

Subject Parent's Bill of Rights

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Overview

This bill establishes a Parent's Bill of Rights in Minnesota Statutes, section 260C, by listing fundamental rights of parents and prohibiting any political subdivision of this state, or any other governmental entity or institution granted authority to act on behalf of the state, from infringing upon those rights.

Summary

| Section | Description |
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| 1 | Parent's Bill of Rights. |
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Proposes coding for section 260C.009. Establishes Parent's Bill of Rights.

Subd. 1. Short title. Provides that the act must be known as the "Parent's Bill of Rights."

Subd. 2. Definitions. Defines the terms "minor child" and "parent" for purposes of this section.

Subd. 3. Parental rights reserved. Paragraph (a) prohibits the state, any political subdivision of the state, or any other governmental entity from infringing on the fundamental right of a parent to direct the upbringing, education, and physical and mental health care of the parent's minor child without demonstrating that the potential infringement of parental rights is reasonable and necessary to achieve a compelling state interest, and that the potential infringement of parental rights is narrowly tailored and is not otherwise served by a less restrictive means. Lists parental rights, including but not limited to:

- Directing the child's education;
- Accessing, reviewing, and overseeing the privacy of the child's school records;
- Directing the child's upbringing;
- Directing the child's moral and religious training;
- Having informed consent when making health care decisions for the child;

Section **Description**

- Accessing and reviewing the child’s medical records and physical samples;
- Consenting in writing to any physical or mental health examinations of the child in advance, unless in a life-threatening emergency;
- Consenting in writing to any medical interventions for the child in advance, unless in a life-threatening emergency;
- Consenting in writing to any biometric scan of the child in advance;
- Consenting in writing before any record of the child's blood or DNA is made, shared, or stored, unless required by law or pursuant to a court order;
- Consenting in writing before the state or any political subdivision makes a voice or video recording of the child, unless for one of the listed exceptions or purposes; and
- Being promptly notified if any governmental entity or institution suspects that a criminal offense has been committed against the minor by someone other than a parent.

Paragraph (b) states that any attempt to encourage or coerce a child to withhold information from the child's parent is grounds for employee discipline.

Paragraph (c) states that any attempt to coerce or discriminate against a parent for exercising the rights in this section is grounds for employee discipline.

Paragraph (d) specifies that the section does not permit abuse or neglect by a parent, or any decision that would end a child’s life. It also specifies that the section does not prevent courts, law enforcement, or other government agencies from acting within the scope of their authority.

Paragraph (e) clarifies that this list of rights is not exhaustive, and a parent has inalienable rights beyond those listed in this section. States that unless otherwise required by law, the rights of a parent of a minor child must not be limited or denied.



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