Substitute No. 1

HOUSE BILL NO. HB0200

Parent rights-amendments.

Sponsored by: Representative(s) Webb, Brady, Guggenmos, Haroldson, Heiner, Johnson, Lucas, Schmid and Strock and Senator(s) Boner and Pearson

A BILL

for

AN ACT relating to education; clarifying procedures and requirements for school districts to provide parents notice of information regarding students; prohibiting school districts from requiring school district personnel and students to use a student's preferred pronoun if the pronoun does not align with the student's biological sex; requiring parental or guardian permission before instruction relating to diversity, equity or inclusion; authorizing school district personnel to opt out of mandatory trainings as specified; providing definitions; requiring reporting; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 21-3-135(a)(intro), (i), (iii), (v), by creating new paragraphs (vi) through (viii), (b), (f) and by creating new subsections (g) and (h) is amended to read:

21-3-135. Parental and guardian notices related to the educational, physical, mental and emotional health of students; student welfare; procedures; school district prohibitions.

(a) Each school district including school district personnel shall:

(i) Notify a student's parent or guardian as soon as practicable if there is a change in the student's educational, physical, mental or emotional health or well-being during school hours or while the student is engaged in any activity, extracurricular activity, event, program or function where school district personnel are responsible for the student regardless of location. Procedures adopted under this paragraph shall reinforce the fundamental right of parents and guardians to make decisions regarding the care and control of their children by requiring school district personnel to encourage a student to discuss issues relating

to his well-being with his parent or guardian or to facilitate discussion with the parent or guardian;

(iii) Not adopt or implement any formal or informal rules, policies, practices or procedures that prohibit or discourage school district personnel from notifying a student's parent or guardian about the student's educational, physical, mental or emotional health or well-being during school hours or while the student is engaged in any activity, extracurricular activity, event, program or function where school district personnel are responsible for the student regardless of location or a change in the student's related services as authorized under paragraphs (a)(i) and (ii) of this section;

(v) Obtain written or electronic permission from each student's parent or legal guardian not less than one (1) day prior to the student participating or receiving instruction in any trainings, courses or classes that address sexual orientation, ~~or~~ gender identity or diversity, equity or inclusion;~~.~~

(vi) Notify a student's parent or guardian not less than five (5) days prior to the student attending or participating in an assembly, extracurricular activity or guest speaker presentation that addresses sexual orientation, gender identity or diversity, equity or inclusion and provide the option for the student's parent or guardian to opt the student out of the attendance or participation;

(vii) Adopt a policy, practice or procedure to ensure that school district personnel and students are not required to refer to a student using the student's preferred pronoun if the pronoun does not align with the student's biological sex;

(viii) Adopt a policy, practice or procedure to allow school district personnel to withdraw or opt out of mandatory classes, lessons, trainings, educational activities or any program or activity involving diversity, equity or inclusion.

(b) Effective school year 2024-2025 and each school year thereafter, at the beginning of each school year, each school district shall make available to parents and guardians

any routine health care services offered or provided at the student's school and provide the option for the parent or guardian to withhold consent or decline any routine specific health care services. Parental or guardian consent to a routine health care service shall not waive the parent's or guardian's right to access the student's educational or health care records or to be notified of a change in the student's educational, physical, mental or emotional health or well-being during school hours or while the student is engaged in any activity, extracurricular activity, event, program or function where school district personnel are responsible for the student regardless of location. Nothing in this section shall be construed as preventing school district personnel from rendering first aid to a student or summoning emergency responders in case of sudden need.

(f) Nothing in this section shall prohibit school districts from complying with mandatory reporting of abuse or neglect pursuant to W.S. 14-3-205. ~~For purposes of this section, "abuse" means as defined by W.S. 14-3-202(a)(ii) and "neglect" means as defined by W.S. 14-3-202(a)(vii).~~

(g) Effective school year 2025-2026 and each school year thereafter, each school district shall make available to parents and guardians and publish on the school district's official website at the beginning of each school year, all written policies, practices and procedures and during the school year any updates to any written policy, practice or procedure. Each school district shall make available to parents and guardians and publish on the school district's official website any updates to any written policy, practice or procedure within thirty (30) days after the school district adopts such updates.

(h) As used in this section:

(i) "Abuse" means as defined by W.S. 14-3-202(a)(ii);

(ii) "Assembly" means a gathering of students and school district personnel to share information and announcements, celebrate or present achievements or awards, promote school spirit or attend presentations from guest speakers;

(iii) "Diversity, equity or inclusion" means any program, activity or policy that:

(A) Promotes discriminating for or against a person on the basis of race, color, sex, national origin or religion;

(B) Promotes the concept that a particular race, color, sex, national origin or religion is inherently or systemically superior, inferior, oppressive, oppressed, privileged or unprivileged; or

(C) Promotes gender ideology.

(iv) "Extracurricular activities" means a voluntary activity sponsored by the public school or school district or an organization sanctioned by the school district. "Extracurricular activities" shall include but are not limited to preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays and club activities;

(v) "Gender ideology" means the concept of replacing the biological category of sex with an ever-shifting concept of self-assessed gender identity that:

(A) Permits the false claim that a biological male may identify as a female, non-binary or a combination of male and female;

(B) Permits the false claim that a biological female may identify as a male, non-binary or a combination of male and female;

(C) Requires other persons and institutions to accept a claim made under subparagraph (A) or (B) of this paragraph; or

(D) Recognizes that there is a vast spectrum of genders that are disconnected from a person's biological sex and allows for a person to be born with the wrong biological sex.

(vi) "Neglect" means as defined by W.S. 14-3-202(a)(vii);

(vii) "Policies, practices or procedures" includes any written or electronic materials issued by a school district or school district personnel that governs conduct at a public school within a school district;

(viii) "School administrator" includes a superintendent of a school district, assistant superintendent, principal or assistant principal;

(ix) "School district personnel" means persons employed by a school district, independent contractors retained by a school district and volunteers who may have contact with students in the course of volunteering for a school district;

(x) "School hours" means the period of time that a student is required to be in a public school.

Section 2. This act is effective July 1, 2025.

(END)