

Ohio Senate Education Committee
December 10, 2024
HB 8 Testimony, Opposition

Chair Brenner, Vice Chair O'Brien, and Ranking Member Ingram, and members of the Education Committee: Thank you for the opportunity to provide the following testimony opposing House Bill 8.

My name is Lydia Garris. I have lived in Ohio for about 18 years and graduated from the public school system this bill would impact. I am here to lend my voice as a concerned citizen. I strongly oppose House Bill 8 on the grounds that it does not protect LGBTQ+ students from potentially violent or abusive situations, with language that specifically singles out Transgender students.

Representative Swearingen, who sponsors this bill, said in his testimony for HB 8, "It is statistically undeniable that when parents are involved in their kids' lives, kids succeed." Yet these statistics do not apply evenly across the entire student population.

It is well-documented that LGBTQ+ youths experience higher rates of parental abuse than their non-LGBTQ+ counterparts. There are many types of abuse that LGBTQ+ individuals are at higher risk for, but in the interest of time I would like to focus on the differences in rates of homelessness among LGBTQ+ youth, especially as it relates to familial mistreatment.

The Trevor Project reported that, as of 2021, they found that, "16% of LGBTQ youth reported that they had slept away from parents or caregivers because they ran away from home, with more than half (55%) reporting that they ran away from home because of mistreatment or fear of mistreatment due to their LGBTQ identity." and "14% of LGBTQ youth reported that they had slept away from parents or caregivers because they were kicked out or abandoned, with 40% reporting that they were kicked out or abandoned due to their LGBTQ identity."

As you can see, there are numerous instances where kids are at risk when their identity is exposed to unsupporting parents, whether the reveal is self-initiated, accidental, or forced by a third party. I **do not** make the claim that forced outing of students will always, every time result in a student being abused or kicked out of the house. But I am claiming that there is evidence to show that this is a common enough outcome to necessitate a clear, written exception to this section of the bill to mitigate harm.

While HB 8 does contain a provision stating that nothing should "prohibit teachers from reporting unlawful abuse or neglect," there is no language included to make any exception to the proposed law *prior* to abuse occurring. This leaves educators with no legal ability to try and prevent abuse that would stem from the bill's requirements from happening in the first place.

It is important to note that, in its original form, this bill did include stipulations around withholding information from parents in instances where there was concern over student safety. In lines

42-47, the “As Introduced” version of this bill stated: “..the policy shall permit school district personnel to withhold such information from a parent if a reasonably prudent person would believe that disclosure would result in abuse, abandonment, or neglect; that belief shall not be based on a parent's religious or political beliefs.”

But since that section was removed, I, along with other Ohio constituents, would like to know what prompted the legislators to remove this safety feature of the bill. I am interested in why it was decided that, if this bill passes, a student must *earn* protection from their parents by first enduring abuse.

Now, since one of the consequences of the bill is that some trans students may be outed to parents who proceed to kick them out of the house, I want to provide some statistics about student homelessness, because it provides context for what we can expect to see if the bill passes.

About 1.5% of all Ohio students in public schools experienced homelessness during the 2023-24 school year, according to a [public report](#) shared by the Department of Education and Workforce. The entire state's public school population of homeless students has risen from 1.4% to 1.5% in the past year. And this is the highest reported percentage in the past 5 years.

These general youth homelessness statistics are what we are seeing BEFORE HB 8 is enacted. These are numbers that are impacted by a variety of factors. But this bill explicitly calls for the forced outing of trans students to parents, as well as opens the door to “out” other LGBTQ+ students in some cases, and we have reason to believe that this will increase youth homelessness rates across the state.

Because Ohio is not the first state to try and pass a law that would require school employees to out transgender students, we do have examples of how similar legislation impacted other states when passed. For example, Alabama passed a law that similarly would encourage the forced outing of transgender students. Section 5. of this law, originally SB184 (2022), is similar to HB 8, in that it encourages the forced outing of transgender students by requiring school employees to disclose a student's trans identity to parents, without student permission, if it becomes known to the employee. HB 8 does differ, only slightly— it would require a student to “make a request” to identify differently to the sex they were assigned at birth in order for a parent to be informed. But both documents have an alarming commonality: the absence of an exception to prevent abuse before it occurs.

Alabama adopted SB184 (2022) as law on 4/7/22. Despite having a fairly low youth homelessness rate during the 2021-22 school year (1.06%), which had consistently been dropping since the 2018-19 academic year (2.18%), it has **only** risen since the adoption of SB184 (2022). During the first full year the new law was in place, youth homelessness had risen to 1.42%, then even higher in 2023-24 (1.79%).

(<https://reportcard.alsde.edu/OverallScorePage.aspx?ReportYear=2024&SystemCode=000&SchoolCode=0000>)

Of course, correlation does not inherently equal causation, and this isn't to say that youth homelessness is not made up of many heartbreaking factors. But It is worth noting that in Alabama's case, the recent spike in youth homelessness is not consistent with the trend in homelessness across all populations in Alabama. During January 2022, it was estimated that about .07% of the state's population was experiencing homelessness. After the SB184 (2022) bill passed, the percentage actually decreased slightly before returning to an estimated .07% again in January 2024.

Because of this, it is clear that the cause of the spike is specifically related to factors that largely apply only to enrolled, school-age children. I think there could be multiple factors at play, but the correlation to the bill's passage raises concerns.

And it should not be necessary to point out the economic strain that this bill might cause our state due to rising homelessness rates among youth— the likelihood of increased child abuse should convince you to vote no, or at least amend the bill's language. But since the economic implications remain regardless, and given that the economy is high on the average Ohioan's list of priorities, it is imperative that we highlight the cost concerns.

"The United States Interagency Council on Homelessness (federal council)'s Opening Doors stated that "homelessness is costly to society because people experiencing homelessness frequently require the most expensive publicly-funded services and institutions." I sincerely hope I am wrong in my estimates and wrong in my fears. But are you willing to gamble with your constituents' money that these fears are unfounded, especially when economic concerns have been vocally declared a top priority among the majority of Ohioans?

To be clear: It is my sincere wish that my taxpayer dollars DO go to those who find themselves unhoused. But it is also my sincere wish that we take action to try and ensure that as few individuals as possible, find themselves in need of that aid in the first place. Right now, that action could be as simple as voting no on this bill.

Rep. Swearingen himself says, "Ohio already has regulations that govern parental notice, review, and opting out of instruction." Because of this reason, this bill is wasting our time, and since we pay you for your time, it is wasting our money as well. And worse than that it is endangering the lives of Ohio's students, especially trans students. I ask that you please consider my testimony and vote no on this bill.

Thank you. I'm happy to answer any questions.