HOUSE DOCKET, NO. 3366 FILED ON: 1/20/2017

# HOUSE . . . . . No. 2883

## The Commonwealth of Massachusetts

PRESENTED BY:

***David T. Vieira***

*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: |
|---|---|---|
| *David T. Vieira* | *3rd Barnstable* | *1/20/2017* |
| *Susan Williams Gifford* | *2nd Plymouth* | *1/20/2017* |
| *James J. Lyons, Jr.* | *18th Essex* | *1/20/2017* |
| *William L. Crocker, Jr.* | *2nd Barnstable* | *1/20/2017* |
| *Shawn Dooley* | *9th Norfolk* | *1/20/2017* |
| *Kevin J. Kuros* | *8th Worcester* | *1/20/2017* |
| *Keiko M. Orrall* | *12th Bristol* | *1/20/2017* |
| *Geoff Diehl* | *7th Plymouth* | *1/20/2017* |
| *David F. DeCoste* | *5th Plymouth* | *1/20/2017* |
| *Elizabeth A. Poirier* | *14th Bristol* | *1/20/2017* |
| *Peter J. Durant* | *6th Worcester* | *1/20/2017* |
| *Marc T. Lombardo* | *22nd Middlesex* | *1/20/2017* |
| *Colleen M. Garry* | *36th Middlesex* | *1/20/2017* |

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By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 2883) of David T. Vieira and others relative to parental consent for out-of-school-district referrals, information, and materials. Education.

## The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court**
**(2017-2018)**

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:*

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

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

No student in any public elementary or secondary school, without the prior written consent of the parent or guardian, shall be referred to, or provided the contact information, business card, brochure, or other informational materials of, an individual, organization, or entity not employed by or under the direct control of the school district to which that student belongs , if such individual, organization, entity, or material involves information or counseling about health, psychological problems, reproduction, abortion, sexual education, sexual orientation, gender identity, bullying, or similar issues.

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

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