

THE DANGEROUS CONSEQUENCES OF HOUSE BILL 6 Testimony by the Campaign for Our Shared Future

Chair Young, Vice-Chair Dobos, Ranking Member Miller, and members of the House Higher Education Committee:

The Campaign for our Shared Future (COSF) is committed to stopping dangerous policies that threaten our children's freedom to learn, which is why we strongly urge you to oppose House Bill (HB) 6. We believe this dangerous proposal amounts to the bullying of a vulnerable group of students.

HB 6 Ignores Family Rights

HB 6 encourages schools to disregard a family's wishes regarding their child's name and pronouns. Instead of respecting the rights of ALL families, HB 6 would allow a loud minority to force their values on ALL of us. These identity politics are an affront to families who believe our diversity and differences make us stronger. Faraway statehouse politicians should not make blanket decisions on family values.

HB 6 is a Slippery Slope

By giving politicians the right to dictate our child's names and pronouns, we're setting ourselves up for a slippery slope. If politicians start telling families there is only one way to live their lives, where does it stop? Which group of children gets excluded next?

HB 6 Amounts to Bullying

All Ohio students deserve the protections afforded to them by federal law. Nearly 50 years ago, Congress enacted Title IX to prohibit all forms of sex discrimination in education programs and activities. The Biden-Harris administration made clear that it intends to enforce Title IX's prohibition on discrimination on the basis of sex to include discrimination based on sexual orientation and discrimination based on gender identity consistent with the Supreme Court's holding in *Bostock v. Clayton County, Georgia*.ⁱ The U.S. Department of Education has also clarified that the Title IX rule is essential to protecting LGBTQ+ students' **equal access to educational programs and activities**.ⁱⁱ

Flouting these protections is discriminatory—and it is bullying. HB 6 would leave Ohio students without the protections and opportunities they need to succeed. No family is in favor of discriminating against kids or hurting them in other ways.

HB 6 is an Attack on ALL Trans Kids, Not Only Athletes

A study by researchers at Cornell University found that the mere consideration of discriminatory legislation by politicians creates an unwelcoming climate for LGBTQ+ people by furthering poor mental health, internalized stigma, and expectations for adverse treatment.ⁱⁱⁱ

Transgender kids deserve an opportunity to succeed like every other student, yet schools are already not often safe learning environments for them. A survey conducted by the National



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Center for Transgender Equality focusing on young Ohioans found that 80% of those who were out or perceived as transgender experienced some form of mistreatment, with 57% experienced verbal harassment, 27% experienced physical attacks, and 15% experienced sexual assaults at some point between kindergarten and twelfth grade.^{iv} The same survey found that 20% of these young people who faced severe mistreatment were forced to leave school. Think about the impact of a child forced to leave school due to mistreatment because of who they are. That is devastating for a student individually, as well as for their future as an Ohioan. If they recover from this mistreatment, will they stay in Ohio? Or will they leave the state and take their talents elsewhere?

ALL Sides Agree: Say No Playing Political Games with our Children

Republican and Democratic governors in Utah, Indiana, and Kentucky alike have vetoed legislation banning transgender athletes from competing in girls' sports, pushing back against the fake narrative that transgender children should be scapegoated and alienated. "When in doubt however, I always try to err on the side of kindness, mercy and compassion," Republican Governor Cox of Utah wrote in a letter explaining his veto. "I don't understand what they are going through or why they feel the way they do. But I want them to live." Approach this issue with compassion and vote no on HB 6.

HB 6 is a Solution Looking for a Problem

Republican Governor Cox of Utah also said in his veto of a proposed ban on trans student participation in athletics: "Rarely has so much fear and anger been directed at so few." This begs the question: How many transgender students play in girls' sports in Ohio? The U.S. Centers for Disease Control and Prevention estimated in 2019 that just 1.8 percent of high school students in the country are transgender,^v and the Human Rights Campaign estimates that only about 12% play on girls' sports teams.^{vi} This very small number of transgender kids who are looking to find a sense of connection and community—not to pose any threat to women's sports. Like all students, they deserve opportunities in and out of school that are free from discrimination and prepare them for their futures.

ⁱ Executive Order 13988 of January 20, 2021 (Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation). 86 Fed. Reg. §14 (January 25, 2021). <https://www.govinfo.gov/content/pkg/FR-2021-01-25/pdf/2021-01761.pdf>; Executive Order 14021 of March 8, 2021 (Guaranteeing an Educational Environment Free From Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity). 86 Fed. Reg. §46 (March 11, 2021). <https://www.govinfo.gov/content/pkg/FR-2021-03-11/pdf/2021-05200.pdf>; Executive Order 13985 of January 20, 2021, "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government," 86 Fed. Reg. §14 (January 25, 2021). <https://www.govinfo.gov/content/pkg/FR-2021-01-25/pdf/2021-01753.pdf>.

ⁱⁱ U.S. Department of Education Confirms Title IX Protects Students from Discrimination Based on Sexual Orientation and Gender Identity, June 2021, <https://www.ed.gov/news/press-releases/us-department-education-confirms-title-ix-protects-students-discrimination-based-sexual-orientation-and-gender-identity>.

ⁱⁱⁱ 2015 U.S. Transgender Survey (USTS), National Center for Transgender Equality, [https://transequality.org/sites/default/files/docs/usts/USTSOHStateReport\(1017\).pdf](https://transequality.org/sites/default/files/docs/usts/USTSOHStateReport(1017).pdf).



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^{iv} The Trevor Project Research Brief: Bullying and Suicide Risk among LGBTQ Youth, October 2021, <https://www.thetrevorproject.org/wp-content/uploads/2021/10/The-Trevor-Project-Bullying-Research-Brief-October-2021.pdf>.

^v Transgender Identity and Experiences of Violence Victimization, Substance Use, Suicide Risk, and Sexual Risk Behaviors Among High School Students — 19 States and Large Urban School Districts, 2017, Center for Disease Control, <https://www.cdc.gov/mmwr/volumes/68/wr/mm6803a3.htm>

^{vi} Improving the lives of LGBTQ youth in sports, Human Rights Campaign Foundation, <https://assets2.hrc.org/files/assets/resources/PlayToWin-FINAL.pdf>