



Because Freedom Can't Protect Itself

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OPPOSE SB 149/HB 661:

These bills, which are aimed at discouraging students from joining Gay-Straight Alliances, have far reaching effects.

These Bills Would Create a Huge Administrative Burden for Teachers and School

Administrators: In accordance with this bill, schools would be required to compile, update, track, and disseminate information about school clubs and activities. More burdensome, however, is the requirement that teachers and schools track **permission slips** for nearly all **extra-curricular activities and events**. For example, under this bill, a student would need a permission slip not just to be a member of the drama club, but also to attend **a play being put on by the drama club**. How can the school and its teachers be expected to collect permission slips from every student wishing to attend the performance? Another example of the administrative burden: if the student counsel were to sponsor the **school prom**, no student could attend without having a permission slip from his or her parent. **The requirement is unmanageable.**

These Bills Would Create Liability for the Schools and Teachers: The likelihood of administrative mishandling of the permission slips is inevitable, especially when permission slips are required for attendance at the prom and school plays. **Mistakes in administration could lead to liability.** For example, barring a student from an event or club after a permission slip was provided could lead to a lawsuit. Or, allowing a student to attend a club without a permission slip could create liability for the school or the teacher. A teacher or school could also be held liable if they accepted a permission slip, which unbeknownst to them, had a forged signature. **Indeed, in California, parents sued a school district after their children were allowed to attend a play after the parents submitted "opt-out" forms.** The lawsuit was not settled until after two years of litigation.

Students Without Active Parents Should Be Encouraged to Participate, Not Barred From

Joining Clubs: This bill would bar the very students who we should be encouraging to join clubs. A student who does not have an ideal household may not be able to obtain a permission slip. They could have trouble getting a permission slip due to busy parents, chaotic households, or simply because they, themselves are an unorganized adolescent. But, they could also have neglectful parents. **Students with parents who are not actively participating in the students' lives and these are the students who most need to be participating in after-school activities.** Instead of barring these students from having positive activities to join after school, we should be helping them become active participants. **Parents who want to be active in a student's life will be active - with or without a permission slip.**

This Bill Would Discourage Teachers From Volunteering As Club Sponsors: The administrative nightmares and the creation of liability would deter teachers from volunteering to sponsor clubs, essentially decreasing the number of clubs and activities a school can offer. In turn, this decreases the opportunities for students to participate in educational and social clubs and activities.

This Bill Targets Gay Students: In order to provide support to gay students who are bullied by other students and, perhaps rejected by their parents, students have formed gay-straight alliances. Because the Equal Access Act, prohibits schools from banning these clubs, the supporters of this bill are trying a more creative approach to stop the clubs - prevent students from joining. The sponsors know that the kids who need the emotional support of the clubs are the students who likely cannot get a permission slip from their parents.