

## **Background:**

This so-called parental right's bill would allow parental ideology to shape a child's education. It requires healthcare entities to give parents access to all of their child's written and electronic healthcare records, even for services that don't normally require parental consent, such as seeking treatment for sexually transmitted diseases. School staff could face disciplinary action for withholding information concerning any facet of a minor's health from their parents, including information regarding a student's gender identity and/or transitioning.

Parents will be allowed written and electronic access to a wide variety of their child's education records, including but not limited to the following: club participation, psychological records, and health and immunization records.

This bill will also make it more difficult for schools to administer surveys of students. Among other things, it requires written informed consent from a parent before their child can take a survey that concerns personal information regarding the child's gender expression, perceptions, or stereotypes.

If a parent feels a governmental entity or official has interfered with their fundamental right to direct their child's upbringing, education, healthcare, or mental health, they can sue them. The burden of proof will be on the governmental entity.

## **Talking Points:**

- HB 2161 is a transparent attempt by legislators to deprive students of a diverse and inclusive education.
- Education should not be driven by parental ideology.
- Trust between school staff and students is necessary to provide adequate mental-health support. If students feel that their communications are not confidential, they will be less likely to disclose important information about their health to school counselors and teachers.
- LGBTQ+ youth should be able to manage their identity without interference from parents or schools.
- Nearly half of all LGBTQ+ youth who are out to their parents say that their families make them feel bad for being who they are.
- LGBTQ+ students are more likely to face victimization, violence, and suicidality. The data is clear: forcibly outing LGBTQ+ children puts their lives in danger.
- Access to culturally competent, LGBTQ+-affirming mental health providers is essential to the well-being of LGBTQ+ children. This bill takes that resource away from them.

## **Examples:**

- A guidance counselor could be disciplined for refusing to divulge an LGBTQ+ student's sexual orientation to their disapproving parent.

- A teacher could receive disciplinary action for the perception that they have encouraged a student to withhold personal and sensitive information from their parents.
- A school could be forced to tell parents their child has joined a Gay-Straight Alliance (GSA) or other LGBTQ+ student-led clubs.
- A student will be less likely to get tested for an STD or to ask for contraception out of fear that their parents will find out.
- An LGBTQ+ student experiencing a mental health crisis will be less likely to speak with a counselor out of fear that their parents will find out about their sexual orientation and/or gender identity.