



# AMERICAN ATHEISTS

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January 24, 2023

The Honorable Delegate Carrie Coyner  
Chair, Education - Early Childhood/Innovation Subcommittee  
900 East Main Street  
Richmond, Virginia 23219

**Re: OPPOSE HB 2170, Testimony from American Atheists in opposition to the so-called “Parents’ Bill of Rights”**

Dear Chairperson Perez and Members of the House Judiciary Committee:

As a Virginia resident, a parent, and volunteer for American Atheists, which has more than 1,700 constituents in Virginia, I write in opposition to HB 2170, a bill that would require parental consent for students to participate in any school-sponsored sport, team, or club. Under the pretext of a concern for “parents’ rights,” the bill creates a host of new burdens on teachers, students, and parents. I strongly urge you to reject this harmful bill.

American Atheists is a national civil rights organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the “wall of separation” between government and religion created by the First Amendment. We strive to create an environment where atheism and atheists are accepted as members of our nation’s communities and where casual bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building and work to end the stigma associated with being an atheist in America. Religious liberty is an individual right guaranteed by the First Amendment, and American Atheists opposes efforts to misuse these constitutional protections to undermine the civil rights or religious freedom of others.

School organizations and clubs have long been recognized as a critical component of a healthy student environment. They allow students to engage in and learn about a variety of issues beyond those covered in the curriculum, encouraging them to build a broader array of friendships and interests. Congress recognized the importance of student activities when it passed the Equal Access Act in 1984 to require federally funded public schools to provide equal and unburdened access to extracurricular student groups. Since that time, the Equal Access Act has been used to ensure that students can access extracurricular groups that some school districts or parents might disagree with, including religious groups, groups for secular students, and LGBTQ-focused student groups.

Although Virginia lawmakers cannot repeal federal law, several of them clearly hope to get around it by making it more challenging to join ALL student groups, with the implicit understanding that this will hinder stigmatized groups (LGBTQ groups, secular groups, etc.) the most. HB 2170 would require parental written consent to allow students to participate in any extracurricular athletic, academic, or student group or activity.

Requiring this level of parental permission just to participate in basic school activities is unnecessary. It places an additional burden on busy parents, on students seeking to participate in extracurricular activities, on teachers who would need to oversee this permission schema, and on school clubs themselves. Students with less involved parents, parents who work more than one job, parents who are not proficient English speakers, and others would be disproportionately impacted by this rule -- potentially preventing participation in clubs and activities to students who would most benefit from them.

HB 2170 would particularly harm LGBTQ students because it would require schools to notify parents of students who participate in a gay-straight alliance club (GSAs) or similar LGBTQ-focused or inclusive clubs and require permission for such participation.

GSAs and similar groups have long been a refuge for young people who are questioning and or exploring their gender and sexuality. These clubs are not only a safe space for LGBTQ students, but they are also proven to improve mental health and student wellbeing. For example, GSAs have been shown to decrease feelings of depression and despair, which subsequently helps reduce suicide ideation and attempts for students. Other research shows that GSAs can help mitigate the impact of school bullying and harassment of LGBTQ youth and lead to greater feelings of connectedness to the school community. Despite the many benefits of these groups, HB 2170 would effectively bar any child with unsupportive parents, or who is not yet ready to have these conversations with their parents, from participating.

HB 2170 harms LGBTQ students by denying them a place of safety in Virginia schools. Perhaps most distressingly, the bill endangers LGBTQ students by forcing teachers and counselors to disclose information that could potentially label students as LGBTQ, with no regard for whether this puts a student in harm's way. Growing up is challenging enough, and schools must be a space of safe expression for students.

Virginia's public schools are meant to be safe and welcoming for all students. Lawmakers should not manufacture "parent's rights" that endanger students or strip away their civil rights. We strongly urge you to reject this unnecessary and harmful bill. If you should have any questions regarding American Atheists' opposition to HB 2170, please contact Brittany Williams, American Atheists' State Policy Counsel by email at [bwilliams@atheists.org](mailto:bwilliams@atheists.org).

Sincerely,



Matthew DeGrave  
Assistant State Director  
American Atheists