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Ways and Means Committee

130 Taylor House Office Building

Annapolis, Maryland 21401

Monday, March 3, 2025

HB1385 – Children - Parental Rights - Educational Rights

Position: **UNFAVORABLE**

Chair Atterbeary, Vice Chair Wilkins, and Esteemed Members of the Ways and Means Committee:

My name is Lauren Pruitt, and I am the Legal Director at FreeState Justice, a nonprofit organization dedicated to serving LGBTQ+ Marylanders from diverse backgrounds. I am writing in strong opposition of **HB1385**. This legislation claims to seek the promotion of parental involvement in students' education, though it does so by means of excessive surveillance of educators and extensive intrusion on students' educational opportunities, granting broad rights to parents at the expense of students, school faculty, and the county.

This bill's provisions would allow broad access to curricula, instructional materials, and teacher training materials by parents, information which in many instances is already available to parents. It allows for parents to withdraw students' from extracurricular activities, instruction, and school events for unnamed reasons, which is also already largely at the discretion of parents. Additionally, **HB1385** would see the forced disclosure of private, sensitive student information—a student's preferred pronouns—to families that is often shared in confidence with school officials.

This legislation will have a direct harmful impact on the LGBTQ+ community. Research indicates that 28% of LGBTQ+ youth have experienced homelessness or housing instability at least once in their lifetime. Such rates are heightened among transgender and nonbinary youth, with 35-38% reporting such an experience, compared to 23% of cisgender LGBTQ youth (The Trevor Project). Such rates are often directly related to experiences of being kicked out, abandoned, and mistreatment for their LGBTQ+ identity. As such, many LGBTQ+ youth decide not to disclose their identity to their families. LGBTQ+ youth are also overrepresented in rates of depression and consideration of and attempted suicide. According to The Trevor Project, 39% of LGBTQ+ youth seriously considered attempting suicide in 2024, with transgender, nonbinary, and youth of color reporting much higher rates.

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FreeState Justice, Inc. is a social justice organization that works through direct legal services, legislative and policy advocacy, and community engagement to enable Marylanders across the spectrum of lesbian, gay, bisexual, transgender, and queer identities to be free to live authentically, with safety and dignity, in all communities throughout our state.

Some LGBTQ+ youth may decide to confide in a trusted school official where their identity may be affirmed, welcomed, and respected. This is especially important for those who do not have an affirming home environment, which unfortunately remains the majority of LGBTQ+ youth (The Trevor Project). Research also shows that affirming environments support greatly reduced rates of attempted suicide among transgender and nonbinary youth (The Trevor Project). **HB1385** would see that these individuals are forcefully outed to their parents to seek permission to use the student's preferred pronouns at school. Such a policy would perpetuate severe violence onto LGBTQ+ youth, pushing them away from our schools and into further harmful situations.

As an advocate, I have witnessed firsthand the harm done to LGBTQ+ individuals when their identity is wrongfully revealed to their parents. School is intended to be a safe space for all students, yet many LGBTQ+ individuals disclose overwhelming fear of educational spaces due to bullying, harassment, and lack of acceptance from both faculty and other students. This legislation will only add to the already existing challenges faced by LGBTQ+ students, pushing them away from educational spaces and perpetuating an unwelcoming environment that isolates entire groups of students. While supporters of this bill may argue that school is not the place for the affirmation of a student's identity, there is no doubt that students perform better when they feel comfortable in the classroom. Student affirmation is essential to their success and wellbeing, in and outside the classroom.

HB1385 will undoubtedly have harmful consequences for students across Maryland, regardless of their identity. School is essential not only for its educational benefits, but for its contribution to a student's sense of belonging in society and their health and wellbeing. For those with unaccepting home environments, school may be one of few safe spaces in a student's life. Such parental overreach as allowed by **HB1385** shifts the focus of our educational institutions from excellence and acceptance to one of ideological compliance. For these reasons, I strongly urge the committee to issue an unfavorable report for **HB1385**.

Sincerely,

Lauren Pruitt
Legal Director
FreeState Justice

Sources:

1. 2023 U.S. National Survey on the Mental Health of LGBTQ+ Young People, <https://www.thetrevorproject.org/survey-2024/>
2. Homelessness and Housing Instability among LGBTQ Youth, <https://www.thetrevorproject.org/research-briefs/homelessness-and-housing-instability-among-lgbtq-youth-feb-2022/>