections

Parents of public school students have the legal right to inspect their child's educational records and to request updates or corrections as outlined under the [Family Educational Rights and Privacy Act](#) (FERPA, 1974).

In contrast, this core parental right and protection does NOT apply to most private school parents. Not only are most parents of students in private schools not afforded any rights under FERPA, but they also have no rights to information about their child's academic progress or educational records.

Parental Right To Be Notified of Their Child's Academic Progress And/or Incidents of Bullying

Strict laws exist requiring that public schools notify parents if their child is being bullied or is at risk of failing coursework. Public school parents are also guaranteed the right to conference with teachers and be provided with information on teacher qualifications.

None of these parental rights and protections are required of private schools.

Parental Right to Protection of Student and Family Privacy

Also, under [FERPA](#), parents of public school students can be assured that their student's education record will stay private, unless the school receives written permission to share information with other educational organizations. Parents also have the right to request that other information about their student and family not be disclosed. This includes their student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance.

Most private schools do not operate under the same legal requirements. While some private schools may have established policies in place to protect the privacy of students and families, there is no legal requirement or oversight of these campus-based policies.

Parental Right To Review School Performance Data

Unlike private schools, public school districts are subject to academic accountability, which rates each school based on standardized tests; graduation rates; and college, career, and military readiness outcomes. These ratings, which must be publicly shared and readily available, provide a wealth of information on student achievement, school progress, and whether campuses are closing achievement gaps among various student groups.

In stark contrast, private schools are under no legal obligation to share academic performance information with parents, making it extremely difficult for parents to evaluate the quality of private schools in preparing students for graduation and careers.

Parental Right To Weigh In on District and School Matters

Public school districts, which are governed by locally elected boards of trustees, offer all parents and community members the right to observe and comment at public meetings under the Texas Open Meetings Act. In addition, the Texas Education Code also provides a variety of rights to public school parents, not the least of which is Chapter 26 that states parents “are partners with educators, administrators, and school district boards of trustees in their children’s education.”

This type of transparency and accountability is not legally required of private schools, which are under no obligation to consider input from parents or share information with them.

Parental Right to Protection of Their Child From Discrimination

Public schools in Texas open their doors to every child, thanks to the Civil Rights Act of 1964, which bars any school that receives federal funds from discriminating on the basis of “race, color, or national origin, sex, and disability.”

Private schools, in contrast, are not subject to the same federal civil rights laws that prohibit discrimination in educational programs or activities. Similarly, they are not obligated by the Individuals with Disabilities Act, which requires public schools to provide specialized teaching and related services to help children with disabilities or special needs to make progress in school.

This means that it would be up to the private school to decide which students to accept and educate. If a student accepted into a private school later proved to be too difficult to educate, the school could decide to rescind enrollment. Families also give up legal protections if they believe their child was a victim of discrimination in the private school setting.

Parental Right to Protection of Their Family’s Faith

Under the First Amendment and supported by U.S. Supreme Court rulings, public school students have the right to express or share religious beliefs as long as they don’t disrupt the school. That means students of all religious faiths have the right to pray, alone or in groups, and read religious texts, as long as nonparticipating students are not disturbed.

Private schools don’t offer the same First Amendment protections to students and may limit both freedom of religion and speech according to their own preferences, practices, standards, and rules. Private and parochial schools also have the option of endorsing one faith over others, with no recourse for families who believe differently.

Parental Right to a Free Education for Their Child

Every child in Texas has the right to a free education through a public school, which includes transportation to eligible students, free or reduced-price lunches, and access to sports, clubs, and extracurricular activities.

Private schools, on the other hand, set the cost of student tuition — charging anywhere from \$10,000 to more than \$40,000 a year. And tuition often does not include required fees for supplies, technology, and extracurriculars. Additionally, transportation to and from a private school in most cases is the parent's responsibility.

Since typical voucher programs only cover a fraction of the cost of most private schools, most Texas families would need to dig deep into their own pockets to cover the rest.

Summary

Public schools offer the best protection for parental rights and those who claim otherwise aren't considering the facts. Public school parents in Texas already have extensive rights under the U.S. Constitution and federal and state laws. Although vouchers are being touted as a "parental right," the reality is that by accepting a voucher, parents would give up a long list of substantial rights and legal protections regarding the education of their child.