



2025 South Dakota Legislature

House Bill 1201

Introduced by: **Representative Manhart**

1 **An Act to establish requirements for school counseling services.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That a NEW SECTION be added to chapter 13-32:**

4 Before a school counselor provides a direct counseling service to a student for the
 5 first time, the school counselor, or another school staff member, must obtain the consent
 6 of the student's parent or guardian.

7 For the purpose of sections 1 and 2 of this Act, "direct counseling service" means
 8 an interaction, between a school counselor and a student, pertaining to mental, medical,
 9 or emotional health and does not involve career planning or academic discussions.

10 **Section 2. That a NEW SECTION be added to chapter 13-32:**

11 A school counselor, or another school staff member, must notify a student's parent
 12 or guardian:

- 13 (1) When a direct counseling service is provided to a student;
 14 (2) If a subject is discussed during a direct counseling service that is substantially
 15 different from those discussed during previous counseling sessions; and
 16 (3) If questions regarding any of the following topics are discussed with a student
 17 during a direct counseling service:
 18 (a) Gender;
 19 (b) Gender confusion;
 20 (c) Gender dysphoria;
 21 (d) Homosexuality; or
 22 (e) Transsexuality.

23 **Section 3. That a NEW SECTION be added to chapter 13-32:**

- 1 School counselors may not promote the concept that a student is a sex contrary to
- 2 the student's biological sex at birth.