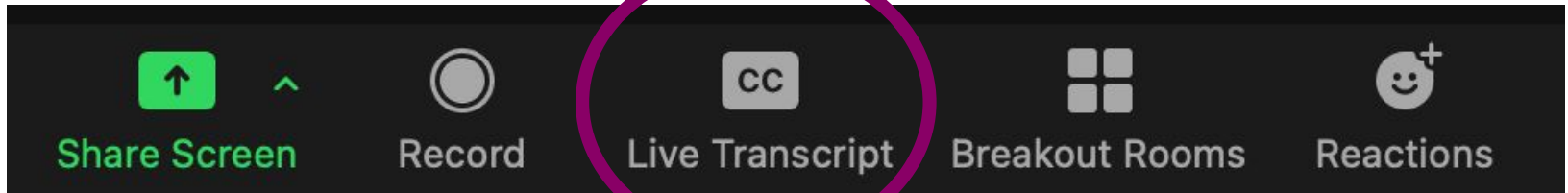


# CLOSED CAPTIONING

Click on CC icon to enable captioning



# Honesty Lunch & *Learn*

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Education Matters:  
*The Higher Education Destruction Act*  
*LGBTQ+ Rights*



# Welcome!

**Cynthia Peeples (she/her/hers)**

*Founding Director  
Honesty for Ohio Education*



# We Are

## Coalition

Nonpartisan, Statewide, Diverse Stakeholders

## Pillars

Educate • Advocate • Build Community

## Priorities

Statehouse • State Board of Ed • Schools

## Resources

News, Info, Events, Programs, Organizing



# Agenda

Education Matters

State of Education

The Higher Education *Destruction* Act

LGBTQ+ Rights & Safety

Q&A

**TAKE ACTION**

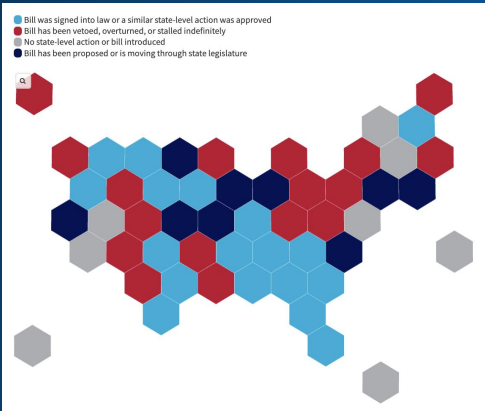
Resources

The background is a monochromatic blue-tinted image of a grand, classical building. The central feature is a circular rotunda with a series of tall, rectangular windows. Two American flags are positioned on tall poles, one on the left and one on the right, flanking the rotunda. Below the rotunda, a portico with several columns is visible, each topped with a decorative pediment. The overall scene is presented in a clean, professional style with a strong color palette.

