

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

1 AN ACT relating to education; clarifying procedures and
2 requirements for school districts to provide parents notice
3 of information regarding students; requiring school
4 districts to publish and make materials available to
5 parents; prohibiting school districts from requiring school
6 district personnel and students to use a student's
7 preferred pronoun if the pronoun does not align with the
8 student's biological sex; requiring parental or guardian
9 permission before instruction relating to diversity, equity
10 or inclusion; authorizing school district personnel to opt
11 out of mandatory trainings as specified; specifying
12 disciplinary measures; providing for a cause of action;
13 providing for a civil penalty; providing definitions;
14 requiring reporting; and providing for an effective date.

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

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3 **Section 1.** W.S. 21-3-135(a)(intro), (i), (iii), (v),
4 by creating new paragraphs (vi) through (viii), (b), (d) by
5 creating a new paragraph (ix), (f) and by creating new
6 subsections (g) through (k) and 21-7-110(a)(viii), by
7 creating a new paragraph (ix) and by renumbering (ix) as
8 (x) are amended to read:

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10 **21-3-135. Parental and guardian notices related to**
11 **the educational, physical, mental and emotional health of**
12 **students; student welfare; procedures; school district**
13 **prohibitions.**

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

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18 (i) Notify a student's parent or guardian as
19 soon as practicable if there is a change in the student's
20 educational, physical, mental or emotional health or
21 well-being during school hours or while the student is
22 engaged in any activity, extracurricular activity, event,
23 program or function where school district personnel are

1 responsible for the student regardless of location.

2 Procedures adopted under this paragraph shall reinforce the
3 fundamental right of parents and guardians to make
4 decisions regarding the care and control of their children
5 by requiring school district personnel to encourage a
6 student to discuss issues relating to his well-being with
7 his parent or guardian or to facilitate discussion with the
8 parent or guardian;

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

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22 (v) Obtain written or electronic permission from
23 each student's parent or legal guardian not less than one

1 (1) day prior to the student participating or receiving
2 instruction in any trainings, courses or classes that
3 address sexual orientation, ~~or~~ gender identity or
4 diversity, equity or inclusion;

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6 (vi) Notify a student's parent or guardian not
7 less than five (5) days prior to the student attending or
8 participating in an assembly, extracurricular activity or
9 guest speaker presentation and provide the option for the
10 student's parent or guardian to opt the student out of the
11 attendance or participation;

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

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

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2 (b) Effective school year 2024-2025 and each school
3 year thereafter, at the beginning of each school year, each
4 school district shall make available to parents and
5 guardians any routine health care services offered or
6 provided at the student's school and provide the option for
7 the parent or guardian to withhold consent or decline any
8 routine specific health care services. Parental or guardian
9 consent to a routine health care service shall not waive
10 the parent's or guardian's right to access the student's
11 educational or health care records or to be notified of a
12 change in the student's educational, physical, mental or
13 emotional health or well-being during school hours or while
14 the student is engaged in any activity, extracurricular
15 activity, event, program or function where school district
16 personnel are responsible for the student regardless of
17 location. Nothing in this section shall be construed as
18 preventing school district personnel from rendering first
19 aid to a student or summoning emergency responders in case
20 of sudden need.

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22 (d) Each school district shall adopt necessary rules,
23 policies, practices and procedures for a parent or guardian

1 to file a complaint with the school district regarding a
2 school district's non-compliance with this section, in
3 accordance with the following:

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5 (ix) Each school district shall annually report
6 to the department of education the number of complaints
7 filed, the number of hearings requested and held and the
8 number of decisions appealed for judicial review under this
9 subsection and the number of civil cases filed under
10 subsection (j) of this section. The department of education
11 shall publish the report required by this paragraph on the
12 department of education's official website.

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

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20 (g) Effective school year 2025-2026 and each school
21 year thereafter, each school district shall make available
22 to parents and guardians and publish on the school
23 district's official website:

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(i) At the beginning of each school year, the curriculum for each class or grade level at each public school within the school district and any updates to the curriculum that occur during the school year;

(ii) Any physical or electronic materials distributed or made available to students 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;

(iii) 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.

1 (h) A teacher or school administrator who violates
2 this section shall be subject to disciplinary action under
3 W.S. 21-7-110.

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5 (j) A person aggrieved by an alleged violation of
6 this section may file a civil action against any school
7 district personnel or school district to recover a civil
8 penalty of not more than five hundred dollars (\$500.00) per
9 violation of this section, including subsequent or
10 continued violations. Notwithstanding any other provision
11 of law, no school district personnel or school district
12 shall be immune from liability for a violation of this
13 section. The aggrieved person may bring an action in
14 district court in the county where the violation of this
15 section occurred.

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17 (k) As used in this section:

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19 (i) "Abuse" means as defined by W.S.
20 14-3-202(a)(ii);

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22 (ii) "Assembly" means a gathering of students
23 and school district personnel to share information and

1 announcements, celebrate or present achievements or awards,
2 promote school spirit or attend presentations from guest
3 speakers;

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5 (iii) "Curriculum" means a course of study for
6 uniform student content and performance standards for the
7 common core of knowledge and common core of skills as
8 specified under W.S. 21-9-101(b) including instructional,
9 guidance and supplemental materials;

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11 (iv) "Diversity, equity or inclusion" means any
12 program, activity or policy that promotes differential or
13 preferential treatment of persons or classifies persons on
14 the basis of race, color, sex, national origin, gender
15 identity or sexual orientation;

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

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

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5 (vii) "Policies, practices or procedures"
6 includes any written or electronic materials issued by a
7 school district or school district personnel and any
8 unwritten customs encouraged by a school district or school
9 district personnel that governs conduct at a public school
10 within a school district;

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

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

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

