

Chair Brenner, Vice Chair O'Brien, Ranking Member Ingram, and members of the Ohio Senate Education committee:

Thank you for the opportunity to provide testimony today. I am here to express my opposition to Ohio House Bill 8. While the bill claims to prioritize parental rights in education, I believe it introduces harmful restrictions and creates unnecessary barriers to the well-being of students.

1. The Bill Undermines Student Privacy and Mental Health Support

One of the most concerning aspects of HB 8 is its provision that would require school personnel to inform parents about any counseling services or mental health support a student may be receiving. This provision assumes that all parents are safe and supportive of their children's mental, emotional, and physical health struggles. The reality is, however, that many students face situations at home where their mental health needs are not understood or supported. Requiring teachers and counselors to notify parents about a student's participation in mental health programs could place vulnerable students at risk of rejection, discrimination, or harm.

For example, a student who is struggling with their gender identity or sexual orientation may not have a supportive home environment in which they feel safe expressing themselves. If a teacher or counselor is required to inform parents about a student's identity or mental health services, it could inadvertently lead to the child's distress or even jeopardize their safety at home.

Additionally, the bill mandates that school personnel refrain from encouraging students to withhold information from their parents regarding mental health or well-being. This is problematic because it ignores the reality that, in some cases, withholding information from parents may be necessary for a student's protection. The bill does not account for situations where revealing such information could lead to harm or be detrimental to a student's emotional well-being. For example, a student might fear being punished or mistreated by their parents if they disclose sensitive issues about their gender identity or mental health.

2. Unnecessary Burden on Schools and Teachers

HB 8 imposes significant burdens on teachers and school administrators who are already overwhelmed by the responsibility of educating students in an increasingly complex environment. The requirement that teachers disclose instructional materials and "sexuality content" prior to presenting them is a step backward in terms of academic freedom and professional autonomy. Teachers should be trusted to make informed, age-appropriate decisions about their curriculum, just as they are trusted in other areas of instruction. Requiring pre-approval or prior notification for content related to sexual education is a distraction from the actual task of teaching students.

Moreover, the bill's language on "sexuality content" is vague and sweeping, which could lead to the exclusion of critical discussions about identity, consent, healthy relationships, and gender diversity. These are important topics that, when approached in an age-appropriate and developmentally appropriate manner, can help students build empathy, understand diversity, and develop healthier attitudes toward their peers.

The bill's prohibition on the "encouragement" of students to withhold information from parents is troubling because it imposes an unrealistic expectation on teachers to act as parental gatekeepers. Teachers are not trained to navigate sensitive familial dynamics, and this provision could create a chilling effect on the ability of students to seek help and engage in candid discussions about their well-being.

3. The Bill Could Lead to Discrimination and Stigma

HB 8's emphasis on "biological sex" and its exclusion of "gender ideology" from approved curriculum content sends a harmful message to students, particularly those who may be exploring their gender identity. The bill's vague definition of "sexuality content" could be used to justify the exclusion of critical discussions about LGBTQ+ issues and the realities of gender fluidity.

By codifying restrictions on the topics of gender identity and sexual orientation, the bill may perpetuate stigma and discrimination against LGBTQ+ students, potentially leading to a less inclusive school environment. These students, who are already at a higher risk for bullying, depression, and suicide, deserve to be supported in their journey to self-acceptance and well-being. The bill, in its current form, does not consider the negative impact such exclusions can have on the mental health of these students, who may feel marginalized, invalidated, or invisible.

4. Overreach into the Relationship Between Parents and Schools

While parental involvement in education is crucial, HB 8 goes beyond empowering parents and veers into micromanaging the relationships between educators and students. The bill sets a precedent for government interference in how teachers approach sensitive subjects, potentially limiting students' access to accurate, age-appropriate information about sexuality, relationships, and gender.

The bill does not adequately balance the rights of parents with the rights of children to receive a comprehensive, well-rounded education. While parents have a fundamental right to be involved in their child's education, this bill could restrict students' access to important resources and information that are essential for their development and mental health.

Conclusion

HB 8, as written, undermines the mental health and safety of vulnerable students, creates unnecessary burdens on educators, and could foster an environment of exclusion and discrimination. Rather than promoting parental involvement in a positive and constructive way, the bill imposes undue restrictions on educational content and supports policies that could harm students who are struggling with complex issues such as mental health and gender identity.

I respectfully urge the committee to reconsider HB 8 in its current form and work toward policies that prioritize both parental involvement and the well-being of all students, without undermining their access to education, support, and safety.

Thank you.

Sincerely,
Evelyn Harvey