

Good morning Chairman Weisz and members of the Human Services Committee. For the record, my name is Bob Paulson, and I'm a State Senator from District 3 in Minot.

SB 2260 is a bill to codify parental rights in North Dakota. Some people have questioned whether this bill is necessary, and have asked what things are happening in North Dakota that led to the introduction of SB 2260. I think it's appropriate to attempt to answer that question.

First, there are things going on nationally. As parents learned more about what their children were being taught during COVID, they raised concerns at school board meetings and were met with threat of FBI investigation, effectively treating them like terrorists. That wasn't limited to any one state—the FBI's memo applied nationwide, including right here in North Dakota. Virginia gubernatorial candidate Terry McAuliffe said, "I don't think parents should be telling schools what they should teach." Rep. [Eric Swalwell, D-Calif.](#), lamented how "stupid" it is for parents to be in charge of their kids' education.

As I spoke with parents and teachers from across the state concerning this bill, they shared things of concern that are going on in North Dakota. Things like:

- Children in elementary school being given surveys that asked questions about gender identity without parental notification
- Children being asked what their preferred pronouns or preferred names are, allowing for the use of a name or identity of the opposite sex without parental notification.
- Biological males permitted to use female bathrooms (K12)
- Teachers being given mandatory training in Social Emotional Learning curriculum
- A teacher teaching the United Nations Sustainable Goals-Agenda 2030,
- A class on spiritualism with guided meditation (teacher called in sick)
- A Gender & Sexualities Alliance club meeting during school hours with a faculty advisor
- There are books in school libraries that describe how to get an app that is used to find others in your area interested in gay sex. This book and others describe specific techniques and recommendations for how to engage in gay sex. There was a direct link between the app and human

- trafficking. The parents I spoke with who had children in the school were unaware of these books. Additionally, the leadership of the school district was unaware of these books that are in the library.
- Last week a parent emailed me and told me the following, “My daughter was forced to use false pronouns in her 7th grade class and penalized by the teacher in her daily citizenship grade. She was chosen as a Sources of Strength student and would not lie about the pronoun for her classmate's preferred identity. Citizenship grades are very important to us as parents, and addressing a child by their true and biological pronoun should not be punishable.”
 - Of particular concern are policies that have been adopted by school districts in North Dakota that state, “School staff shall not disclose any information that may reveal a student’s transgender status to others, including parents or guardians and other school staff unless legally required to do so or the student has authorized such disclosure.” This language comes from a model policy provided by a North Dakota state-wide association.

The most telling thing to me was that the teachers who talked to me either refused to put things in writing, or only did so with assurances from me that I would not name them in my testimony. Think about that. These teachers are afraid of retribution. Fear of cancel culture exists in North Dakota.

These things going on in our state are why I felt it was critical to introduce this bill.

Here are some things that I believe we need to establish in North Dakota, and this bill seeks to do just that:

1. That Children are born to parents and into families that form the building blocks of a society.
2. That the laws of a society should affirm the natural order of parents raising their children and reject the idea that children are products and property of the government.
3. That we must protect parents’ fundamental right and duty to direct the upbringing and education of their children.

When it comes to Public School Curricula, there should be:

Accountability: Teachers and school administrators should not betray parents' trust by hiding information or indoctrinating students with ideas directly contrary to their family's sincere beliefs.

Choice: Parents should know what their children are taught and should have the freedom to opt-out of controversial curriculum or choose the schooling solution that best fits their families.

Transparency: Parents are ultimately responsible for their children. Public schools have a responsibility and duty to be transparent about what they are teaching children and to respect parents' wishes when it comes to divisive and potentially harmful issues including gender ideology or critical race theory.

A parent's right to direct their children's upbringing doesn't end at the schoolhouse gate.

When It comes to Medical Decision-Making

Parents know their children best. Their medical and moral decisions for their children should not be ignored or overruled, either by school officials or others. Schools have a responsibility to keep parents informed—they cannot hide information about a child's mental or physical well-being from their parents. Only parents have the authority to make medical decisions for their minor children. No-one knows their children better than parents do, and nobody loves their children more than parents do.

A parent has a right to be a parent. Parents won't take a back seat in their children's health decisions.

If you refer to the handout I passed out, it gives you an idea of what is going on across the nation. 14 states have passed laws to protect parental rights, including red, purple and blue states. There are at least 27 states running some type of parental rights legislation this year.

Referring to the bill, In section 1 it states: This state, any political subdivision, or any other governmental entity may not substantially burden the fundamental right of a parent to direct the upbringing, education, health care, and mental health of that parent's child without demonstrating that the burden is required by a compelling governmental interest of the highest order as applied to the parent

and the child and is the least restrictive means of furthering that compelling governmental interest. This includes the right to direct the education of the child, review their child's educational record, direct the upbringing and the moral or religious training of the child, and make and consent to a physical or mental health care decision for the child. Additionally, it ensures that a parent is notified promptly if there is suspected abuse, neglect, or a criminal offense has been committed against the child, and that they can opt their child out of any survey or data collection, and have the child excused from school attendance for religious purposes. It ensures that an employee of the state, except for law enforcement personnel, may not encourage or coerce a child to withhold information from the child's parent and may not withhold information that is relevant to the physical, emotional, or mental health of the child from a child's parent. It includes a cause of action so that a parent has a means of recourse if these parental rights are not upheld.

In section 2, The board of a school district shall develop and adopt a policy to promote the involvement of parents of children enrolled in the school district, procedures to inform a parent about the course of study for that parent's child and review curriculum. Procedures to notify a parent at least three days in advance and obtain the parent's written consent before the parent's child attends any instruction or presentation that relates to gender roles or stereotypes, gender identity, gender expression, sexual orientation, or romantic or sexual relationships. Procedures for a parent to object to a specific presentation or instruction on the basis that it is harmful and to withdraw that parent's child from the presentation or instruction. A procedure to inform a parent about the nature and purpose of clubs and extracurricular activities, and a procedure to withdraw that parent's child from them. Procedures requiring parental written consent before a child uses a name or nickname other than the child's legal name, or before a child uses a pronoun that does not align with the child's sex. Notwithstanding parental consent, a school may not require an individual to use pronouns that do not align with the child's sex. Procedures by which a parent may learn about parental rights and responsibilities under the laws of this state. A parent shall submit a request for information to the school principal or the superintendent of the school district. Within ten days of receiving the request for information, the school principal or the superintendent shall deliver the

requested information or a written explanation of the reasons for the denial of the requested information to the parent. If the request for information is denied or the parent does not receive the requested information within the allotted time, the parent may submit a written request for the information to the board of the school district, which shall consider the request during executive session at the next meeting of the board. This section also includes a cause of action.

In section 3, the consent of a parent of a child shall be obtained before a surgical procedure or a physical examination of a child, before prescribing or dispensing a medication or prescription drug to a child; or before any mental health evaluation or treatment on a child. However, this section does not apply when it has been determined by a physician that an emergency exists and either It is necessary to perform an activity listed in subsection 1 to prevent death or imminent, irreparable physical injury to the child, or the person obtaining parental consent cannot locate or contact the parent of the child after a reasonably diligent effort.

Then there is a list of items currently in code where a minor can already receive medical care without the consent of the parent. And finally, there is a cause of action for section 3.

Chairman Weisz, that is the bill, I would respectfully ask for a Do Pass and I will stand for any question.