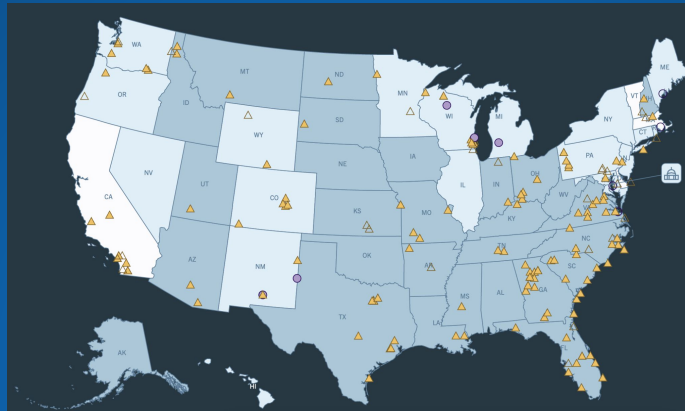
# Education Matters



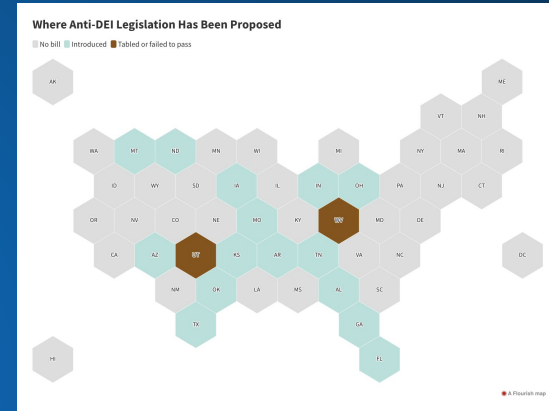
# K-12 Culture War Bills



# K-12 Anti-CRT Bills



# Higher Ed Destruction Bills



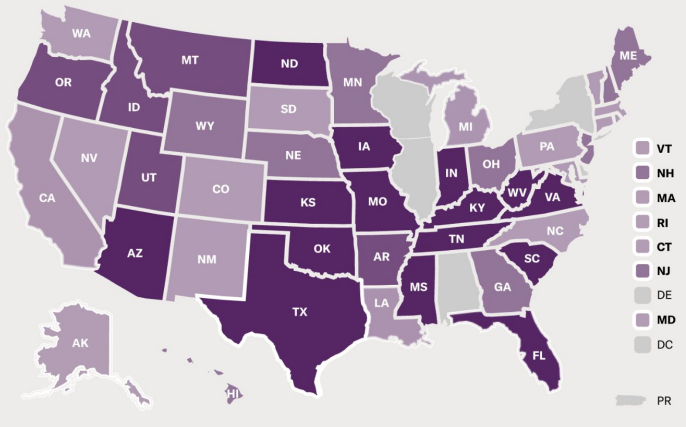
2023 LEGISLATIVE SESSION

## The ACLU is tracking **451** anti-LGBTQ bills in the U.S.

Choose a state on the map to show the different bills targeting LGBTQ rights and take action. While not all of these bills will become law, they all cause harm for LGBTQ people.

[View past legislative sessions.](#)

Bills per state



# Ohio's Whole Child Framework

A collaborative approach to learning and wellness





In Ohio, each child is *challenged, prepared and empowered.*



## Vision

In Ohio, each child is **challenged** to discover and learn, **prepared** to pursue a fulfilling post-high school path and **empowered** to become a resilient, lifelong learner who contributes to society.

## Four Learning Domains



**Foundational Knowledge & Skills**  
Literacy, numeracy and technology



**Well-Rounded Content**  
Social studies, sciences, languages, health, arts, physical education, etc.



**Leadership & Reasoning**  
Problem-solving, design thinking, creativity, information analytics



**Social-Emotional Learning**  
Self-awareness & management, social awareness, relationship skills, responsible decision-making



## One Goal



Ohio will increase annually the percentage of its high school graduates who, one year after graduation, are:

- Enrolled and succeeding in a post-high school learning experience, including an adult career-technical education program, an apprenticeship and/or a two-year or four-year college program;
- Serving in a military branch;
- Earning a living wage; or
- Engaged in a meaningful, self-sustaining vocation.

## Three Core Principles



**Equity**



**Partnerships**



**Quality Schools**

## 10 Priority Strategies

1

Highly effective teachers & leaders

3

Teacher & instructional support

5

Assessments gauge all learning domains

7

Meet needs of whole child

9

Develop literacy skills  
Transform high school/provide more paths to graduation

2

Principal support

4

Standards reflect all learning domains

6

Accountability system honors all learning domains

8

Expand quality early learning



# STATEHOUSE

National extremist agenda imported into Ohio as culture war bills

- Weaponizes race and identity
- Perpetuates hate, discrimination, violence
- Creates division & distrust of educators
- Casts chilling effect on education
- Distracts from REAL education issues

