



**Proponent testimony submitted to the
Ohio House Primary & Secondary Education Committee
House Bill 403
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Chair Manning, Vice Chair Bird, and Ranking Member Robinson of the committee, thank you for the opportunity to provide testimony in support of House Bill 403. As Ohio's statewide sexual violence coalition, the Ohio Alliance to End Sexual Violence (OAESV) advocates for comprehensive responses and rape crisis services for survivors and empowers communities to prevent sexual violence.

House Bill 403 would make a small change to existing code to close a loophole that currently allows educators with misconduct allegations to retire and avoid further investigation, as well as a report of their move to a new school district to the Ohio Department of Education. At present, an educator who retires while under investigation for misconduct is able to find a new position at another school and effectively skip an accountability process that would address the misconduct. On average, an educator-offender of sexual misconduct is passed to three different districts before being stopped.¹

We also know that an estimated **ten percent of K-12 students nationwide will experience sexual misconduct by school employees.**² While this figure is staggering, it is also an underrepresentation of educator sexual misconduct in K-12 settings, given the overall low reporting rates for all forms of sexual violence, as well as the societal structures that serve to protect adults over children. **House Bill 403 is an opportunity to eliminate a loophole that could allow educators to harm more children after a complaint or report has been made.** While we do not currently have data to indicate how often educators who retire during misconduct investigations transition to a new school in Ohio, allowing even one educator to do so, particularly in cases involving sexual misconduct, could result in more children harmed by sexual abuse in Ohio.

The pervasiveness of sexual abuse in educational institutions and the impact of trauma on learning, development, and academic achievement, underscores the necessity of legislation that removes barriers and loopholes that would impede the ability of schools to effectively address sexual misconduct and establish safe learning environments.

Thank you for the opportunity to provide testimony for House Bill 403. I am happy to provide any additional information by email at egemar@oaesv.org.

¹ U.S. Government Accountability Office. (2010). Selected Cases of Public and Private Schools That Hired or Retained Individuals with Histories of Sexual Misconduct. (Publication No. GAO-11-200).

² Shakeshaft, C. (2004). Educator Sexual Misconduct: A Synthesis of Existing Literature PPSS 2004-09. *US Department of Education*.