



02/11/2025

Dear Members of the House Education Committee,

On behalf of the North Dakota Association of School Psychologists (NDASP), I am writing to express our strong opposition to Senate Bill 2244. As professionals dedicated to the well-being and rights of all students, school psychologists work to ensure the protection of the educational rights, opportunities, and well-being of all children, especially those whose voices have been muted, identities obscured, or needs ignored.

The National Association of School Psychologists (NASP) asserts that school psychologists are ethically obligated to ensure that all youth, including those with diverse sexual orientations, gender identities, and gender expressions, are able to develop and express their personal identities in a school climate that is safe, accepting, and respectful of all persons—free from discrimination, harassment, violence, and abuse. NASP strongly opposes efforts that seek to systematically discriminate against or segregate children or youth on the basis of actual or perceived characteristics, including gender identity and gender expression.

Unfortunately, LGBTQ+ youth already experience significantly high rates of harassment, bullying, and discrimination in schools, which can contribute to a host of negative academic and social-emotional outcomes, including school dropout and suicide. According to research (Kosciw et al., 2016; Robinson & Espelage, 2011), the presence of inclusive policies and affirming school personnel directly improves student outcomes and school climate. LGBTQ+ youth thrive when they are accepted, respected, supported, and valued as members of the school community.

Concerns Regarding SB 2244:

Parental Involvement vs. Student Confidentiality

While parental involvement is crucial, SB 2244 mandates the disclosure of sensitive student information, such as gender identity or sexual orientation, without the student's consent. This infringes upon students' right to privacy. The NASP Principles for Professional Ethics (2010) explicitly state that school psychologists must not reveal information about a student's gender identity or transgender status without the individual's permission.

Furthermore, research (Ryan et al., 2009) shows that forced disclosure of LGBTQ+ identity can lead to increased risks of family rejection, including emotional abuse, expulsion from the home, and mental health challenges such as depression and suicidality. Conversely, family support—when provided willingly and with professional guidance—enhances self-esteem, lowers suicide risk, and improves overall well-being.

Impact on LGBTQ+ Students

Policies that require educators to disclose a student's LGBTQ+ status without consent increase the risk of discrimination, harassment, and mental health challenges for these students. NASP emphasizes that all youth deserve equal opportunities to participate in and benefit from affirming and supportive educational and mental health services. By forcibly outing students, SB 2244 may create hostile learning environments and erode the trust between students and school personnel, further endangering their safety and well-being.

Ethical Obligations of Educators

Educators and school psychologists are ethically obligated to create safe and supportive environments for all students. Forcing the disclosure of sensitive information without student consent contradicts these ethical standards and damages the trust essential for effective educational relationships.

Recommendations:

Amend SB 2244: Modify the bill to ensure that any requirements for parental notification do not compel educators to disclose sensitive information without the student's explicit consent, thereby respecting student confidentiality and autonomy.

Implement Comprehensive Training: Provide educators and school staff with training on best practices for supporting LGBTQ+ students, emphasizing the importance of confidentiality and the potential risks associated with non-consensual disclosure. Resources such as GLSEN (www.glsen.org) offer evidence-based training to ensure schools foster inclusive environments.

Develop Inclusive Policies: Encourage the development of school policies that protect the rights of all students, particularly marginalized communities, to ensure a safe and supportive educational environment. Schools should establish gender-neutral spaces, safe zones, and staff training programs to create a climate of acceptance and respect.

Conclusion

While parental involvement is a vital component of student success, it must be balanced with our ethical responsibility to protect student privacy and well-being. Senate Bill 2244 presents serious ethical concerns and places vulnerable students at increased risk. We urge the House Education Committee to consider these concerns and adopt policies that respect student confidentiality, foster safe learning environments, and uphold the highest ethical standards in education.

Thank you for your attention to this critical matter.

A handwritten signature in cursive script that reads "Rebecca Campbell".

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