



AMERICAN ATHEISTS

October 11, 2023

The Honorable Representative Tom Young
Chair, House Higher Education Committee
Ohio Statehouse
1 Capitol Square
Columbus, Ohio 43215

Re: OPPOSITION for HB 183, a bill that bans trans students from using bathrooms and public facilities that align with their gender identity.

Dear Chairman Young and Members of the House Higher Education Committee,

American Atheists, which has over 2,000 constituents in Ohio, staunchly opposes HB 183. This bill is blatantly discriminatory against trans students and would negatively impact trans students' ability to learn and feel accepted in their schools.

American Atheists is a national civil liberties organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the "wall of separation" between government and religion created by the First Amendment. We strive to create an environment where atheism and atheists are accepted as members of our nation's communities and where casual bigotry against our community is seen as abhorrent and unacceptable. We reject efforts to undermine the health, education, and well-being of trans youth based on the religious beliefs of lawmakers.

If HB 183 were to be passed and implemented, trans students, including K-12 and public college and university students, would be forced to use bathrooms, locker rooms, changing rooms, and shower rooms that conflict with their lived gender. This would stigmatize trans students in schools and add on to the already pervasive isolation and anxiety often faced by trans students. Making public schools an inclusive environment that is accepting of all students should be a primary goal for educators and principals across Ohio, but this legislation would instead have them police bathrooms and segregate trans kids.

There is no conceivable safety reason for this legislation. States like Maine, Maryland, and Minnesota, which have had nondiscrimination laws that prohibit discrimination against trans people for years, have never encountered an increase in violence because of these laws. In fact, there is no evidence whatsoever that trans students using bathrooms appropriate for their gender put any other student at risk¹. Instead, this bill is rooted in religious bigotry against trans people and the political opportunism of its sponsors.

However, HB 183 would certainly put trans students at risk. Trans teens with restricted access bathroom facilities were found to be at a higher risk for sexual assault, with 36% of trans and non-conforming teens between the ages of 13-17 with restricted access to public facilities reporting being sexually assaulted².

Similarly, this bill would put school districts at risk by forcing them to violate Title IX, federal nondiscrimination law prohibits discrimination on the basis of sex in education. School districts that comply with this bill risk investigation by the U.S. Department of Education as well as loss of federal funding for systemic violation of Title IX. This is especially significant considering that Ohio received approximately \$2.5 billion in federal funding annually to support primary and secondary education in 2022-3³.

Legislation aiming to limit transgender students' access to bathrooms is not just regulating who goes in what bathroom, it is part of an agenda to prevent trans individuals from being able to openly be themselves in public. It aims to silence trans people through policy and banish them from our communities. American Atheists wholly rejects this stigmatization of trans people, who are valued members of all Ohio communities, including our public schools.

We urge you to reject this cruel and unnecessary bill. Instead, we urge you to protect all Ohio students, including trans students, by helping them to accept people different from themselves and grow into healthy, thriving adults. If you should have any questions regarding American Atheists' opposition to HB 183, please contact me at 607-316-0227 or by email at rhofmann@atheists.org.

Sincerely,

Rob Hofmann
State Policy Manager
American Atheists

cc: All Members of the Ohio House Higher Education Committee

1. Hasenbush, A., Flores, A.R. & Herman, J.L. Gender Identity Nondiscrimination Laws in Public Accommodations: a Review of Evidence Regarding Safety and Privacy in Public Restrooms, Locker Rooms, and Changing Rooms. *Sex Res Soc Policy* 16, 70–83 (2019). <https://doi.org/10.1007/s13178-018-0335-z>.
2. HRC Foundation. (2018). 2018 LGBTQ Youth Report. Available at <https://www.hrc.org/resources/2018-lgbtq-youth-report>.
3. Hanson, Melanie. (2023). U.S. Public Education Spending Statistics. Education Data Initiative. Available at: <https://educationdata.org/public-education-spending-statistics#ohio>.