



TESTIMONY IN OPPOSITION TO HOUSE BILL 42

Chair Hall, Vice Chair Ferguson, Ranking Member Humphrey, and members of the Ohio House Government Oversight Committee:

My name is the Rev. Dr. Ben Huelskamp, and I serve as Pastor of Blue Ocean Faith Columbus, a progressive Christian congregation in Columbus, Ohio. I submit this testimony in strong opposition to House Bill 42.

As a pastor and as a person of faith, I believe deeply in the fundamental right of every child to receive an education without fear. HB42 threatens that right by requiring Ohio's public schools to collect and report detailed immigration status data on students. This bill transforms our schools from places of learning into sites of surveillance and enforcement, with devastating consequences for children and families across our state.

The Fundamental Right to Education

Education is a cornerstone of a just society and a pathway to opportunity for all children. In *Plyler v. Doe* (1982), the Supreme Court recognized that denying education to children based on immigration status inflicts a lifetime of hardship and perpetuates an underclass. Ohio has long honored this principle by welcoming all children into our public schools, regardless of their families' immigration status or circumstances.

HB42 nullifies this commitment. By requiring schools to track and report whether students are "citizens or nationals of the United States," "lawfully present," or "not lawfully present" in the United States, this bill creates a hostile environment for immigrant families. Parents will fear that enrolling their children in school could expose their family to immigration enforcement. Children will fear that attending school could result in separation from their parents.

The practical result is clear: families will keep children home rather than risk deportation. Children will be denied education. And Ohio will have abandoned its moral and constitutional obligation to educate all children within its borders.

Schools Must Remain Safe Spaces

Our schools should be sanctuaries of learning, not sites of immigration enforcement. Teachers, counselors, and administrators are educators, not immigration agents. Their job is to nurture young minds, not to investigate families' legal status.

HB42 forces schools into an impossible position. School staff who build trust with families over years will become associated with data collection that could lead to family separation. This destroys

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the relationships that are essential to the educational process. When students and families cannot trust their schools, everyone loses.

Moreover, the data collection required by HB42 serves no legitimate educational purpose. Schools do not need to know students' immigration status to educate them effectively. The only purpose this data serves is to surveil vulnerable and facilitate potential immigration enforcement actions, a purpose antithetical to the mission of public education.

Immigration Enforcement Has No Place in Schools

I want to be absolutely clear: immigration enforcement should never occur on school property, and school records should never be used for immigration purposes. Schools must remain safe and neutral ground where all children can learn without fear.

HB42 moves Ohio in precisely the wrong direction. While the bill does not explicitly authorize immigration agents to access school records, it creates infrastructure for tracking students by immigration status that could easily be exploited for enforcement purposes. The mere existence of this data creates risk.

Furthermore, the requirement that schools report this data up through the Ohio Department of Education and Workforce to the Governor creates a statewide database of students categorized by immigration status. Once this information exists in government systems, it becomes vulnerable to access, misuse, or disclosure—whether through data breaches, public records requests, or policy changes.

Children should never be reduced to data points in a government database particularly when that data is based on their families' immigration status. This is not the Ohio we aspire to be.

The Broader Context of Dehumanization

HB42 is part of a broader pattern of legislation that treats immigrant families as problems to be solved rather than as human beings deserving of dignity and respect. By requiring schools to categorize students as “lawfully present” or “not lawfully present,” this bill reduces children to their legal status, as if that status defines their worth or their right to be educated. This is dehumanizing. Children are not “legal” or “illegal.” They’re children. They have names, dreams, talents, and potential. They deserve to be seen as whole human beings, not as data points in a government surveillance system.

When we allow our laws to dehumanize any group of people, especially children, we diminish ourselves as a society. We abandon the values of compassion, justice, and human dignity that should guide us.

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Conclusion: Reject HB42

I urge you to reject HB42. This legislation does not serve the interests of Ohio's children, families, or communities. It does not improve education. It does not enhance public safety. It does not solve any actual problem facing our state.

HB42 creates fear. It undermines trust. It threatens to deprive vulnerable children of their right to education. And it transforms our schools from places of learning into sites of surveillance.

We can do better than this. Ohio can welcome all children into our schools, protect their right to learn, and ensure that education remains a sanctuary from fear.

I respectfully urge this committee to vote no on House Bill 42.

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