## Censorship

**SB 17** - Free market capitalism in financial literacy

**SB 83** - Higher ed censorship and worker rights

**HB 103** - Ohio Social Studies Task Force

## Anti-LGBTQ+

**HB 6** - Trans athlete ban

**HB 8** - Parent notification, health & sexually explicit content

**HB 68** - Gender-affirming healthcare ban

**HB 113** - Detrans Awareness Day

## Educators

**SB 14** - US veterans as unlicensed teachers

**HB 48** - Professional misconduct & indoctrination

## Education Governance

**SB 1 & HB 12** - State takeover of public education

## Education Funding

**HB 1** - Flat tax & property taxation, guts local govt & schools

**HB 10** - Phase-in of Fair School Funding Plan

**SB 11 & HB 11** - Universal voucher programs



# Senate Bill 83

The Higher Education *Destruction* Act

# SB 83

## The Higher Education *Destruction* Act *BAD* for Students. *BAD* for Higher Education. *BAD* for Ohio.

**Introduced:** March 14, 2023

**Sponsor:** Senator Jerry Cirino (R-Kirtland), District 18  
7 co-sponsors (2 in SWHE Committee, 3 in SE Committee)

**Committee:** Senate Workforce and Higher Education

**Status:** Proponent Testimony Hearing on March 29  
*Opponent Testimony Hearing expected in mid-late April*



# Honesty Welcomes

**David Jackson, PhD (he/him/his)**

*Professor, Dept of Political Science  
President, BGSU Faculty Association for AAUP*



SB 83

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# SOME GENERAL THOUGHTS

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- The bill is not conservative, it is radical
- It is bad for students
- Diversity, Equity, and Inclusion is good for students
- It is unnecessary
- It is micromanaging higher education
- It is vague and contradictory
- It's bad public policy

## A SAMPLING OF SB 83 (MOSTLY FROM OCAAUP E.D. SARA KILPATRICK'S ANALYSIS)

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- Requires state institutions to adopt a policy requiring the institution to prohibit mandatory DEI programs/training
- Requires faculty and, staff to allow and encourage students to form their own conclusions about controversial matters and defines controversial matters to include climate change, electoral politics, foreign policy, diversity, equity, and inclusion programs, immigration policy, marriage, or abortion

# MORE SB 83

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- 3 credit American government/history course; specifies the readings; presidential opt out (CCP)
- Requires chancellor to develop a minimum set of standard questions for state institutions to use in student evaluation of faculty. The questions must include this particular question: *"Does the faculty member create a classroom atmosphere free of political, racial, gender, and religious bias?"*

# MORE SB 83

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- Evaluations of faculty shall be conducted by the department chairperson or equivalent administrator, reviewed and approved or disapproved by the dean, and submitted to the provost for review. If there is disagreement between the chairperson and dean, the provost shall have final decision authority.
- Post tenure review (PTR) process that appears to exclude faculty involvement and basic elements of due process. Allows department chair, dean, or provost to call for immediate PTR for cause for a faculty member who has a documented and sustained record of significant underperformance outside of the faculty member's annual performance evaluation.
- The academic affairs committee of the Board of Trustees shall have final decision authority on the outcome of the PTR process



# MORE SB 83

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- Prohibits institutions from entering into academic relationships (including study abroad programs) with an academic institution located in China or an academic institution that is located in another country and is associated with the People's Republic of China, and prohibits renewal of an existing agreement.
- Prohibits training on concepts related to being advantaged or disadvantaged based on race and sex.
- Prohibits hiring employees to provide instruction on these concepts.
- Requires institutions to implement a range of disciplinary sanctions for anyone who authorizes or engages in such training.

# YET MORE ASPECTS OF SB 83

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- Prohibits policies designed explicitly to segregate faculty, staff, or students by group identities such as race, sex, gender identity, or gender expression, including in orientations, majors, financial awards, residential housing, administrative employment, faculty employment, student training, extracurricular activities, and graduations.
- Prohibits “Employees of any state institution of higher education” from striking (adding to the list of other public employees prohibited from striking in Ohio Revised Code Sec. 4117). Forces parties into conciliation process.



