

Written Testimony of Jan Nesor, PhD
HB183 Regards single-sex bathroom access in schools, universities
State of Ohio
House Higher Education Committee
October 8, 2023

Chairperson Young, Ranking Member Miller, and member of the House Higher Education Committee

My name is Jan Nesor, and I am a professor of Education Policy at the Ohio State University. I do not represent Ohio State, but rather am submitting testimony as a private citizen in opposition to HB183.

HB183 stigmatizes transgender people and undermines their bodily autonomy. It is linked to a web of laws around the country restricting bathroom access and criminalizing the trans community, effectively turning transgender identity into a status crime.¹ There is no educational rationale for such legislation, and the medical community is clear that excluding transgender children from bathrooms consistent with their gender identities results in physical and psychological harm. The AMA, in a brief joined by the American Academy of Pediatrics, American Academy of Child and Adolescent Psychiatry, and the American College of Physicians, states that

“Excluding transgender individuals from facilities consistent with their gender identity undermines their treatment; exposes them to stigma and discriminations, harms their physical health by causing them to avoid restroom use; and impairs their social and emotional development.”²

Safety is not the issue here. Research on public restrooms suggests that allowing transgender youth to use bathroom facilities consistent with their gender identities does not result in increased risks to safety.³ Proponents of HB183 need to explain their advocacy for legislation that injures students and provides no benefits for children or their schools. I urge you not to be one of those proponents and instead to reject HB183.

Sincerely,

Jan Nesor

¹ Rushin, S., & Carroll, J. E. (2017). Bathroom laws as status crimes. *Fordham L. Rev.*, 86, 1.

² <https://www.ama-assn.org/delivering-care/population-care/exclusionary-bathroom-policies-harm-transgender-students-health>

³ 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>