

ACLU OF RI POSITION: OPPOSE

**TESTIMONY ON 24-H 7781,
RELATING TO PARENTS BILL OF RIGHTS ACT
April 10, 2024**

The ACLU of Rhode Island recognizes that parental or guardian consent and involvement in their child's education can be a critical component of limiting government overreach and protecting certain rights to minors in their charge. However, this legislation goes far beyond what is appropriate and seeks to dictate curricular and educational decisions in ways that are not only censorial and contrary to fundamental pedagogical principles, but impractical to implement in all but the most arbitrary fashion. Rather, the bill's breadth, and the manner in which it could infringe on the legitimate autonomy of minors themselves and impact important educational and pedagogical tenets, warrants its rejection by this committee. To give just two examples of the completely inappropriate scope of this bill:

- Section § 23-100-5 imposes a broad ban on providing requested health care services to minors unless parental consent is first obtained. This provision likely would only lead to minors avoiding important health care that they may need – including essential psychological or sexual health services – and which, barring special circumstances, they should be able to access on their own. This bill would even go so far as to criminalize proper, and even necessary, medical treatment provided by a physician to a minor, a prospect that should be summarily rejected.
- Section § 16-71-7 allows for extensive parental involvement in the selection of educational materials which could serve to stifle important instructive discourse. While it is perfectly appropriate, and constitutionally protected, for a parent to make their views known about the school curriculum and course studies, the extremely broad language in the bill suggests something more: that parents would have the right to dictate curriculum and study decisions – including the removal of material they deem harmful to “morality” – for both their child and even other students. Such a power infringes on students' First Amendment rights and undermines the aim of public schools in providing inclusive education to all students.

We acknowledge and support the fact that some provisions in the legislation serve to protect minors, their parents and the public interest harmoniously, such as its consent requirement prior to the collection of biometric information of children (page 2, lines 21-22). However, overall, the bill's breadth is mind-boggling in its encroachment on the autonomy of minors and on the role of public education in our society. By generally barring schools from “infring[ing] on the fundamental rights of a parent to *direct*” their child's education, this proposal is simply a recipe for chaos in the educational setting, allowing parents to dictate to the minutest detail what gets taught in school.

We therefore urge rejection of this bill. Thank you for your consideration of our views.