

Chair Baumgardner, Vice Chair Erickson, and Committee, thank you for the opportunity to speak in opposition to SB496.

The proposed bill purports to “establish” the parents’ bill of rights.

- Kansas already has a long established 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.

The current established act is clear and concise.

SB496:

Section 1. (b) provides that “... a parent has a right to direct ...”.

- “A” right?
- This is quite a demotion for parents from the long standing statement on parental rights.
- What happens when all the “stakeholders,” each with “a” right, is at the table? Which “stakeholder” has primary authority?
- Presently, the Parental Rights Act states that parents shall retain the fundamental right to exercise primary control.
- Why is the legislature attempting to act to diminish fundamental parent authority?

The current established statement on parental rights is all encompassing.

The current established statement on parental rights broadly protects the infringement of the innumerable and inherent rights of parents. It does not attempt to delineate a list of the all the roles and aspects of parenting.

This is an important point to note.

The current act simply and concisely prevents the infringement of (“parents shall retain”) the fundamental right (not “a” right) to exercise primary control (not “a” central role) over the care and upbringing (not an attempt to list all the aspects, roles, and traditions of parenting) of their children in their charge.

The rights of the parent are inherent and innumerable.

This is a stance unique to the United States as codified in its Constitution.

Other countries’ Bills of Rights don’t prevent the infringement of individual unalienable rights. Rather they list rights of the individual that will be granted by the government, such as the right to work, the right to education, etc. However, the government is in control of the labor system, the education system, etc. The government has the authority to match people to certain jobs, control how people are educated, etc.

SB496

- Adds “education” and “mental health” to the granted capacities of the parents.
 - Is this addition characteristic of an American constitution?
- States that the “legislature finds” ... [the] parent shall ...
 - “have the right to play a central role”
 - “have the right ... to obtain critical information about what is being taught ...”
 - “have the right ... to take action ...”
 - “have the right ... when ...”
 - Along with a list of twelve rights as defined by the legislature.

SB496 moves away from parents retaining the fundamental primary control to having a right to a role.

SB496 does not hold parent rights to be unalienable and innumerable.

Do not vote to pass SB496.

Simply reference the existing Parental Rights Act, K.S.A. 38-141(b).

Uphold the existing Parental Rights Act. Do not vote to weaken unalienable and innumerable parent rights.

Respectfully submitted,

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