



**Opposition Statement SB438
Public Schools – Pregnant and Parenting Students – Policies and Reports**

By Laura Bogley, JD
Director of Legislation, Maryland Right to Life

On behalf of our members across the state, we respectfully oppose **SB438 entitled *Public Schools – Pregnant and Parenting Students – Policies and Reports***. We applaud any effort to help create an educational environment that supports pregnant students in their decisions to parent their children or utilize adoption services. **However this bill, as written, would expand the reach of the abortion industry to school-aged children during the school day without the knowledge or consent of parents, as Planned Parenthood already has done in California.**

<https://www.washingtonexaminer.com/opinion/planned-parenthood-plans-to-infiltrate-high-schools> .

Federal Title IX Abortion Rights in Schools - This bill is part of ongoing incremental legislation supported by the National Abortion Rights Action League to codify policies related to pregnant students already established by Federal Title IX amendments. Title IX applies to both pregnancy and the *termination of pregnancy*, frustrating the stated purpose of this bill. This bill would require school systems to develop and implement additional policies that could commit public resources towards expanding abortion access to minor children, including providing contracts to abortion advocates and providers for curriculum, professional development training, school-based health clinic operations, the remote prescription of chemical abortion pills, and transportation to offsite reproductive healthcare providers including abortion providers, *all without parental consent*. Contrary to the testimony of bill proponents, these things already are occurring in our schools but this bill would expand abortion promotion with as yet unfunded mandates to local schools systems. (See “Planned Parenthood in Our Schools” documentation).

MSDE Duty *In Loco Parentis* - The Maryland State Department of Education has been entrusted by parents with the education and well being of our children but has failed in their duty to parents and students to ensure that contractors are providing non-biased, medically accurate and age appropriate reproductive health education and services. Under the strong influence of the abortion lobby, the state has deferred to the Maryland Department of Health and contracted those responsibilities out to financially interested third parties, including to Planned Parenthood and other abortion advocates that provide abortion counseling and referral. According to the *Maryland Coalition of Medical Pregnancy Clinics*, pro-life advocates and physicians are routinely excluded from participation in state and local policy and program development and grant awards while Planned Parenthood receives millions of taxpayer dollars each year through the state. As a result, the state has failed to stop teen pregnancy, but succeeded in terminating teen pregnancies.

Funding to Abortion Providers Increases Abortion –State programs commit significant taxpayer funds to Planned Parenthood and routinely refer pregnant girls and women to Planned Parenthood for prenatal services but Planned Parenthood is not a reliable provider of prenatal care. Despite its claims that its primary focus is to provide health care for women, Planned Parenthood’s business model is built on profiting from abortions. Planned Parenthood commits 41 abortions for every one prenatal care service and 133 abortions for every adoption referral. Planned Parenthood provides no pediatric care. In their Annual Report released in January 2021, Planned Parenthood reports that the number of abortions they committed increased nearly 3% in 2019-2020 from the previous year for a total of 354,871 abortions. That’s over 972 babies killed annually- or one every 89 seconds. In stark contrast, they report that their prenatal care and adoption referrals both dropped double digits from the previous year. Planned Parenthood offers minimal “prenatal” services and adoption referrals as a means to qualify for public funds and to sell abortion to vulnerable women and girls facing unplanned pregnancies ([LEARN MORE](#)).

Pregnancy Data Collection - The purported goal of the state is to reduce unplanned pregnancies, which is in direct conflict with the abortion industry’s goal to sell more abortions. By allowing abortionists to evade reporting requirements, the state has failed in its fiduciary duty to taxpayers to present data to justify its continued investment in Planned Parenthood curriculum and programs. Related bills to collect data on pregnant teens will have no benefit to the

public if that data is defined and controlled by abortion interests. The goal of the abortion industry in collecting data on pregnant students is less about improving educational outcomes and more about having taxpayers fund their market research in order to package and sell back their services to the state. Transparency and inclusivity will be essential to the integrity of any legitimate data collection process and reporting and all with financial interests in abortion must be conflicted out through rigorous disclosure requirements.

Parental Notice and Consent Provides Better Outcomes for Minor Children

Maryland law recognizes the natural and legal right of parents to provide consent to their minor child's medical care. But the influence of the abortion industry in developing school policy and curriculum has degraded the role of parents in their children's healthcare decisions. The state has aggravated the situation by failing to require sex education curriculum to be medically accurate or age appropriate. Because of the influence of the abortion lobby, parents no longer have the opportunity to "opt in" to sex education for our children, but may only "opt out" if we are made aware at all. Furthermore, the lack of parental notification puts children at greater risk of undiagnosed and untreated abortion complications and enables abortion providers to evade liability for failure to report child abuse, sexual assault and sex trafficking.

No Public Subsidies to Billion Dollar Abortion Industry

A recent Marist poll showed that 80% of Americans polled favor laws that protect both the lives of women and unborn children, and that 58% oppose the use of tax dollars to pay for abortion. Taxpayers should not be forced to subsidize abortion education and promotion. *Public funds instead should be prioritized to fund legitimate health and family planning services which have the objective of saving the lives of both mother and child.*

For these reasons, we urge you to protect Maryland's school children from further abuse and exploitation by issuing an unfavorable report on Senate Bill 438.

