

The Parental Rights Amendment

Protecting Families. Preserving Freedom.

What Is the Parental Rights Amendment?

The Parental Rights Amendment is a proposed amendment to the United States Constitution that would clearly define and protect the fundamental right of parents to direct the upbringing of their children.

Today, parental rights are not explicitly stated in the Constitution. That means courts and agencies often treat them as implied or secondary—leaving them vulnerable to interpretation, erosion, or even dismissal.

This Amendment would change that.

Proposed Parental Rights Amendment:

SECTION 1: The liberty of parents to direct the upbringing, education, and care of their children is a fundamental right.

SECTION 2: The parental right to direct education includes the right to choose, as an alternative to public education, private, religious, or home schools, and the right to make reasonable choices within public schools for one's child.

SECTION 3: Neither the United States nor any State shall infringe these rights without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

SECTION 4: The parental rights guaranteed by this article shall not be denied or abridged on account of disability.

Why it matters:

Parental involvement matters. Research consistently shows that when parents are empowered to guide their children's education and upbringing, outcomes improve. Children are safer, healthier, and more likely to succeed.

But legal protections are weakening. In recent years, some courts have begun applying a lower legal standard to parental rights—treating them as “ordinary” rather than “fundamental.” That allows government agencies to take more liberties, even when no wrongdoing has occurred.

The Constitution is silent on parental rights. Because the Constitution doesn't currently spell out these rights, courts are left to interpret them case by case. The Parental Rights Amendment would give these rights the constitutional clarity and weight they deserve.

This is not about politics. The Amendment doesn't favor any political party or ideology. It affirms a basic principle most Americans agree on: that parents, not the government, should make decisions about a child's upbringing—unless there is clear evidence of harm or abuse.

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What the Parental Rights Amendment Will Do

- Restore legal recognition of parental rights as fundamental
- Protect a parent's ability to make educational, medical, and moral decisions
- Prevent unnecessary government overreach in family life

What You Can Do

You don't need to be a legal expert or political insider to make a difference. You just need to be willing to speak up.

Here's how you can help:

- Learn more about the Amendment and share this information with others
- Schedule a meeting with your U.S. Representative and Senator during the August Recess
- Ask them to support or co-sponsor the Parental Rights Amendment
- Stay connected and take action at the ParentalRightsFoundation.org