

February 27, 2026

House Committee on Health Care

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H.817, “An act relating to mental health support and substance use disorder prevention in schools

- The original draft of [H.817](#) placed mental health literacy under Title 16 Education. [The heavily revised draft of February 21](#) moved H.817 to Title 18 Health and removed the provision that required schools to make the chosen mental health curriculum available to parents and guardians.
- The [Family Educational Rights and Protections Act \(FERPA\)](#) requires schools to allow parents to access and review their children's education records, which includes curriculum.
- There is no express parental consent or notification provision. Educators, school personnel, and students will be certified to identify, discuss, and offer support to peers on weighty subjects such as depression, suicidality, and substance use disorders, yet there is no express parental consent or notification provision for parents whose children might be identified as suffering from mental health issues.
- The latest draft of H.817 might serve the potential to circumvent established laws and practices under the Department of Children and Families for youth who are experiencing mental health distress by failing to include parents in their own children’s mental health, making school personnel and peers unauthorized proxies for parents without due process in Family Court. In other words, many youths are often good at hiding physical or mental-emotional abuse to which they might be subjected. Bringing parents into the loop helps inform the situation, and parents should always be the first line of protection and defense of their own children. What are the legal consequences for schools, mental

health-certified adults, and students when they identify a student with symptoms of mental health issues such as depression, suicidality, and/or substance abuse, and that student attempts or succeeds in their own suicide or dies from an overdose, and the certified mental health mentors or certified peers failed to share the student's condition with the parents?

Vermont Family Alliance therefore recommends the House Committee on Health Care amend H.187 to include provisions that:

1. Require participating schools to directly notify all parents that a mental health pilot program is being implemented in the school and inform parents that they have a right to access the mental health program curriculum.
2. Require express written parental consent for their children to participate in any mental health literacy program, mental health clubs and/or adult-lead and peer-to peer groups.
3. Requirement to notify parents if their child is suspected to be showing signs of any mental health issues, including anxiety, depression, suicidality, gender dysphoria, or substance abuse.

The above recommended amendments are in alignment with Committee Member Brian Cina's and witness Laurie Emerson's (NAMI Vermont) comments on February 24 to include parents in the mental health programs.