Respectfully Submitted,

Laura Bogley, JD

for Maryland Right to Life

Memorandum

From: Brian Johnston, Director, Western Rregional office, National Right to Life Ccommittee
To: Laura Bogley, ESQ. Counsel to Maryland Right to Life
In Re: Maryland house bill 401
Date: March 10, 2021

Dear Ms. Bogley,

You have asked for my comments regarding Maryland house bill 401. This measure establishes new policies regarding public school education in the state of Maryland.

These policies are significant in that, In the name of “student care,” they open a door for third-party, outside agents to function with impunity on public school grounds.

External, third-party entities that promote and perform abortion desire to use the public schools for their “catchment system.” A “catchment system” is a Planned Parenthood- coined term of art referring to the methods by which they market and funnel new abortion clients into their facilities.

Our experience in California is that these abortion advocacy organizations impugn themselves into the public education system for precisely this purpose and in many ways.

One recent example comes from Los Angeles County, where the board of education voted to establish, in triune partnership with the county department of health and Planned Parenthood, 50 high school-based sexual health centers. (Please see Washington Post article, December 11, 2019)

<https://www.google.com/amp/s/www.washingtonpost.com/health/2019/12/11/planned-parenthood-open-reproductive-health-centers-los-angeles-high-schools/%3foutputType=amp>

Education funds were commingled with grants from the county department of health and Planned Parenthood in establishing these facilities on high school campuses.

Once established, these facilities do not function under the authority of the school system. The fiduciary responsibilities of the public schools are no longer enforceable inside these facilities. The duty to act ‘in loco parentis,’ that is to say, in the place of a caring parent, seeing to the best interest, care custody and control of the student in their trust; this is surrendered inside these new, private spaces. Invoking the cloak of “privacy” these spaces quickly expand to become the open door of Planned Parenthood’s most effective catchment system.

I note that Maryland bill 401 is careful to invoke the use of the term private space. This does not merely imply a concern for modesty, it is a specific term of legal art and the notion of privacy, as you well know, has been expanded by the high court to authorize the entirety of Planned Parenthood business: abortion.

Despite the fact that these facilities are paid for by government education funds, are situated on public school campuses, the school system’s delegated authority and responsibility no longer function within the specified areas of the school campus

Even the school's principal and other administration of the particular school site are denied authority in these ‘set aside’ special areas. A cloak of privacy is invoked over the operation of these internal facilities. No inquiry may be made into the curriculum, instruction, or distribution of materials by these agents of the new, outside entities. The catchment system is free to function without School oversight or scrutiny.

I strongly recommend that any predicate for establishing such facilities be recognized as more than a mere “foot in the door”. It is an actual invitation for the arrogation of the school Districts clear charge and purpose: responsibility for the student.

Pamela Palumbo
91 Scotts Cove Road
Edgewater, MD 21037

As President of the Maryland Coalition of Medical Pregnancy Clinics, we stand in opposition to SB 438, Pregnant and Parenting Student Policies. The Coalition represents 30 different Pregnancy Medical Clinics in 13 different counties across the state of Maryland and our primary work is to care for pregnant teens and adult women, as well as parenting teens and adults.

Over the past decade great improvements have been made to support pregnant and parenting teens and do not feel this bill actually provides for specific needs but is instead being used as a vehicle by those organizations who want to get more access to teens, and 'establish policy.'

The only actual physical example of need used, is establishment for a room for pumping for breastfeeding teens, yet there is no proof this is not already available for use in the actual health rooms that are the provided spaces where the current School Health Nurses occupy.

In fact at a time when teachers and school systems are overloaded in dealing with Covid issues related to reopening schools, this does not even identify specific school systems that need improving, rather is a generalization across the board for the entire state. All this when in fact, in Maryland, the teen birth rate declined 74% between 1991-2018

On the National Abortion Right Action League's own website, they have a hand out about this legislation and give NO statistics on specific needs, rather a vague stat that 'Pregnancy and Parenting Students graduated high school at a 'lower rate' than cohorts. That is absolutely not considerable enough to warrant or support state wide policy enactment, and all the related costs as they do not even site the percentage difference, only that it is 'lower'.

NARAL statistic of 2645 births to teens in Maryland in 2018, is annotated to have come from "Power to Decide: The Campaign to End Unplanned Pregnancy". This is not to HELP Pregnant or Parenting Teens, but to END Unplanned Pregnancies, by getting further into the school system to write and enact policy. Power to Decide citations on Teen Pregnancy, come directly from Guttmacher Institute, the research arm of Planned Parenthood.

This is a fully closed circle as the Guttmacher Institute is the research arm of Planned Parenthood and in this case, instead of citing their own research they are attempting to avoid the true appearance of their own financially vested interest in this bill by instead quoting "Power to Decide".

If there are been true instances recorded by school districts of issues and complaints from Pregnant and Parenting Teens, those absolutely need to be addressed. However, that should be done school districts by school district, not a broad swipe at the entire state when it is common knowledge that all school districts do NOT have the same issues and needs for every student.

The Maryland Coalition of Medical Pregnancy Clinics requests an unfavorable vote on SB 438

Sincerely,

Pamela Palumbo CEO Pregnancy Clinics of Annapolis, Bowie Crofton and Severna Park
President, Maryland Coalition of Medical Pregnancy Clinics

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