



Kathleen Beyer
Mean Street News – Owner
RE: Testimony House Bill 8
440-541-9201

December 9th, 2024

Ohio Senate
Education Committee
RE: Testimony House Bill 8
Parents Bill of Rights in Education: Proponent & Interested Party

Chairman Brenner, Vice Chair O’Brien, Ranking Member Ingram, and Members of the Ohio Senate Education Committee, thank you for allowing me to provide testimony or I am here to express that I am as a Proponent of House Bill 8, Parents Bill of Rights in Education.

The Ohio House of Representatives introduced House Bill 8 known as the Parents Bill of Rights in Education as a priority bill this session. I support this bill. It is very much needed to help parents combat problematic school districts obstructing parents’ rights. My local school districts administration, specifically the Superintendent Dr Hile, has refused to meet with my husband and me to discuss issues regarding the treatment of our children by his staff, would not even have a conversation. When asked why he felt he did not have to meet with me he used “in loco parentis.” This phrase is being used all over Ohio.

The only mention of “in loco parentis” in the Ohio Revised Code is Rule 5101:2-16-01 | Definitions for eligibility for publicly funded childcare benefits under section Q.

- "In loco parentis" means an adult who is the caretaker of a child, including a relative, foster parent or stepparent, who is charged with the rights, duties and responsibilities of a parent and whose presence in the home is needed to perform these rights, duties, and responsibilities."

No parent who signs their child up for public school gives the school administration & teachers “in loco parentis.” The Supreme Court has discussed the issue of “in loco parentis” recently they clearly said it was never meant for the schools to assume they have custody over your child. In loco parentis should be

used in case of an emergency the school administrators and staff must do everything to protect your child. However, this legal phrase is being weaponized against parents as a reason to not have to explain or meet with parents who are concerned about their children. I was so uncomfortable with the use of “in loco parentis” by my school district I pulled 3 of my children (one special needs) out of the district.

All the Parents Bill of Rights in Education does it force the schools to create a policy that would force them to address & notify parents which they already should be doing but sadly are not. If the administration does not address issues the parent, then has some recourse with their local board of education. To establish my rights as a parent now I must sue the school district for violating my due process rights under the 14th Amendment.

I love how The Parents Bill of Rights in education requires schools to notify parents of any changes in their child's mental, emotional, and physical health or well-being. House Bill 8 also requires schools to notify parents of any change in services that a child receives while clearly stating schools are not allowed to withhold any information that would affect the child's mental, emotional, physical health or well-being. House Bill 8 reiterates that raising children is the authority & responsibility of parents solely and should be promoted & welcomed by our schools.

However, there is one issue that I must address regarding House Bill 8.

In new language **ORC 3313.473, Section A, Subsection 4**. It states at the beginning of the school year, notify parents of each health care service offered at their student school and work with parents to create a health care plan for each student that is approved by the student's parent. This section's language is a direct violation of our **Ohio Constitution**. Specifically, **Article One, section 21**, which states:

(A) No federal, state, or local law or rule shall compel, directly or indirectly, any person, employer, or health care provider to participate in a health care system.

(B) No federal, state, or local law or rule shall prohibit the purchase or sale of health care or health insurance.

(C) No federal, state, or local law or rule shall impose a penalty or fine for the sale or purchase of health care or health insurance.

(D) This section does not affect laws or rules in effect as of March 19, 2010; affect which services a health care provider or hospital is required to perform or provide; affect terms and conditions of government employment; or affect any laws calculated to deter fraud or punish wrongdoing in the health care industry.

(E) As used in this Section, ~~[(b)]~~

(1) "Compel" includes the levying of penalties or fines.

(3) "Penalty or fine" means any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge or any named fee established by law or rule by a government established, created, or controlled agency that is used to punish or discourage the exercise of rights protected under this section.

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Giving the school any responsibility to implement a health care plan with parents on behalf of our children is not appropriate and will be abused by schools.

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I am requesting the committee to remove the language **requiring** parents to set up a health care plan with the school from the bill. I would be okay with the parent has the option to set up a healthcare plan, with a provision the right to refuse. It is a clear violation of our state constitution to REQUIRE any person or child to participate in a healthcare system.

Giving the school any responsibility to implement a health care plan with parents on behalf of our children is not appropriate and will be abused by schools. We already have a problem with the schools stating they are not required to follow HIPPA due to FERPA which is not true. The schools are bringing in medical centers & doctors that are bound by HIPPA and should not be violated by the school district.

The schools would use this language to require ALL parents to create a health care plan for their child. Then schools would enroll our children into health care services, via their health clinics at the school, to then bill the State for services rendered. The child's health information would be stored in their school file/system that is being streamlined (in real time) to state and federal agencies via their funding/accounting systems. Now the school is responsible for storing students' health care information in their database.

This process matches the definition of Health Care System in Article I, Section 21 of the Ohio Constitution. This then shows the violation of Article I, Section A which states:

(A) No federal, state, or local law or rule shall compel, directly or indirectly, any person, employer, or health care provider to participate in a health care system.

Therefore, requiring schools to “work with parents to create a health care plan for each student that is approved by the student's parent” in this bill is a clear violation of the Ohio Constitution because you would be passing a bill that would require parents to enroll their children in a health care system. Please remove or revise the language in new language:

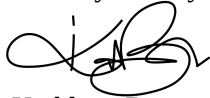
ORC 3313.473, Section A, Subsection 4.

At the beginning of the school year, notify parents of each health care service offered at their student school and work with parents to create a health care plan for each student that is approved by the student's parent.

In conclusion I hope this body does right by parents of Ohio and votes to pass HB 8: Parents Bill of Rights in Education. The entire reason I approached House Rep DJ Swearingen about this bill is because of what was happening at Vermilion City Schools. Because of my political beliefs and addressing the school board & administration with concerns during COVID the school administrators began retaliating against my children in several ways that will be told in a book being released in 2025. It got so bad I pulled 3 of my children, one disabled from the district. Representative Swearingen was shocked and within 3 months this bill was drafted and introduced as a priority bill this session.

This bill will not fix the entire issue, but it will give parents a way to force their districts to inform them of their child's mental, emotional, and physical health or well-being. Which no teacher or administrator should be against. A parent is the ultimate authority in the child's life, a teacher is a stranger that they will know for a year, if they are against informing parents they should not be working with children. If you have any questions, I am happy to answer them.

Thank you for your time,

A handwritten signature in black ink, appearing to read 'K. Beyer', with a stylized flourish at the end.

Kathleen Beyer