

118TH CONGRESS
1ST SESSION

H. R. 1585

To require a State receiving funds pursuant to title II of the Elementary and Secondary Education Act of 1965 to implement a State policy to prohibit a school employee from conducting certain social gender transition interventions.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2023

Mr. LAMALFA introduced the following bill; which was referred to the
Committee on Education and the Workforce

A BILL

To require a State receiving funds pursuant to title II of the Elementary and Secondary Education Act of 1965 to implement a State policy to prohibit a school employee from conducting certain social gender transition interventions.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prohibiting Parental
5 Secrecy Policies In Schools Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Parents are in the best position to know
2 their own child's needs and circumstances, and
3 therefore they should maintain authority over all de-
4 cisions that could impact the health and well-being
5 of their children.

6 (2) The fundamental rights of parents over the
7 upbringing, education, and care of their children has
8 been unequivocally established in the United States.

9 (3) The fundamental right of parents to direct
10 the education of their children, including the right to
11 play a central role in what their children are learn-
12 ing shall be upheld.

13 (4) Academic success begins by embracing these
14 fundamental parental rights in our educational insti-
15 tutions.

16 (5) It is essential that parents' voices are re-
17 spected and incorporated into the development of
18 academic curricula to ensure that their children are
19 receiving an appropriate education.

20 (6) Education must focus on academic subjects,
21 and, without exception, should not include personal
22 bias, personal political opinion, or indoctrination.

23 (7) A parent should have the right to opt-in re-
24 view and evaluate all survey, data collection, and
25 psychological profiling before it is administered to

1 their students and parents should have the right to
2 opt-out of all such testing, survey participation, or
3 data collection.

4 (8) The traditional partnership between school
5 employees, students, and parents by involving par-
6 ents in the education of their children shall be
7 upheld.

8 **SEC. 3. STATE POLICY PROHIBITING CERTAIN SOCIAL GEN-**
9 **DER TRANSITION INTERVENTIONS.**

10 (a) SOCIAL GENDER TRANSITION INTERVENTION
11 WITH RESPECT TO A MINOR.—Not later than one year
12 after the date of the enactment of the this Act, to be eligi-
13 ble to receive funding pursuant to title II of the Elemen-
14 tary and Secondary Education Act of 1965 (20 U.S.C.
15 6601 et seq.) a State shall have in effect a State policy
16 prohibiting a school employee from—

17 (1) using pronouns for a minor that are incon-
18 sistent with the minor’s biological sex for the pur-
19 pose of recognizing or promoting a self-professed
20 identity that is incongruent with their biological sex,
21 without the consent of a custodial parent or legal
22 guardian;

23 (2) providing, promoting, referring to, or other-
24 wise assisting in the use of devices, medical and oth-
25 erwise, such as binders, packers, or padding, that

1 promote changes to the minor’s physical appearance
2 so that it aligns with the opposite biological sex for
3 the purpose of recognizing or promoting a self-pro-
4 fessed identity that is incongruent with their biologi-
5 cal sex, without the consent of a custodial parent or
6 legal guardian; and

7 (3) carrying out any other action designed to
8 assist a minor in the promotion or adoption of their
9 self-professed gender identity and denial of their bio-
10 logical sex, without the consent of a custodial parent
11 or legal guardian.

12 (b) DEFINITIONS.—In this section:

13 (1) BIOLOGICAL SEX.—The term “biological
14 sex” means the biological indicators of male or fe-
15 male in the context of reproductive potential or ca-
16 pacity, such as sex chromosomes, naturally occurring
17 sex hormones, gonads, and non-ambiguous internal
18 and external genitalia present at birth, without re-
19 gard to an individual’s psychological, chosen, or sub-
20 jective experience of gender.

21 (2) GENDER.—The term “gender” means the
22 psychological, behavioral, social, and cultural aspects
23 of being male or female.

24 (3) SCHOOL EMPLOYEE.—The term “school em-
25 ployee” includes—

1 (A) a teacher, substitute teacher, school
2 administrator, school superintendent, guidance
3 counselor, psychologist, social worker, nurse,
4 physician, school paraprofessional or coach em-
5 ployed by a public elementary or secondary
6 school or local educational agency in a State;

7 (B) an individual associated with the ad-
8 ministration or financing of an extracurricular
9 activity hosted by or at a public elementary or
10 secondary school; or

11 (C) any other individual who, in the per-
12 formance of his or her duties, has regular con-
13 tact with students under the age of 18 years old
14 and who provides services to or on behalf of
15 such students enrolled in a public elementary or
16 secondary school, pursuant to a contract with
17 the public elementary or secondary school, State
18 educational agency, or local educational agency.

19 (4) STATE.—The term “State” means each of
20 the several States, the District of Columbia, and any
21 commonwealth, territory, or possession of the United
22 States.

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