

## 2025 South Dakota Legislature

**House Bill 1201****AMENDMENT 1201C  
FOR THE INTRODUCED BILL**

1 **An Act to establish requirements for school ~~counseling services employees~~**  
 2 **regarding gender ideology.**

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

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

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

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

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

12 ~~A school nurse, school counselor, teacher, administrator, or another school any~~  
 13 ~~other staff member, employed by a school district or accredited nonpublic school, must~~  
 14 ~~notify a student's parent or guardian:~~

15 ~~(1) When a direct counseling service is provided to a student;~~

16 ~~(2) If a subject is discussed during a direct counseling service that is substantially~~  
 17 ~~different from those discussed during previous counseling sessions; and~~

18 ~~(3) If if questions regarding any of the following topics a student's gender confusion~~  
 19 ~~or gender dysphoria are discussed with a student during a direct counseling~~  
 20 ~~service:~~

21 ~~(a) Gender;~~

22 ~~(b) Gender confusion;~~

23 ~~(c) Gender dysphoria;~~

24 ~~(d) Homosexuality; or~~

25 ~~(e) Transsexuality.~~

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

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

4 ~~A school nurse, school counselor, teacher, administrator, or any other staff~~  
5 ~~member employed by a school district or accredited nonpublic school may not:~~

6 ~~(1) Provide any instruction or presentation to a student with the purpose of studying~~  
7 ~~exploring, or informing the student about gender identity, gender expression, or~~  
8 ~~the concept that a student's gender may be inconsistent with the student's~~  
9 ~~biological sex at birth;~~

10 ~~(2) Encourage or coerce a student to withhold from the student's parent, legal~~  
11 ~~guardian, or other custodian the fact that the student's perception of the student's~~  
12 ~~gender or sex is inconsistent with the student's sex; or~~

13 ~~(3) Withhold from a student's parent, legal guardian, or other custodian information~~  
14 ~~related to a student's perception that the student's gender or sex is inconsistent~~  
15 ~~with the student's sex.~~