

117TH CONGRESS
2D SESSION

S. 4892

To require elementary and middle schools that receive Federal funds to obtain parental consent before changing a minor child's gender markers, pronouns, or preferred name on any school form, allowing a child to change the child's sex-based accommodations, including locker rooms or bathrooms.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2022

Mr. SCOTT of South Carolina (for himself, Mr. MARSHALL, and Mr. GRAHAM) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To require elementary and middle schools that receive Federal funds to obtain parental consent before changing a minor child's gender markers, pronouns, or preferred name on any school form, allowing a child to change the child's sex-based accommodations, including locker rooms or bathrooms.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Parental Rights Over
3 the Education and Care of Their Kids Act” or the “PRO-
4 TECT Kids Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) The law in the United States has long rec-
8 ognized the importance of parental rights. A par-
9 ent’s right to oversee the care and education of their
10 child is guaranteed by the Fourteenth Amendment.

11 (2) Parents have a fundamental, constitu-
12 tionally guaranteed right to raise and educate their
13 children in the way that they choose.

14 (3) Public schools across the country are vio-
15 lating these fundamental parental and familial rights
16 by deliberately hiding information about gender
17 transitioning children from their parents.

18 (4) School staff in Montgomery County Public
19 Schools in Maryland instruct teachers to form “gen-
20 der transition plans” for students without the knowl-
21 edge or consent of the student’s family.

22 (5) An Iowa public school district was sued for
23 allowing children as young as 12 to create “gender
24 support plans” without the knowledge or consent of
25 the students’ parents.

1 (6) Fairfax County Public Schools in Virginia
 2 has required all teachers to complete a training pro-
 3 gram saying that parental permission is not required
 4 for students who seek to be addressed by different
 5 names or pronouns.

6 (7) Regardless of their intentions, these schools
 7 are sabotaging the parent-child relationship and en-
 8 couraging children to keep secrets from the adults
 9 who are charged with protecting and defending
 10 them—their parents.

11 (8) Children do best when their parents are ac-
 12 tively involved in their education. School districts,
 13 activist organizations, and teachers unions must
 14 never be allowed to intrude on parental rights by
 15 concealing critical information from parents about
 16 their children.

17 **SEC. 3. REQUIREMENT RELATED TO GENDER MARKERS,**
 18 **PRONOUNS, AND PREFERRED NAMES ON**
 19 **SCHOOL FORMS.**

20 As a condition of receiving Federal funds, any ele-
 21 mentary school (as such term is defined in section 8101
 22 of the Elementary and Secondary Education Act of 1965
 23 (20 U.S.C. 7801)) or school that consists of only middle
 24 grades (as such term is defined in such section), that re-

1 ceives Federal funds shall be required to obtain parental
2 consent before—

3 (1) changing a minor child's gender markers,
4 pronouns, or preferred name on any school form; or

5 (2) allowing a child to change the child's sex-
6 based accommodations, including locker rooms or
7 bathrooms.

○