

Parental Rights True-False Quiz

- 1. A mother in Minnesota was told that she could *not* access the medical records of any of her children 11 years old or older, or discuss her child's health with the physician, without obtaining her child's permission.**

TRUE. Many states have laws empowering doctors to deny to parents medical records of their minor children, especially in areas of sexuality and reproduction. In Alabama, the minimum age is 14.ⁱ In Minnesota these laws take effect when a minor child, regardless of age, consents to certain treatment exempting their records from disclosure.ⁱⁱ

- 2. In most states, you *will be denied access* to library information about your children, including the titles of books which are accumulating late fees.**

TRUE. Many states have laws that protect the "right to privacy" in children 9 years old and older, so parents cannot see internet records or materials that have been checked out. Public libraries encourage parents on their website to supervise their children's use of the internet, but do not release information on what your child views on a library computer.ⁱⁱⁱ

- 3. You have a *legal right* to know if your teenage children will receive or have received medical treatment through the public schools.**

FALSE. Schools are not required to notify, request permission, or inform the parents of any medical treatment their children receive. In some states, this includes abortion procedures.^{iv}

- 4. As a parent, you *have the right* to visit your children on public school grounds, for instance to have lunch with your child.**

FALSE. Schools have the right to deny parents permission to visit a child while at school. Schools are generally accommodating to parents who wish to visit their children, but are typically very specific in the timing, paperwork, notification, and manner of visits.^v

- 5. If your child is in a non-life-threatening situation, a doctor *cannot* perform any medical procedures on him/her without first getting your permission.**

FALSE. Sixteen states have laws granting validity to a minor's consent for medical procedures in certain areas, rendering parental consent legally unnecessary. Minnesota, for instance, doesn't even place a bottom age limit on these exceptions: "*Any* minor may give effective consent for medical, mental and other health services to determine the presence of or to treat pregnancy and conditions associated therewith, venereal disease, alcohol and other drug abuse, and the consent of no other person is required." (Minnesota Statute 144.343(1), emphasis added). The statute does, in sections not quoted here, provide for parental notification prior to a minor receiving an abortion, though consent is not required for that, either. 18 states require some form of parental consent, 14 require notification, and 4 states require both parental notification and consent.^{vi}

6. If you are an American parent, your child's doctor *must* have your approval before giving your child a vaccination.

FALSE. Because vaccinations are considered routine, parental consent is commonly not required if a minor assents to vaccination. Minnesota law indicates that for certain procedures parental opinion is not even considered: "A minor may give consent for a hepatitis B vaccination. The consent of no other person is required."^{vii}

7. A mother in Illinois was twice *refused* her request to opt her daughter out of sexual education lectures that she found objectionable.

TRUE. 35 states require sexual education as part of the curriculum. Of these, only three states require parental consent and 11 states do not permit opting out of the course at all.^{viii}

8. If you make a payment to a Community College for your minor child's tuition, you are *entitled* to a receipt.

FALSE. Community colleges are not required by law to disclose the status of a student's financial account, even if tuition is paid by the parent. Parents may access their student's records (including tuition payments) if the student has given consent to such access.^{ix}

9. A mother was *refused* her 13-year-old daughter's grades when she enrolled her in an algebra class.

TRUE. Although FERPA requires schools to "generally afford parents access to their children's education records, an opportunity to seek to have the records amended, and some control over the disclosure of information from the records," many schools require written permission from the student before releasing any information.^x

10. We don't really *need* a Parental Rights Amendment to the United States Constitution.

FALSE. If you are unhappy with any of the answers on this quiz, then it should be evident that a Parental Rights Amendment is necessary to prevent further erosion of your rights.^{xi}

NOTES:

- i. Alabama Code Title 12, Chapter 15, Art. 1, § 12-15-133:
<http://74.125.113.132/search?q=cache:nZ-mvnVR0SMJ:juv.alacourt.gov/downloadLegalRef.aspx%3F%26SNo%3D23%26filename%3DAlabama%40Juvenile%40Justice%40Act%40090101.pdf+Alabama+Title+12,+Chapter+15,+Art.+1,+%C2%A7+12-15-133&cd=4&hl=en&ct=clnk&gl=us>
- ii. Minnesota Statute 144.291: <http://www.house.leg.state.mn.us/hrd/pubs/ss/ssminorhc.htm#Q6>
- iii. Good universal example of internet usage policy for libraries: http://www.provo.lib.ut.us/policy_online.html
- iv. <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html> because they are classified as "education records," not "medical records" (as seen here:
<http://www.privacyrights.org/fs/fs8a-hipaa.htm#2>)
- v. <http://www.erusd.k12.ca.us/ERUSDPolicies/1250.pdf> as a good example
- vi. <http://www.uvm.edu/~vlrs/Health/abortionparentalnotification.pdf>
- vii. http://www.vaccineethics.org/issue_briefs/consent.php The H1N1 flu vaccine often required parental consent, though: <http://www.timesdaily.com/article/20091129/ARTICLES/911295044?Title=School-vaccinations-to-begin>
- viii. Minnesota Statute 144.3441 found at http://www.guttmacher.org/statecenter/spibs/spib_SE.pdf
- ix. <http://www1.american.edu/american/registrar/FERPA/faq.html>
- x. <http://www.ed.gov/policy/gen/guid/fpco/ferpa/parents.html>
- xi. Visit ParentalRights.org for more information.

