



**Senate Education Committee
April 23, 2024
Ohio School Counselor Association
House Bill 8 – Opponent Testimony**

Chair Brenner, Vice Chair O’Brien, Ranking Member Ingram and esteemed members of the Senate Education Committee, thank you for allowing the Ohio School Counselor Association to offer testimony on House Bill 8. OSCA previously testified on the bill as an opponent in December of 2023 and our prior testimony can be referenced for a more in-depth write-up of our concerns. However, as the legislation has not changed since our last testimony, we continue to have the same concerns with provisions of HB 8 regarding required notification of monitoring services to parents and the mandated disclosure of information students share with us.

The Disclosure Requirements are Overly Prescriptive

OSCA is aware of the growing interest in bringing parents further into school decision-making. We would like to reassure this committee that collaboration with parents is already a key tenet of what school counselors do. 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. 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.

The requirement for school counselors to promptly 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 and change our counseling programming accordingly. 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, as House Bill 8 would require.

HB 8 Needs Allowances for Suspected Abuse and Neglect

The current version of HB 8 does not allow school personnel to withhold information from parents if they reasonably believe it may result in abuse or neglect. 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. Additionally, rushing disclosure of these concerns is unconstructive and may negatively exacerbate the tension between the parent and student.

Disclosure Requirements are Too Broad

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.

Unintended Consequences

A school counselors’ office is a safe space for those students who see value in a neutral, detached listener as they talk through their thoughts. If students know that school counselors will be forced to disclose what was shared in a private meeting, students may hesitate before reaching out about sensitive issues, which often require the most emotional support, and may decide to stop seeing a school counselor altogether if they feel they can no longer trust them.

Parents Can Already Opt-Out of School Counselor Services

If a parent is concerned about a specific school counselor or counseling services offered at their child’s particular school, there is already an avenue to opt their child out of services altogether. If a parent opts out, then school counselors cannot meet with their student even if the student requests it. If a counselor does get a meeting request from an opted-out student, the counselor must let them know they will need to call the parent to get their consent to meet with the student regardless of the topic.

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. We want to continue to be able to support them in their academic, career and mental health development while working with parents, but we believe this legislation would cause severe disruption to those efforts. Thank you once again for considering OSCA’s perspective on this important matter.