

Opponent Testimony, HB 8 House Primary and Secondary Education Committee

Chair Bird, Vice-Chair Arthur, Ranking Member Robinson, and members of the House Public Health Policy Committee, thank you for your time and for providing the opportunity to hear our testimony.

My name is Liam Strausbaugh (he/they) and I am a staff member at the National Association of Social Workers – Ohio Chapter (NASW-OH). I am testifying today to express NASW-OH’s opposition to HB 8 which would have a profound impact on Ohio’s students as a whole, but particularly youth of gender and sexual minorities.

HB 8 would mandate that any “sexuality content” be provided to parents prior to instruction to students, leading to the potential that students would be unable to learn about important topics such as gender identity and sexual orientation, or diverse family systems, should a student’s parent disagree with the content. This is not only ostracizing to students who are openly queer, gender-diverse, or come from family systems outside of the cisgender/heterosexual norm, but does not allow for students who may be questioning their gender or sexuality to see themselves represented in classroom materials or discussions unless their classmates’ parents find it acceptable.

Ohio also already has laws in place (ORC Section 3313.212) that allow parents to examine instructional material via parental review boards, making this section of HB 8 redundant and unnecessary.

HB 8 would also mandate that parents are to be notified of any changes to a student’s services related to mental, emotional, or physical health or well-being, or if a student identifies as a gender that does not align with their sex assigned at birth. The Code of Ethics followed by social workers highlights the need for client confidentiality in services as well as respecting client autonomy and self-determination and the therapeutic relationship. Additionally, social workers and other mental health professionals are already required to report if a client is a serious risk to themselves or others.

Requiring school social workers to share any changes to a student’s mental and emotional well-being, negates much of the value of the safe confidential space that mental health services are intended to create for clients of all ages, to process emotions and received non-judgmental support. These new regulations would risk disrupting the therapeutic process and interrupting clinical progress by circumventing our client’s right and desires to privacy. Especially if the student is sharing sensitive information such as exploration of, or changes in, gender identity or sexuality, it can be a great danger to a student if we become mandated by law to share that information with a parent when the student is not ready.

Studies have shown that LGBT youth are 120% more likely to experience homelessness with the leading cause of this homelessness being family rejection based on sexual orientation, gender identity, and gender expression.¹ While HB 8 does provide exemptions to this if there is reason to believe that the student would experience abuse, neglect, or abandonment, it also creates a carve-out for that exemption if that belief is based on religious or political beliefs of the parent and also provides no context as to how this belief should be substantiated or enforced.

We believe that queer or gender-diverse youth thrive best and succeed the most when surrounded by a loving, all-encompassing support system including parents, but we recognize that there are many instances in which a child does not feel safe or ready to discuss these feelings with their parents or guardians. In these instances, it is the role of the therapist, social worker, or counselor to provide a safe, supportive, welcoming ear to these youth to help them navigate these circumstances and inform others when they are ready and safe to do so. Mandating that school support staff report these thoughts and feelings to parents immediately can be incredibly damaging to a child's therapeutic process and would discourage youth from sharing anything at all with support staff; whether that be feelings of gender-diversity or feelings of depression and suicide. Why take away the one safe space that youth in schools should be guaranteed to have?

Schools in Ohio are already short-staffed, particularly in regard to school social workers. The recommended ratio of school social workers to students is 1:250, but as of a 2021 study by MHA, Ohio is currently averaging 1 social worker to 4,854 students². These numbers are already unacceptable and requiring more tasks as well as ethical boundary violations for school social workers will only further diminish this already insufficient workforce.

We urge you to vote no on this legislation and allow current laws to remain sufficient for parental content review and to allow school support staff to remain a safe environment for youth to share their thoughts and feelings.

400 W Wilson Bridge Rd, Suite 103, Worthington, OH 43085
614-461-4484 • Fax: 614-786-1726 • info.naswoh@socialworkers.org • www.naswoh.org

¹ Morton, M. H., Samuels, G. M., Dworsky, A., & Patel, S. (2018). Missed opportunities: LGBTQ youth homelessness in America. Chicago, IL: Chapin Hall at the University of Chicago.

² <https://hopefulfutures.us/action-ohio/>