

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 581 Session of  
2025

INTRODUCED BY BOROWICZ, HAMM, GREINER, ROAE, STAATS, SCIALABBA,  
KAUFFMAN, KUZMA, GROVE, WALSH, ZIMMERMAN, GILLEN, BERNSTINE,  
JAMES, M. JONES, FINK AND WATRO, FEBRUARY 12, 2025

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 12, 2025

AN ACT

1 Providing for classroom instruction on sexual orientation and  
2 gender identity and for parental notification of student  
3 health care services; and establishing cause of action for  
4 violation.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Parental  
9 Rights in Education Act.

10 Section 2. Legislative intent.

11 The General Assembly finds and declares that it is the  
12 fundamental right of a parent or legal guardian of a student to  
13 make decisions regarding the student's upbringing and well-  
14 being.

15 Section 3. Definitions.

16 The following words and phrases when used in this act shall  
17 have the meanings given to them in this section unless the  
18 context clearly indicates otherwise:

1 "Professional employee." As the term "professional employe"  
2 is defined in section 1101(1) of the act of March 10, 1949  
3 (P.L.30, No.14), known as the Public School Code of 1949.

4 "School entity." A school district, intermediate unit, area  
5 career and technical school, charter school, cyber charter  
6 school or regional charter school.

7 Section 4. Classroom instruction on sexual orientation and  
8 gender identity.

9 A school entity may not offer instruction on sexual  
10 orientation or gender identity to a student in kindergarten  
11 through fifth grade.

12 Section 5. Parental notification of student health care  
13 services.

14 Beginning with the 2025-2026 school year and each school year  
15 thereafter, a school entity shall implement a parental  
16 notification procedure that reinforces the fundamental right of  
17 a parent or legal guardian of a student to make decisions  
18 regarding the student's upbringing and well-being and that  
19 includes:

20 (1) A notice to parents or legal guardians of health  
21 care services offered by the school entity.

22 (2) A form with an option for parents and legal  
23 guardians to withhold consent or decline a health care  
24 service offered by the school entity.

25 (3) A process for notifying a student's parent or legal  
26 guardian of a change in the student's health care services or  
27 monitoring related to a student's mental, emotional or  
28 physical health.

29 Section 6. Student well-being questionnaires, health care  
30 screening forms and surveys.

Before administering a student well-being questionnaire, health care screening form or survey to a student in kindergarten through fifth grade, a school entity must:

(1) Provide written notice to the parent or legal guardian of the student well-being questionnaire, health care screening form or survey.

(2) Publish a copy of the student well-being questionnaire, health care screening form or survey on the school entity's publicly accessible Internet website or produce a hard copy upon request by the parent or legal guardian.

(3) Provide an option for a parent or legal guardian to withhold consent from the student's participation in the student well-being questionnaire, health care screening form or survey.

#### Section 7. Prohibited actions.

A school entity, professional employee or school representative may not:

(1) Encourage, or have the effect of encouraging, a student to withhold information regarding the student's mental or physical health from the student's parent or legal guardian.

(2) Prohibit a parent or guardian of a student from accessing the student's education or health records created, maintained or used by the school entity.

(3) Retaliate or take adverse action against a student who reports a violation of this act to the school entity or a Federal or State agency with oversight of school entities in this Commonwealth.

#### Section 8. Civil action.

1       A student, or parent or guardian on behalf of the student, of  
2   a school entity that violates this act may bring a civil action  
3   in a court of competent jurisdiction for appropriate injunctive  
4   relief or damages, or both, within 180 days after the alleged  
5   violation.

6   Section 9.   Effective date.

7       This act shall take effect in 60 days.