

**Written Testimony to the House Committee on Education
HB2420**

Date of Hearing: January 22, 2026

Name: Melanie Scott

Email: melanie.d.scott78@gmail.com

Kansas constituent in Manhattan, Kansas, a licensed Kansas school counselor, and a parent of two children (a student at a Kansas public middle school and a student at a Kansas university),
Opponent of HB 2420-*Requiring school districts to obtain parental consent prior to providing certain school-based mental health services to a student*

Dear Chairperson and Members of the House Committee on Education:

This written testimony is in opposition to HB 2420. While parent collaboration is already encouraged and a vital part of each child's education and well-being, this specific bill creates barriers that impact student safety and access to mental health support for our Kansas students. What could be positive intent of school staff listening and caring for the well-being of a student may result in a \$5000 fine to the district by the definition of the current bill. We recognize the parents' rights to be a guiding voice in the lives of their child. Let's encourage collaboration by teaming together to support the academic success and well-being of each student versus legislation that could lead to students feeling unsupported during distressful times.

This bill does not clearly define what is considered tier 1, tier 2, and tier 3 supports. This confusion could impact services provided by licensed mental health professionals in schools. One example that is not clearly defined is short-term counseling. Short-term counseling sessions help provide life skills, resources, and encouragement that lead to academic, post-secondary, and social-emotional success. Students may not know how to verbalize what they are feeling and choose to visit with trusted school staff. They may request the service of a trained school mental health professional to help process life events.

Sometimes our students face barriers impeding academics that require a higher level of care and support. Our American School Counselor Association ethics already state the importance of informing parents when we are providing tier 2 and tier 3 support such as **group counseling** or **school-based mental health therapeutic services**. According to our ethics and Kansas law, we also notify parents in tier 3 situations when there is **serious or foreseeable harm to the students or others**. We work to provide resources for the family and reintegration support back into school after a student crisis.

This bill does not state how short-term individual counseling falls into one of the tiered categories. It does not provide exemption for situations of neglect and abuse. Here are a few examples where HB 2420 is not clearly defined and could have unintentional consequences:

Example A-Short-term individual counseling: A student visits the counselor's office and shares a conflict with a friend that happened over the weekend. The student is having

trouble concentrating in math and needs to process what happened. The counselor listens, helps regulate the crying student, helps the student with conflict resolution skills, and sends the student back to class as timely as possible. The counselor follows up later that week to check in with the student and determine if further support is needed. *According to this bill, what tier does the first session fall under, and what tier does the second session fall under when we do check-ins with the student?*

Example B-Abuse and neglect: A peer disclosed to a friend about a situation where abuse happened over the weekend. That peer tells a coach and the coach shares it with the school counselor. *When the coach talks to the peer, what tier does that fall under? When the school counselor talks to the student about possible abuse, is that protected from the \$5,000 fine and excluded from getting parent permission first, especially in situations where the parent is the possible perpetrator?*

Example C-Conversations that build rapport and lead to sharing resources with families: A teacher notices a change in a student. There is a noticeable smell and the student is wearing the same hoodie all week. Instead of the normal class participation and engagement, the student has been putting his hood over his head and sleeps through class. The concerned teacher, recognizing a pattern, visits with the student after class. The student who trusts the teacher, shares their water has been cut off for a week. The parents are working, but there is not enough money to pay the water bill for another week. He also states there was not enough food last weekend. The teacher refers the student to the school social worker. *What tier is the teacher/student conversation? What tier is the social worker conversation to get information from the student before the social worker has a chance to contact the parents about community resources? This bill, including the fine, could cause staff hesitancy to approach students and delay appropriate services.*

Example D-An academic conversation that turns social-emotional: A school counselor calls in a student to visit about attendance and failing grades. The student has been absent more than usual in the last few weeks and is failing most of her classes. What is starting out as an academic visit, turns into more when the student discloses a recent breakup. *What tier does this conversation fall under? It started academic and now in the same session, the student has disclosed a breakup. Does the school counselor have to stop the conversation with the crying student to call parents to get verbal and written consent to continue the conversation? If there is a need to stop the conversation for parental consent, situations like this could harm rapport building and trust. This would prevent students from wanting to process situations that could escalate into something further.*

Please consider the unintended consequences of HB 2420. Let's work together to provide a partnership between parents and school staff. Effective partnerships are built on trust and collaboration, versus mandates that treat good intention and ethical support as a legal liability. Please work with, rather than against the professionally trained, licensed professionals serving our Kansas students. Please do not move this bill forward.

Respectfully,
Melanie Scott, Licensed School Counselor, LPC