Strengthening Parental Rights in Public Schools

What Two Recent U.S. Supreme Court Decisions Mean for Parents

By Jack Rigert

Parents are the primary educators and protectors of their children. While public schools play an important role in academic formation, the United States Supreme Court has repeatedly affirmed that mothers and fathers—not the government—bear the primary responsibility for directing the upbringing, education, and religious formation of their children.

In June 2025 and March 2026, the U.S. Supreme Court issued two significant decisions that further clarified and strengthened parental rights in public schools. These rulings build upon longstanding precedents such as *Meyer v. Nebraska* (1923), *Pierce v. Society of Sisters* (1925), and *Wisconsin v. Yoder* (1972), all of which recognize that parents possess a fundamental constitutional right to direct the education and upbringing of their children.

Together, these recent decisions make clear that public schools cannot substantially interfere with parents' ability to guide their children's moral and religious formation without providing meaningful accommodations, transparency, and parental involvement.

1. Mahmoud v. Taylor (June 27, 2025)

The Right to Notice and Opt Out of Certain Curriculum

In *Mahmoud v. Taylor*, the Supreme Court ruled, by a 6-3 majority, that a Maryland school district likely violated parents' First Amendment rights by eliminating notice and opt-out opportunities related to certain elementary school instructional materials.

Background

Montgomery County Public Schools introduced several LGBTQ+-inclusive storybooks into its K-5 language arts curriculum. These books included normative messages concerning gender identity, same-sex relationships, and family structure. Initially, parents were permitted to opt their children out of lessons involving these materials. The district later removed both the opt-out provision and advance notification to parents.

Parents from Christian and Muslim backgrounds challenged the policy, arguing that exposing young children to these materials without parental knowledge or accommodation substantially interfered with their ability to raise their children according to their religious convictions.

The Court's Holding

The Court concluded that the combination of the books' content and the district's no-notice, no-opt-out policy imposed a substantial burden on parents' free exercise of religion.

Drawing heavily from *Wisconsin v. Yoder*, the Court stated that when government action poses "a very real threat of undermining" the religious beliefs parents seek to instill in their children, strict constitutional scrutiny applies.

The Result

The Court ordered that the school district must:

- Provide parents with advance notice whenever the contested books or similar materials are used.
- Permit parents to opt their children out of such instruction.

This decision establishes that when schools introduce materials they know may substantially conflict with sincerely held religious beliefs—particularly in elementary grades—parents have a constitutional right to notice and the opportunity to opt out.

2. Mirabelli v. Bonta (March 2, 2026)

The Right to Notification Regarding Gender Identity and Social Transition

In *Mirabelli v. Bonta*, the Supreme Court issued an emergency ruling that significantly expanded protections for parental rights concerning gender identity issues in public schools.

Background

California policies required public schools to keep information regarding a student's gender identity, social transition efforts, preferred names, and pronoun usage confidential from parents unless the student consented to disclosure. Schools were also directed to use preferred names and pronouns even when parents objected.

Parents and teachers challenged these policies, arguing that they violated constitutional protections by excluding parents from critical decisions concerning their children's identity, health, and religious formation.

The Court's Holding

The Supreme Court concluded that these policies likely violate both the Free Exercise Clause of the First Amendment and the parental rights protections recognized under the Fourteenth Amendment.

The Court noted that concealing information from parents regarding a child's social transition constitutes an even greater intrusion upon parental rights than the curriculum issues addressed in *Mahmoud v. Taylor*.

As a result, the Court reinstated a lower court injunction blocking enforcement of the challenged policies while litigation continues.

The Result

Schools generally may not:

- Prohibit teachers or staff from informing parents about a child's gender-related presentation or social transition at school.
- Require school personnel to conceal such information from parents.
- Compel staff to act contrary to parental direction regarding names and pronouns without a compelling governmental justification.

The ruling affirms that parents remain the primary decision-makers concerning matters intimately connected to their child's identity, health, and religious upbringing.

What These Decisions Mean for Parents Nationwide

Taken together, *Mahmoud* and *Mirabelli* send a clear message:

- Parents possess robust constitutional rights to direct the religious and moral upbringing of their children—even within the public school system.
- Schools cannot compel exposure to certain content or conceal significant information from parents when doing so substantially burdens religious exercise.
- Constitutional protections are strongest when schools engage in normative instruction on contested issues involving sexuality and gender or intentionally withhold important information from parents.
- While parents do not possess veto power over every classroom discussion, schools must provide accommodations when substantial interference with religious upbringing occurs.

Lower courts will continue to apply these principles to individual cases, but the Supreme Court has established strong precedent favoring parental involvement, transparency, and religious liberty.

Actions Parents Should Take Now

1. Review School District Policies

Request copies of all district policies concerning:

- Curriculum review and instructional materials.
- Parental notification procedures.
- Gender identity and social transition policies.
- Name and pronoun usage policies.
- Confidentiality guidelines.

Ask specifically about procedures for requesting accommodations or opting out of instruction.

2. Submit Formal Requests for Notice and Accommodation

Provide written requests to your child's principal and district administrators asking for:

- Advance notice of instruction involving gender identity, sexuality, or family structure.
- Opt-out opportunities for such instruction.
- Immediate notification of any discussions, counseling, or social transition efforts involving your child at school.

Always keep copies of all correspondence.

3. Document Everything

Maintain detailed records of:

- Emails and letters.
- Meetings with school officials.
- Incidents involving your child.
- School responses and actions taken.

Good documentation can prove invaluable if disputes arise.

4. Engage at the Local Level

Attend school board meetings.

Speak during public comment periods.

Support or run for local school board positions.

Join or establish parent advocacy groups committed to transparency and parental rights.

5. Seek Legal Guidance if Necessary

If reasonable requests are denied, consult an attorney experienced in constitutional, educational, or parental rights law.

Numerous religious liberty and parental rights organizations offer resources, guidance, and legal assistance.

6. Stay Informed and Remain Proactive

Because these rulings are recent, implementation will vary among states and districts. Respectful, informed, and documented engagement often resolves concerns before litigation becomes necessary.

Conclusion

These Supreme Court decisions restore an essential constitutional balance by recognizing a foundational truth: parents—not the state—are the primary protectors and educators of their children.

By remaining informed, engaged, and proactive, parents can effectively exercise these clarified constitutional rights and help ensure that public schools respect both religious liberty and the vital role of the family.

As Saint John Paul II reminded us, “The future of humanity passes by way of the family.” Defending parental rights is not merely a political act; it is an act of faithful stewardship entrusted to every mother and father.