

Chair Brenner, Vice-Chair O'Brien, Ranking Member Ingram, and members of the Senate Education Committee, thank you for allowing testimony on House Bill 8 today.

My name is Liam Strausbaugh (he/they) and I am a licensed social worker in the state of Ohio and employee of the Ohio Chapter of the National Association of Social Workers and am here today to express our opposition to House Bill 8.

This is now my fourth time testifying against this bill in the last 18 months. You have heard my concerns about this bill as they relate to educator workforce strain, violations of Ohio Administrative Code, redundancy of Ohio Revised Code, violations of new Title IX regulations, and detriment to youth mental health. As we are here again today, these concerns don't seem to be enough to sway any of you away from this harmful bill.

To be transparent, we at NASW Ohio would likely oppose this bill in any iteration, but we have made attempts to work with legislators to find compromises to improve this bill and its functionality. Yet despite numerous outreach attempts from our office, from our lobbyist, and even from constituents of your districts, we have been unable to even have a meeting with some of you on this committee to discuss the possibility of amendments. To say I'm disappointed in the choice to ignore your constituents and the disregard of presented statistics and expertise of local professional and advocacy organizations is an understatement. I want to be able to say that I am proud of our state government, but it is impossible to do so when legislators are able to deny and ignore meetings with their constituents or even tell us that they do not support bills like this but will vote however their party tells them to vote. Behaviors like these are cowardly. If you want to try so hard and for so long to attack vulnerable Ohioans, at least have the decency to be upfront about what you're doing.

In case today is the day that will make a difference for you regarding this harmful piece of legislation, I have a few reminders:

- Proposed Sec. 3313.473 is duplicative of existing **ORC Sec. 3313.472** which states "The board of education of each city, exempted village, local, and joint vocational school district shall adopt a policy on parental involvement in the schools of the district. The policy shall be designed to build consistent and effective communication between the parents and foster caregivers of students enrolled in the district and the teachers and administrators assigned to the schools their children or foster children attend. The policy shall provide the opportunity for parents and foster caregivers to be actively involved in their children's or foster children's education."
- Proposed Sec. 3313.473 1(a) and (b) are duplicative of existing **ORC 3313.212** which states that each board of education shall provide an opportunity for parents to review instructional materials and existing **ORC 3313.60** allows parents to opt their children out of venereal disease education, child sexual abuse education, persona safety and assault prevention, dating and sexual violence prevention, suicide awareness of prevention, social inclusion, and first aid/CPR education
- Proposed Sec. 3313.473(2) which requires parental notification for "substantial" of the student does nothing to clarify or provide guidance on what substantial actually means.

Additionally, parents are already granted access to their student's academic records and medical records, and schools are restricted from denying parents access to these records under the **Family Educational Rights and Privacy Act of 1974 (FERPA)**, **20 U.S. Code § 1232g**, and **ORC 3701.74**

- Proposed Sec. 3313.473(5) is duplicative of the existing complaint process established by the **Ohio Department of Education**, available at <https://education.ohio.gov/Parents/Having-a-problem-with-your-school-or-district>
- Section (F)(4), listing what is included in change in student services or status, is also duplicative of what already exists in Ohio law. **ORC 3313.60** and **ORC 3313.6411** requires that tests are available to parents for review and also requires provision of report cards. Reporting of major mental health symptoms, physical injuries, and major sickness is already something that occurs. Mental health professionals are trained and legally and ethically mandated to report any reports of harm or potential harm to self or others, as well as incorporate parents and family into a child's care as needed. Physical injuries and illnesses that require a student to need to leave school are already reported. A bullying and harassment policy is already covered under **ORC 3313.666**.
- Violating student confidentiality is a violation of the Social Work Code of Ethics, codified into Ohio law as **Ohio Administrative Code 4575-5**.
- Additionally, as written, **HB 8 violates new Title IX** regulations by seeking to codify harassment. By requiring forced outings of students, Ohio schools will be implementing **hostile environment harassment** as well as **sex-based harassment**, both of which are prohibited by federal Title IX regulations. Should HB 8 be passed, all Ohio school districts can be subject to multiple lawsuits as they violate federal law.

In summary, the only thing this bill accomplishes that is not already existent in Ohio or Federal law is the forced outing of transgender students. NASW Ohio and others have attempted to return the language to this bill that would allow exceptions for suspected abuse or neglect, but this legislature has not been amenable to this, showing their blatant disregard for student safety. This committee has stated that the language of lines 52-55 regarding unlawful abuse and neglect is NOT the same and is NOT sufficient to protect these youth. This language is simply reactionary to abuse or neglect that has already occurred and does nothing to prevent it from happening. In the scenario in which there is a gender-diverse student with very unsupportive parents, school staff would be required to report the gender identity of the student to the parent, wait to hear that the student was abused because of the report, then report the parent to child services when this abuse could simply be avoided by hearing the student's concerns about the potential for abuse or neglect and not be mandated to put the student directly into harm's way.

I urge you to vote NO on this piece of harmful legislation or at the very least work with educators and professionals who are actually in this arena to make amendments that make this bill less harmful and more feasible.

Thank you,

Liam Strausbaugh, LSW
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