

Higher Education Committee
1 Capitol Square
Columbus, Ohio 43215
OHRHigherEducationCommittee@ohiohouse.gov

October 11, 2023

RE: HB 183 “trans bathroom bill” - *oppositional testimony*

Dear Hon. Chair Young, Vice Chair Manning, Ranking Member Miller, and Committee Members:

Fifty-two percent (52%) of LGBTQ+ middle and high school students have self-reported being bullied in school just this year.¹ This is up from forty-six percent (46%) in 2015.² This bill, and others like it, are among the leading causes of mistreatment of the gender variant communities, especially when it comes to teens and young children.

Thank you for the opportunity to address you on this important issue. My name is James. I have been involved in the care of the greater trans community for the entirety of my adult life and have personally fielded more crisis calls from crying trans youth and panicked mothers than I care to count or remember. That number has been increasing since 2015, a year that major news networks dubbed “the deadliest year on record for transgender people.” But 2015 has nothing on 2023. With increased violence, political rhetoric, and bills like HB183, the general morale within the community is very low – but that’s the point, isn’t it?

In Ohio alone, just since January 2023, we have lost five (5) trans youth under seventeen years old (17) to self-harm. We may never know the complex and varied reasons for these life-ending decisions; but I can say with certainty that their deaths were one hundred percent (100%) preventable. Studies continue to show that having just one (1) supportive adult in their lives can reduce suicidality by forty percent (40%)³. Yet the adults tasked with the welfare of these children—you, dear legislators—are the most unsupportive. Instead of trying to find ways to improve the educational experience of young Ohioans, this body has doubled-down on preventing transgender students from playing sports on teams with their peers, from reading books that reflect their personal stories in school libraries, from being referred to by the correct pronoun in classes, and now from being able to use the correct restroom during and after school hours.

There are over 600 school districts in Ohio. Most have existing policies in place to explicitly protect transgender students from the very harm this bill intends to inflict—forcing trans, non-binary, and intersex students to use the incorrect facilities, opening them up to humiliation, harassment, and potentially violence. There are over 70 institutions of higher education in Ohio. Again, almost all have existing policies that permit transgender students to use restrooms, locker rooms, and other single-sex accommodations corresponding to their gender identity.

¹ 2023 LGBTQ+ Youth Report - HRC, <https://reports.hrc.org/2023-lgbtq-youth-report>

² 2015 USTS Full Report - NCTE, <https://transequality.org/sites/default/files/docs/usts/USTS%20Full%20Report%20-%20FINAL%201.6.17.pdf>

³ 2019 Accepting Adults Reduce Suicide Attempts Among LGBTQ Youth - The Trevor Project, <https://www.thetrevorproject.org/research-briefs/accepting-adults-reduce-suicide-attempts-among-lgbtq-youth/#:~:text=LGBTQ%20youth%20who%20report%20having%20at%20least%20one,their%20sexual%20orientation%20to%20at%20least%20one%20adult.>

Bills like HB183, with the sole intent to legislate transgender students out of certain areas on the sole basis of their gender identity or sex, aren't just unethical; they're illegal. Federal Title IX does—and has—protected trans students from just this type of discrimination. Courts, including in the Sixth Circuit⁴ and the Supreme Court of the United States,⁵ have continued to hold that transgender students must generally treat students consistent with their gender identity, not just their sex assigned at birth (if different). In fact, schools have a duty to protect students from foreseeable harm. It's clearly harmful to force trans students to use restrooms that “out” them or cause them severe mental anguish. Studies have shown that trans-exclusionary restroom policies harm students⁶; and that transgender and gender-nonbinary teens face greater risk of harassment, including sexual assault, in schools that prevent them from using bathrooms or locker rooms consistent with their gender identity.⁷

Let me be clear: trans girls are not “biological boys.” They are trans girls, and they belong anywhere other girls belong. If the aim of this legislation is to keep boys out of the girls' room, it does *nothing* to accomplish that; and such legislation is not even necessary, because those policies already exist. I ask you to please be reasonable when it comes to transgender students. They are truly no different than their cisgender peers, and they need to use the restroom just like anyone else. They should not be forced to use special accommodations, often clear across the building or even campus. They should not be forced to use the wrong restroom, where they are increased risk of both poor mental health and personal injury. And they should not be forced to limit their food and water intake so that they can make it through the school day without visiting the restroom, a practice that can cause lifelong damage to the kidneys and bladder. Let kids be kids. And let the Ohio schools who already have existing regulations and policies supporting trans students continue to do so.

All Ohio students deserve basic dignity and respect. Make it clear today that you support all Ohio students. I urge you to **vote no**.

Respectfully submitted,



James Knapp

⁴ For example: Board of Education of Highland Local School District v. United States Department of Education, et al.

⁵ For example: Grimm v. Gloucester County School Board

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<https://www.ama-assn.org/delivering-care/population-care/exclusionary-bathroom-policies-harm-transgender-students>

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<https://www.hsph.harvard.edu/news/hsph-in-the-news/transgender-teens-restricted-bathroom-access-sexual-assault/>