

Jon Oden

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HB 2420 Requiring school districts to obtain parental consent prior to providing certain school-based mental health services to a student.

Opponent – Written only

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Thank you, committee, for allowing me to share my testimony. My name is Jon Oden, and I represent KSCA, ASCA, and USD 475 with my testimony. As a school counselor in a public school, obtaining parental consent for every mental health related service would be a nightmare, particularly since the bill requires both verbal communication with the parent as well as written, signed consent. When students are in crisis, when they need help, and when they are looking for someone to turn to, the time it would require to gain the consent of the parent would cause a disservice to the student. Many students don't schedule an appointment to meet with their counselor ahead of time but simply walk in because they need someone to talk to. Rather than the fluid assistance that the student needs in those moments, there would be disjointed moments where the student would need to wait for help until their parent had been contacted.

In my time as a school counselor, there have been dozens of parents that don't answer their phone when I call, either because they are working, sleeping, or something else entirely. As a school counselor, what am I meant to do in those moments when a parent doesn't answer or when a parent can't immediately sign documentation to prove that they consent to me helping their child? Send the child back to class and tell them that I can't help them today because their parent couldn't be bothered to answer the phone? How do you think that would make a child feel? What good would come of that interaction for the student?

Additionally, there are times that a student doesn't want their parent to know of the mental health services they receive. Forcing school counselors to acquire consent before meeting with the student breaches the understanding of confidentiality and goes against the ethics of mental health providers across the nation. There are times when confidentiality must be breached, particularly when a student is expressing something that could result in harm to themselves or others, but in no other instance is it justifiable to breach that confidentiality.

Part of the reason students feel comfortable speaking with mental health providers is precisely because they feel they can express their thoughts without fear of judgement. A parent needing to give consent prior to the services would result in the student no longer feeling safe in speaking to their counselor. This would lead to more internalizing behaviors from students as they avoided even asking for help. They wouldn't receive the help they need, which would worsen whatever mental health situation they are experiencing. In the worst cases, this could result in future suicidal attempts; attempts that could have been prevented if the student had felt comfortable talking about their negative emotions months before.

In conclusion, I vehemently oppose the passage of HB 2420. It slows the process of helping students, adding more unnecessary red tape before they are able to get the help that they need. It does a disservice to students, setting aside their rights and needs for the sake of more control on the part of parents. It goes against the code of ethics of school counselors and mental health providers. It devalues the struggles of children with mental health concerns. And, perhaps most importantly, it increases the risks of suicidality down the road, as students become less comfortable coming to the people with training that could help them and instead turn to their friends or AI Chat bots for assistance, or speak with no one at all.

If you have questions about my testimony, please feel free to contact me at the email address I provided.