



SB272: The So-Called Parental Bill of Rights

What is it?

The so-called parental bill of rights is a bill that would require teachers, if asked to “out” their students. The bill also changes the standard of reporting suspected child abuse for teachers. Currently as mandatory reporter’s, teachers report if they have a “reason to suspect” a child is being harmed or in imminent danger of being harmed. Under this bill the standard changes to teachers needing “clear and convincing” evidence of such harm before they can withhold information from parents that could potentially lead to the child being harmed by their parents or guardians. The bill also allows a private right of action against the school or staff member from the school if a parent feels their rights have been violated. Simply put, a parent could sue you for considering the potential harm to the student if it is judged not to be based on “clear and convincing” evidence instead of disclosing the information the parent wants.

The bill is not unique to New Hampshire. So-called Parental Bill of Rights bills have been introduced in states across the country and in a federal bill that was introduced in the US Congress this year. These bills are targeted at the LGBTQ+ community but also continue to try to weaken our neighborhood public schools by eroding the trust between schools, teachers and students.

What is its impact?

By forcing teachers to get in between the parent-student relationship, always on the side of the parent who is trying to exert control over the student, schools will become a place where the students feel they cannot trust their teachers. It is very difficult to run a classroom or a school when students do not trust their teachers or other school staff and it greatly takes away from the learning environment. The “clear and convincing” evidence standard established in the bill means that even if the teacher is told by the student that their parent might retaliate if they find out the students identifies as LGTBQ they would be forced to “out” the student if asked. It is an impossible situation to put a staff member of a school in a position where they feel a student could be in danger but also know that if they are not completely truthful with the parent that could be faced with a lawsuit.

What Are the Consequences?

As stated above the consequences of this bill can be direct for schools and school staff as they would now be open to a private right of action. Relationships in schools between students and school staff will be weakened and students could be put in harms way when a teacher must forcibly out them.

FOR MORE INFORMATION

<https://www.thetrevorproject.org/research-briefs/accepting-adults-reduce-suicide-attempts-among-lgbtq-youth/>

<https://www.bostonglobe.com/2023/03/08/metro/legislation-would-force-nh-schools-out-transgender-students/>