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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

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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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Parental Rights Over the Education and Care of Their Kids Act'' or the ''PROTECT Kids Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The law in the United States has long recognized the importance of parental rights. A parent's right to oversee the care and education of their child is guaranteed by the Fourteenth Amendment.

(2) Parents have a fundamental, constitutionally guaranteed right to raise and educate their children in the way that they choose.

(3) Public schools across the country are violating these fundamental parental and familial rights by deliberately hiding information about gender transitioning children from their parents.

(4) School staff in Montgomery County Public Schools in Maryland instruct teachers to form ''gender transition plans'' for students without the knowledge or consent of the student's family.

(5) An Iowa public school district was sued for allowing children as young as 12 to create ''gender support plans'' without the knowledge or consent of the students' parents.

(6) Fairfax County Public Schools in Virginia has required all teachers to complete a training program saying that parental permission is not required for students who seek to be addressed by different names or pronouns.

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

(8) Children do best when their parents are actively involved in their education. School districts, activist organizations, and teachers unions must never be allowed to intrude on parental rights by concealing critical information from parents about their children.

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

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

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

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

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

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