

Chair Young, Vice Chair Manning, Ranking Member Miller, and members of the House Higher Education Committee. Good morning, and thank you for the opportunity to provide testimony in support of House Bill 183. Thank you to Representatives Lear and Bird for sponsoring this crucial legislation and to the nineteen co-sponsors. My name is Brendan Shea. I currently serve as an elected member of the State Board of Education for District 5.

As I'm sure everyone on the committee knows, Title IX of the Education Amendments of 1972 was enacted by Congress to protect the rights and opportunities of women and girls in schools, athletics, and academia. And throughout its 51-year history, it's made important contributions toward achieving this goal.

But on July 12th, 2022, the U.S. Department of Education entered into the federal registry for public comment proposed regulatory changes that would upend the original purpose of Title IX. The proposed changes would redefine sex based on gender identity rather than on biological reality. They received over 240,000 public comments, more than any proposed regulation in the history of the federal government.

One set of public comments in opposition was jointly submitted by 20 state attorneys general and authored by Ohio Attorney General Dave Yost. Additionally, Ohio joined 19 other states in seeking injunctive relief from the prematurely released guidance documents for the proposed rule. Injunctive relief was granted.

As I witnessed these events play out in the summer of 2022, I believed the State Board of Education in Ohio needed to take a stand. And so, in September of that year, I crafted and introduced a resolution entitled Resolution to Oppose the Proposed Changes to Title IX and to Affirm Parental Rights and Local Control in K-12 Education. The resolution was adopted, and I've included it in my submitted testimony.

As part of that resolution, the State Board called upon the General Assembly to, quote "safeguard the inviolable rights of parents, the innocence of children, and the rights, privacy, safety, and opportunities of women and girls in schools and athletics." I view House Bill 183 as critically important for doing just that.

The State Board of Education is not exactly known for being a right-wing institution. If anything, it has historically leaned to the left. And while I'm not speaking on behalf of my colleagues, I do believe that the majority who

supported the resolution did so because they see this as an urgent and commonsense issue.

Number one, it's an issue of safety. Allowing males access to female bathroom and privacy facilities makes young women and girls less safe. Period.

Number two, it's an issue that distracts from academics. Like Representative Bird mentioned in his testimony, I too often hear from concerned parents, constituents, and administrators. It's a distraction for them. Enacting House Bill 183 will help take that difficult situation off their plate.

Number three, it's an issue of mental health. Some will rightly ask how students can learn if they're struggling with anxiety and depression. I couldn't agree more that these things are obstacles to learning. But as societal experimentation has increasingly found its way into schools, and at younger and younger ages, children's mental health has gotten worse, not better.

And this makes sense. If we teach children that the world should conform to their subjective identity or preference, they'll become bitter and miserable and never live up to their God-given potential. Fairness – whether fair treatment under the law or in the classroom – is treatment that comports with objective reality and facts. I agree with Representative Lear that this is also the compassionate approach.

We're at a crossroads in our nation's history. The original intent of Title IX is being threatened. I agree that it's time for the legislative branch to weigh in. We've seen the federal executive branch weigh in. We've seen certain judicial bodies weigh in with varied opinions. We've seen the State Board of Education weigh in. I strongly urge members of the Ohio General Assembly to pass House Bill 183 to help eliminate difficult situations for school leaders and create consistent policies across the state, to protect all Ohio children, but especially young women and girls, and to protect children from exposure to the opposite sex in restroom and privacy facilities. Thank you.