



**Senate Education Committee
December 10, 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 April of this year, as well as in December of 2023, and our prior testimony can be referenced for a more in-depth write-up of our concerns. Although we appreciate the changes that have been made to address our concerns with the bill, we continue to oppose the provisions of HB 8 regarding the required notification of changes in 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. OSCA appreciates the changes made by this committee that would allow schools to specify in what manner parents will be notified, as well as the addition of language only requiring notification for substantial changes rather than any change, but we continue to have concerns with these provisions on the whole.

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. We strongly urge consideration of the re-addition of this provision.

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 matters, given the nature of counseling is responding to areas in which students need support. Changes made by this committee did narrow the requirements to notify parents only of “significant” sickness or physical injury, but we believe these requirements are still too broad.

Unintended Consequences

A school counselor’s 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.

Trust is key to building a relationship with students, especially when working with students who have experienced trauma. As many of you probably know, the ACES study taught us that childhood trauma is prevalent and can have long-lasting impacts without interventions. One of the greatest unintended consequences of this bill will be that we are less able to identify students who are being abused or neglected since we will no longer be able to build trusting relationships with students. The time it takes for students to find their voice and let a trusted adult know they are being abused or neglected is vast, and this bill will impede this from occurring. We know that when students were home during COVID, the number of referrals to children’s protective services decreased significantly. This is because schools are a significant source of referrals as they are where students can find trusting relationships.

This bill looks at parents through rose-colored glasses and assumes that all parents have the best interest of their children in mind. While we agree that most parents do, there are certainly parents who do not. For example, school counselors work with students who report being abused and neglected at home. A strong relationship of trust takes time and is necessary for disclosure in those cases. We have heard very sad stories from our children about how they are being used by their parents to sell drugs or being sex trafficked. Without the trust students have in schools, these children will not have a place to report the horrible things that happened to them. Our fear is this bill will be detrimental to children in these situations.

Overall, this bill will lead to a chilling effect on the use of school counseling services, even those for students who come to us seeking career or college advice, leading to less support for the success of our students.

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 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.