



July 20, 2026

U.S. House Committee on Education and Workforce
2176 Rayburn House Office Building
Washington, DC 20515

Members of Congress,

On Tuesday, the House Education and Workforce Committee is scheduled to mark up H.R. 4986, the Parents Opt-in Protection Act. While proponents of this legislation claim that it protects parents' ability to prevent their students from participating in certain surveys, parents already have that right under federal law. Instead, the real impact of the legislation would be to increase administrative burden on schools and parents and to undermine important data collection that helps keep students safe. **The Human Rights Campaign urges Members to vote against H.R. 4986.**

Current law requires robust opportunities for parental involvement and consent for surveys that cover certain topics, including mental health, dangerous behaviors, religious beliefs, and others, including parental notification of the survey; ability of parents to review the content of the survey; for surveys under certain programs, affirmative prior written consent from a parent opting in is required; and for the rest of the surveys, there must be opportunity to opt-out of participation.¹

H.R. 4986, however, would require that parents provide prior written consent *separately for each individual survey*. This would dramatically increase the administrative burden for schools and parents without any meaningful change in parents' ability to review or consent to which surveys their student participates in.

There are a host of surveys that this bill would impact, including the CDC's Youth Risk Behavior Survey (YRBS), which tracks trends in high school students' experiences of mental health, violence, substance abuse, risky behaviors, and more, so that policy makers and school leaders can identify and address dangerous situations for young people.

Importantly, the YRBS tracks demographic information, including sexual orientation and gender identity, which illuminates disparities among certain populations. For example, because of the YRBS, we know that roughly 11% of all students have experienced sexual violence, but that percentage increases dramatically to 23% for bisexual students and 26% for transgender students.² We also know that 31% of lesbian, gay, and bisexual students as well as 43% of transgender students are bullied at school compared to 16% of straight/cisgender students.³

¹ [https://uscode.house.gov/view.xhtml?req=\(title:20%20section:1232h%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:20%20section:1232h%20edition:prelim))

² <https://yrbs-explorer.services.cdc.gov/#/graphs?questionCode=H20&topicCode=C01&year=2023&location=XX>

³ <https://yrbs-explorer.services.cdc.gov/#/graphs?questionCode=H24&topicCode=C01&year=2023&location=XX>

According to the CDC, participation in the YRBS drops by about 50% when switching from an opt-out to an opt-in model if teachers don't take time-consuming extra steps to repeatedly remind families to return forms.⁴ When we lose significant participation in this survey, we lose the vital data that allows us to address dangers for our young people.

The sponsor of this legislation has claimed that the purpose of this bill is to “combat Illinois’ new mandate for student mental health screenings.”⁵ And she has previously said that its purpose is to stop the influence of “radical left-wing lobbying organizations and Big Tech” to “force young children to fill out surveys regarding sexual orientation, transgender ideology, and woke politics.”⁶ But none of that is real. Proponents simply do not want any survey to collect demographic data about if a student is LGBTQ+.

Parents already have the full ability to review these surveys and opt their students out if they object to them.⁷ The impact of this bill would be a tremendous increase in the administrative burden on teachers and parents in order to conduct these crucial surveys. **The goal is not to give parents a choice—they already have the choice of whether or not their student should participate. The goal is to make these surveys difficult to administer so that they stop altogether.**

LGBTQ+ students exist. Attempts to hide the existence of LGBTQ+ students don't succeed in erasing them—they just make their lives considerably harder.

Again, we urge you to reject H.R. 4986. If you have any questions, please do not hesitate to contact me at Jennifer.Bailey@hrc.org.

Best,



Jennifer Pike Bailey
Senior Director of Government Affairs

⁴ https://www.cdc.gov/yrbs/media/pdf/2023/2023_yrbs_conducting_your_own.pdf

⁵ <https://marymiller.house.gov/media/press-releases/breaking-rep-miller-introduces-bill-combating-illinois-law-requiring-student>

⁶ <https://marymiller.house.gov/media/press-releases/rep-miller-sponsors-legislation-protect-our-schoolchildren-dangerous>

⁷ [https://uscode.house.gov/view.xhtml?req=\(title:20%20section:1232h%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:20%20section:1232h%20edition:prelim))