

Society for Sexual, Affectional, Intersex, and Gender Expansive Identities' Position Statement on Parental Rights Bills/Laws

In 2022, the legislature for the State of Florida passed, and Governor DeSantis signed, a bill into law, called the Parental Rights in Education Act. This law entails specifically a section that prohibits the discussion of sexuality and gender identity issues, written as follows: “Classroom instruction by school personnel or third parties on sexual orientation or gender identity may not occur in kindergarten through grade 3.”^[i] This was done under the guise of “fundamental right of parents to make decisions regarding the upbringing and control of their children in a specified manner.”^[ii] Now, states across the country are adopting or attempting to adopt similar laws.^[iii] While these laws claim to work toward ensuring students’ parents (especially students in the age groups of kindergarten through third grade) rights to teach their children about such subject matter, the reality is that these laws prohibit schools from discussing fundamental matters of humanity like sexual orientation and gender identity.^[iv] This has been shown to be a metric for bad actors and propagators of hateful ideologies to enforce their beliefs on children^[v] because they errantly believe that people being not straight or cisgender is a fundamental malformation of the human identity rather than a rich and natural feature of life.^[vi]

What this does do is potentially deprive young children still in the midst of discerning their own identities, because a child’s understanding of their orientation has been shown to develop as early as toddlerhood. ^[vii] When people assert that schools should not address orientation and identity issues, they deny an opportunity for students to receive ideas they can use to understand themselves. The evidence that obstructing people (children included) from exploring their identity has a profoundly negative effect on their mental health in the short and long term is extensive.

We at SAIGE believe that curtailing the education of children by constricting schools from talking about an ineffable fact of life out of a politically motivated attempt to push an anti-LGBTQIAP+ agenda runs counter to the core ethics of the counseling field intended to “promote respect for human dignity and diversity.” ^[viii]

[i] The Parental Rights in Education Act, no. HB1557, Florida House of Representatives (2022). <https://www.flsenate.gov/Session/Bill/2022/1557/BillText/er/PDF>

[ii] The Parental Rights in Education Act, no. HB1557, Florida House of Representatives (2022). <https://www.flsenate.gov/Session/Bill/2022/1557/BillText/er/PDF>

[iii] Jones, D., & Franklin, J. (2022, April 10). Not just Florida. More than a dozen states propose so-called “Don’t Say Gay” bills. NPR. <https://www.npr.org/2022/04/10/1091543359/15-states-dont-say-gay-anti-transgender-bills>

- [iv] Under fire: The war on LGBTQ people in America. (2023). Movement Advancement Project. https://www.mapresearch.org/file/MAP_Under%20Fire%20Report.pdf
- [v] Berger, E. (2022, April 4). How Florida's 'don't say gay' law could harm children's mental health. The Guardian. <https://www.theguardian.com/us-news/2022/apr/04/florida-dont-say-gay-bill-children-mental-health>
- [vi] Kinney, R. L. (2015). Homosexuality and scientific evidence: On suspect anecdotes, antiquated data, and broad generalizations. *The Linacre Quarterly*, 82(4), 364–390. <https://doi.org/10.1179/2050854915Y.0000000002>
- [vii] Putnam, D. (2022, March 28). Florida's anti-gay bill is wrong. It's also unconstitutional. NBC News. <https://www.nbcnews.com/think/opinion/florida-hb-1557-anti-gay-parental-rights-education-violates-free-nca1293466>
- [viii] ACA Code of Ethics. (2014). American Counseling Association. <https://www.counseling.org/resources/aca-code-of-ethics.pdf>