

HOUSE No. 717

The Commonwealth of Massachusetts

PRESENTED BY:

David T. Vieira, (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act regarding parental consent.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Diane Splitz</i>		<i>2/17/2021</i>

HOUSE No. 717

By Mr. Vieira of Falmouth (by request), a petition (accompanied by bill, House, No. 717) of Diane Splitz for legislation to require parental consent prior to out-of-school-district referrals and student surveys regarding personal or private issues. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 592 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act regarding parental consent.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 71 of the General Laws is hereby revised as follows, with the addition of the
2 following sections:

3 Section 32B. Parental consent for out-of-school-district referrals, information, and
4 materials

5 No student in any public elementary or secondary school, without the prior written
6 consent of the parent or guardian, shall be referred to, or provided the contact information,
7 business card, brochure, or other informational materials of, an individual, organization, or entity
8 not employed by or under the direct control of the school district to which that student belongs ,
9 if such individual, organization, entity, or material involves information or counseling about

10 health, psychological problems, reproduction, abortion, sexual education, sexual orientation,
11 gender identity, bullying, or similar issues.

12 Section 32C. Parental consent for student surveys regarding personal or private issues

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14 No student in any public elementary or secondary school, without the prior written
15 consent of the parent or guardian, shall be requested or required to submit to a survey, analysis,
16 or evaluation concerning personal issues including, but not limited to: (1) emotional and
17 psychological concerns or issues, whether concerning the student or his family (including mental
18 health screenings); (2) sexual behavior and attitudes; (3) illegal, anti-social, self-incriminating, or
19 demeaning behaviors; (4) feelings of victimization; (5) suicide attempts or ideation, or self-
20 abuse; (6) birth control or abortion; (7) critical appraisals of other individuals with whom
21 respondent has family relationships; (8) legally recognized privileged or analogous relationships,
22 such as those with lawyers, physicians, therapists, and ministers; (9) political affiliations; or (10)
23 income. This will apply to all such surveys whether from a state or federal agency, whether
24 administered in a classroom setting, by a school counselor, a school nurse, or school based health
25 center staff member. All such screenings, surveys, analyses, and evaluations shall be made
26 reasonably available with adequate advance notice to parents, guardians, educators, school
27 administrators, and others for inspection and review prior to being administered.