

# House Education Committee

## Proponent of HB2420

By Mary Meininger, Director of Concerned Women for America of Kansas

Thank you, Madam Chair Estes, and members of the House Education Committee, for the opportunity to testify in support of HB2420. My name is Mary Meininger, and I serve as the State Director of Concerned Women for America of Kansas.

Concerned Women for America of Kansas supports HB2420, which requires school districts to obtain **parental consent** before providing school-based mental health services to a student.

In 1979, the United States Supreme Court, in *Parham v. J.R.*, held that parents are presumed to act in the **best interests of their children** when making mental-health treatment decisions. Writing for the majority, Chief Justice Warren E. Burger stated:

"Simply because the decision of a parent is not agreeable to a child or because it involves risks does not automatically transfer the power to make that decision from the parents to some agency or officer of the state." — *Parham v. J.R.*, 442 U.S. 584, 603 (1979)

Chief Justice Burger further emphasized this foundational principle, stating: "The law presumes that parents act in the best interests of their children."

By affirming parents' rights, the Court reinforced the long-established principle that families—not governmental institutions—are best positioned to oversee the upbringing, education, and mental health of their children. When parents are able to fulfill these responsibilities, it benefits not only children, but society as a whole.

Parents are uniquely situated to understand their own child's needs, circumstances, and vulnerabilities. For that reason, they should retain authority over decisions that may significantly impact their child's health and well-being. The fundamental right of parents to direct the upbringing of their children has been unequivocally established in the United States.

Kansas law clearly reflects this principle as well. Kansas Statute Annotated §38-141(2)(E) declares that:

"It shall be the public policy of this state that parents shall retain the fundamental right to exercise primary control over the care and upbringing of their children in their charge."

Further, K.S.A. §60-5305(a) provides that:

"Nothing in this act shall be construed to impair the fundamental right of every parent to control the care and custody of such parent's minor children, including, but not limited to, control over education, discipline, religious and moral instruction, health, medical care, welfare, place of habitation, counseling, and psychological and emotional well-being of such minor children as set forth in the laws and constitution of the state of Kansas and of the United States."

HB2420 is consistent with both constitutional precedent and Kansas public policy, and it affirms the essential role of parents in safeguarding their children's mental and emotional health.

Concerned Women for America of Kansas appreciates your work on behalf of Kansas children and families. We respectfully ask that you vote **in favor of HB 2420**.

Thank you for your time and consideration.