

Regarding the proposed bill:

HB2199

- **Requiring school districts to secure written consent from parents to provide instruction to students on human sexuality.**

Regarding obtaining informed parent consent for participation in human sexuality education:

At issue is the fact that agencies and institutions do not want to obtain an active, or opt-in, parent permission. The concern is a perceived lower participation rate will result due to parents having to actually “opt their kids in”. This may be due to “parents forgetting to send things back” or parents objecting to the specific curriculum.

So, there is concern that fewer kids will participate. The concern over not “enough” students participating because parents may not “do what we perceive they need to do”, results in agencies and institutions setting up environments to make allowance for perceived lapses in human beings to “do the right thing”, and to “force” or “ensure” the desired outcome.

However, in my (a parent’s) opinion, the needs and goals of the institutions and agencies (i.e. state) are super-ceding what is in the best interest of the student. The needs and goals of the state have super-ceded the express right and responsibility of the parent to determine what is in their child’s best interest.

In the case of human sexuality education, the age appropriateness of certain topics is dependent on the circumstances of the individual child. The appropriateness of other topics may be deemed objectionable by some parents to be taught at all. This is not something schools are set up to effectively administer.

It is not a “stick your head in the sand mentality” regarding sex education. Certainly, the supporters of parent permission for sex education courses include those whose children grow up to be healthy, responsible adults and caring parents.

Let’s take a look at a CDC funded “Programs-That-Work” initiative (including a curriculum called “Reducing the Risk.”):

- “It is explicit.” – Role-playing is an integral part of the curriculum, with girls required to role-play to convince boys to wear condoms, girls discussing AIDS concerns in a lesbian relationship, and a boy and girl discussing “safer sex with multiple partners”.
- “Encourages students to brainstorm ways to “eroticize condom use with a partner” by “doing something positive and fun. Go to the store together. Buy lots of different brands and colors. Plan a special day when you can experiment.”
- The “Reducing the Risk” curriculum includes explicit sex instruction, field trips to family planning clinics, and visits to drugstores (preferably with a partner) to compare brands, textures and colors of condoms.

All 50 states and at least 34 national organizations have received federal CDC funds for the purpose of developing and implementing “Comprehensive School Health [Sex] Education” programs.

We are not opposed to responsible health and sex education. However, what the CDC, Planned Parenthood organizations, public schools, etc. believe is responsible is turning out to be very different from what some parents consider responsible.

Parental rights are under siege. Parents, in many ways, are becoming “second class citizens” as lower courts elevate the power of the state to supersede the wisdom of parents. Parental choice is in jeopardy. Freedom is at stake. The basic fundamental freedom of parents to raise their children hangs in the balance. Have we forgotten whose children they are anyway? They are nature’s or a God-given responsibility to parents.

Earlier this century, the United States Supreme Court declared “The child is not the mere creature of the state; those who nurture him and direct his destiny have the right and high duty to recognize and prepare him for additional obligations.” -- *Pierce v. Society of Sisters* [268 U.S. 510 (1925)].

In 1972, in *Wisconsin v. Yoder* (406 U.S. 205), the Court described parental rights as fundamental, saying: “This primary role of the parents in the upbringing of their children is now established as an enduring American tradition.”

The U.S. Supreme Court has repeatedly recognized that the liberty clause in the 14th Amendment guarantees the fundamental right of parents to direct the education and upbringing of their children. Parents have the fundamental right to make all decisions regarding their children, including making medical decisions, discipline, and directing the education and religious training of their children.

Kansas formally passed a parental rights act:

K.S.A. & 38-141. (b) It shall be the public policy of this state that parents shall retain the fundamental right to exercise primary control over the care and upbringing of their children in their charge. It is further the public policy of this state that children shall have the right to protection from abuse and neglect.

(d) Any parent may maintain a cause of action in state court or in any court of competent jurisdiction for claims arising under the principles established in subsection (b). Any person authorized by law to act on behalf of a child may maintain a cause of action in the name of such child in any court of competent jurisdiction arising under the principles established in subsection (b).

Unless parents’ rights are treated on par with other fundamental rights, the government will continue to demand more and more authority over our children.

I respectfully request your support of HB2199.

Respectfully submitted,

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