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Testimony from Jocelyn Foye, The Womxn Project Executive Director, in opposition of H7873

Dear Chair and Members of the House Education Committee:

I am writing today in opposition to H 7873, "Rights of Parents and Guardians..". This piece of legislation represents a tremendous overreach on the part of the legislature to burden the public school system with onerous, unfunded reporting requirements throughout the school year that are not currently required.

When the legislature embarks on new areas of law-making, there should be a reasonable and readily understood need for such legislation. Where the proposed legislation requires significant changes in long-standing practices and an increased work-requirement without increased funding, the remedy provided by such onerous legislation should be commensurately significant. In the case of H7873, the former is obvious, but the latter is almost completely opaque. The whole artifice of compliance required here is built upon any capricious assertion by a parent or guardian that exposure to some information is harmful to their student child. Harmful is defined and 'having sexual content, violent content or profane or vulgar language'. In the first case, these are quite nebulous concepts that are poorly defined. In the second, none of these are inherently harmful.

More importantly, the legislation fails to define the current scope of the purported harm that this legislation remedies. In the current age, it is highly unlikely that the first time a student is exposed to some material that some parent might find offensive it would be in school. There is a veritable infinite supply of 'objectionable' material that can be reached by anyone with an internet connection. The relative potential 'harm' represented by school-based instruction is virtually negligible by comparison.

What is true, the material available from schools is durable. Parents can even prospectively identify something that they deem potentially harmful, for whatever idiosyncratic reason. But the virtual material, all but infinitely greater in quantity and availability is but a flash across a screen and very difficult for parents to interdict. The legislation seems to be focused on what could ostensibly be controlled rather than on what represents the most likely source of the offensive material.

Lastly, the implementation of this legislation would create a substantial administrative, hence financial, burden on the schools. Schools that are already strapped for personnel and resources. Meeting the reporting criteria would be a massive unfunded burden. Then providing alternative instruction then compounds the matter. There is some unstated and perhaps unknown 'harm' accruing to some unidentified student(s), the scale of which is unknown and then a massive, costly and functionally implausible remedy. Therefore I strongly oppose H7873.

Respectfully,
Jocelyn Foye
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