



House Primary & Secondary Education Committee
May 9, 2023
Ohio School Counselor Association
HB 8 - Opponent Testimony

Chair Bird, Vice Chair Fowler Arthur, Ranking Member Robinson and esteemed members of the House Primary & Secondary Education Committee: thank you for allowing me the opportunity to offer testimony on HB 8 on behalf of the Ohio School Counselor Association. My name is Renee Stack, I am a school counselor at Stranahan Elementary in Sylvania, and I serve on OSCA's Board. Unfortunately, our members have serious concerns with provisions of HB 8 regarding notification of monitoring services to parents and the mandated disclosure of information students share with us.

OSCA is aware of the growing interest in bringing parents further into school decision-making in a more intentional way. However, we would like to reassure this committee and all members of the Ohio Legislature that collaboration with parents is already a key tenet of what school counselors do. Our national ethical standards require us to "acknowledge the vital role of parents/guardians and families" because we know that parental support and positive parental relationships are key to a student's wellbeing. One of the first questions we ask when a student comes into our office to report a social/emotional issue is whether their parents are aware of the matter. If the answer is no, it is our role to work with that student until they have the tools they need to have that conversation and are comfortable doing so. Sometimes this process can take some time, which is why we are opposed to immediate, universal disclosure requirements that do not take into account the nuances of each situation. In addition to recognizing parents' importance, our ethical standards also require us to "recognize [our] primary ethical obligation for confidentiality is to the students," as they are who we are hired to support and serve. We believe there can be a balance achieved here, but unfortunately HB 8 crosses that boundary to the point of creating unworkable requirements for school counselors that could be detrimental to students.

Specifically, the requirement for school counselors to notify parents of "any change" in monitoring related to mental or emotional wellbeing is not workable for the way school counselors are trained to support students. As part of a comprehensive school counseling program, we are required to do constant needs assessments – whether that be of individual students or the student population as a whole – and change our counseling programming based on identified student needs or trends in behavior. Already overworked school counselors simply don't have the time to make reports on our evolving needs assessments at the frequency at which they occur to every parent affected. In addition, we feel our time would be better served working directly with students, creating career plans or responding to ever-escalating mental health crises. Further, in our regular outreach to families, we find it can be hard to reach some parents. We are concerned that a failed attempt to contact parents as required under the bill would cause

blowback on the school counselor for what is simply a *perceived* lack of notification, rather than actual withholding.

We also are concerned about the way AM 0785 removed the protections in the as-introduced bill that allowed staff to encourage a student to withhold information from parents if they reasonably believed it may result in abuse or neglect. This was a sensible exception that, despite still not going far enough to protect potential harm to the parent-child relationship, helped ensure a school counselor could use their professional judgment to protect their students' wellbeing in specific cases. Anger towards a child or irrational emotional reactions do not cross the threshold of reportable abuse, but are still things a school counselor would never want to cause for a child via a required disclosure. Asking school counselors to wait until they are confident that actual statutorily reportable abuse is occurring before making judgment calls to protect a student is a dereliction of their duty to serve and support students as their primary obligation. Even in less extreme cases, a student could come into our office struggling with their relationship with their parent, or with the fact their parents are adamant about the student attending college. Rushing disclosure of these concerns is unconstructive and may negatively exacerbate the tension between the parent and student. The school counselor is also then forced into the position of delivering a hard message to a parent that may be poorly received. We believe if school counselors could continue to use their master's level judgment to work with students on a reasonable, thoughtful timeline for sharing, we could minimize unintended adverse reactions for all parties.

In addition, the language in the bill casts an incredibly wide net in terms of what issues school staff are prohibited from encouraging a student to withhold from parents. "Mental, emotional or physical health or well-being" could apply to pretty much every issue a student approaches a school counselor about, including academic or career issues, given the nature of counseling is responding to areas in which students need support. Further, we are not sure how "indirectly" withholding would be defined, and worry it could spark litigation. Please know that *we do not take the concept of delaying parental involvement lightly, but this expansive language would be a significant burden on school counselors, hindering our ability to effectively respond to students in need.*

In conclusion, we support sharing information with parents as part of our role, but believe the requirements in HB 8 are overly burdensome, potentially harmful and fail to allow for the nuanced responses to student issues that our youth deserve. Thank you for considering OSCA's perspective and I would be happy to take any questions.