

Testimony Against House Bill 8: Parents' Bill of Rights Act

Ella Neruda

Social Work Trainee

12/9/2024

To the Members of the Senate Education Committee,

Thank you for the opportunity to provide testimony today. My name is Ella Neruda, and I am a bachelor's of social work trainee. I have committed in my professional training to supporting and advocating for children and families, particularly those from marginalized and vulnerable communities. I am here to express my strong opposition to House Bill 8, the so-called "Parents' Bill of Rights Act." While I respect the intention to empower parents in their children's education, this bill introduces harmful policies that will compromise the safety, confidentiality, and mental health of students, particularly those who identify as LGBTQIA+.

The Impact of HB 8 on Social Work Practice and Ethics

As a social worker in training, I am bound by the National Association of Social Workers (NASW) Code of Ethics, which serves as the foundation for our profession. The core principles of this Code include promoting the dignity and worth of individuals, fostering client self-determination, and protecting the confidentiality of those we serve. The Code states that "Social workers' primary responsibility is to promote the well-being of clients."

HB 8 would force school social workers and mental health professionals to violate these ethical principles. Specifically, the requirement to notify parents of a child's expressed gender identity, mental health concerns, or participation in counseling services without exception creates an immediate conflict between the law and our professional ethical obligations.

Outing students to their families without their consent, particularly those who identify as transgender or gender-diverse, can put them at significant risk of harm. LGBTQIA+ youth are disproportionately likely to experience rejection, abuse, or neglect when their identity is

disclosed in unsupportive home environments. Forced disclosure could lead to homelessness, suicidal ideation, or other serious mental health consequences. As social workers, we are trained to prioritize the safety and autonomy of our clients, and HB 8 undermines our ability to do so.

Erosion of Confidentiality and Trust

Confidentiality is a cornerstone of effective therapeutic relationships. It is what allows students to feel safe discussing their struggles and seeking support. HB 8's mandates would destroy this trust by requiring school personnel to inform parents of virtually any issue a student raises in confidence.

Imagine a student struggling with suicidal ideation who hesitates to seek help because they know their parents will be informed before they are ready to have that conversation. Imagine a transgender student working up the courage to share their identity, only to have it disclosed without their consent. HB 8 forces us to betray the trust of the very students we are supposed to protect.

This betrayal would not only harm LGBTQIA+ students but also create a chilling effect for all students. They would learn that their school is not a safe place to express themselves, seek help, or develop as individuals. This is especially concerning in light of the alarming rates of mental health challenges among today's youth, including rising levels of anxiety, depression, and suicidal thoughts.

Increased Risk of Harm and Inequity

HB 8 fails to account for students living in unsafe or unsupportive home environments. While the bill assumes that parents will always act in the best interest of their child, this is unfortunately not the reality for every family. LGBTQIA+ youth are at a particularly high risk of experiencing family rejection, with data from the National Center for Homeless Education showing that over 40% of homeless youth identify as LGBTQIA+, often as a result of being kicked out or running away from hostile households.

The lack of exceptions in this bill for cases of neglect, abuse, or unsupportive home environments is particularly egregious. Forcing schools to inform parents of their child's gender

identity or mental health status in these situations could escalate the risk of harm to the child. This stands in direct opposition to the ethical obligation of social workers to protect clients from harm and prioritize their well-being.

Overburdening School Mental Health Professionals

HB 8 also places an unrealistic administrative burden on already overworked school mental health professionals. The requirement to notify parents of every change in a student's mental or emotional health plan, or every instance of counseling, would overwhelm the limited resources of school social workers. Instead of focusing on providing direct services to students, social workers would be consumed by administrative tasks and navigating legal liabilities.

At a time when the need for school-based mental health services is greater than ever, this bill would drive professionals away from the field, exacerbating the existing shortage of qualified mental health providers.

Conclusion

House Bill 8 jeopardizes the mental health and safety of students, undermines the trust between school staff and students, and forces mental health professionals into untenable ethical dilemmas. It does not serve the best interests of children or families and would have particularly devastating effects on LGBTQIA+ youth, who already face significant challenges and risks.

As a social work trainee, I urge you to reject HB 8 and instead support policies that empower schools to create safe, inclusive, and supportive environments for all students. Our children deserve better than to have their confidentiality violated, their safety compromised, and their mental health disregarded in the name of parental rights.

Thank you for your time and consideration. I am happy to answer any questions.

Sincerely,

Ella Neruda