# HOW SB 83 FITS WITH OTHER LEGISLATION (KILPATRICK)

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- 133rd GA: SB 40--institutions have to host any campus speaker
- 134th GA: SB 135--affirmations that institutions must be marketplaces of ideas and guarantees free speech; mandates institutions to establish policies and procedures to handle free speech complaints
- 135th GA: SB 83--attempts to dictate the content and manner in which certain topics can be discussed, forces faculty to teach in a way that conforms to "intellectual diversity"



# LGBTQ+ Rights & Safety

# Honesty Welcomes



**Maria Bruno, Esq. (*she/her/hers*)**  
*Public Policy Director, Equality Ohio*



**Kathryn Poe (*they/them/their*)**  
*Public Policy & Digital Manager, Equality Ohio*



# Nationally

## 2023: Bigger Wave of Badder Bills Across the Country

- [Equality Federation is tracking](#) **880** LGBTQ+-related bills introduced so far in 2023
- Some new language, some old language, some old language re-worked

# Why your friends should care about what's happening at the Statehouse

- A lot of legislation that affects schools is under consideration right now
- Even legislation that is introduced but not yet passed can lead to a change in the political climate and level of hostility towards LGBTQ+
- Licensure for different occupations is increasingly becoming a tool for harmful legislation
- Extreme legislation leads to tangible harm
- Discrimination is bad for business
- Protecting kids means protecting their right to exist authentically and have a safe learning environment.

# HB 6 “Save Women’s Sports Act”

*House Higher Education Committee*

- Instructs **all schools at all levels** to ban trans athletes
- Instructs **all athletic associations** to ban trans athletes
- **Creates cause of action for athletes** who are “deprived of opportunity or suffered harm”
- **Creates cause of action for schools** against an agency, athletic association, or business from “taking adverse actions” against schools that ban trans athletes

**TAKE ACTION**



# HB 8 “Parents’ Rights Act”

*House Primary & Secondary Education Committee*

## TAKE ACTION

- Parents must have notice, opportunity to review, & opportunity to request alternative instruction for all “sexually explicit content”\*
- School personnel cannot encourage students to withhold health related information with carveout for safety concerns, unless concerns are because of political or religious affiliations
- Establish a process under which the district or school must resolve written concerns submitted by parents.

"Sexually explicit content" means any description of or any picture, photograph, drawing, motion picture film, digital image, or similar visual representation depicting sexual conduct.

# HB 68 “SAFE Act”

## *House Public Health Policy Committee*

- Bans providing gender affirming care to anyone under 18, including consultations and mental health services
- Prohibits courts from denying a parent or guardian parental rights or responsibilities on the basis of their stance on gender affirmation.
- Prohibits physicians from referring patients under 18 to out-of-state affirming care providers
- Bans banning conversion therapy
- Tracks “anonymized” data related to youth experiencing gender dysphoria

**TAKE ACTION**

# Good Bills We're Pushing For

- [HIV Modernization](#) - decriminalize status-based offenses
- [Ohio Fairness Act](#) - Statewide Nondiscrimination Protections
- [Protections against](#) Conversion Therapy

# How to support LGBTQ+ kids in your Community

- **Be a good listener.** The most important thing an LGBTQ+ kid can have is at least one reliable, compassionate, affirming adult. You can be that adult.
- **Follow along with your own school board and city council** to hold them accountable and ensure inclusion
- **Attend a testimony workshop** (offered once a month) and submit testimony against anti-LGBTQ+ bills
- **Participate in our campaigns to support LGBTQ+ youth!**
  - Advocacy Night (1x a month)
  - QAC (quarterly meetings)
  - #WeSay
  - #OhioCanPlay
  - Notes of #TransJoy

<https://linktr.ee/equalityohio>

Businesses & Organizations: **Join [Ohio Business Competes](#)**

# In schools

## Political tensions are showing up in schools whether we like it or not.

- Plays cancelled for alluding to a character being gay
- Children's books are getting banned
- Librarians are being harassed
- Teacher was fired for handing out pride bracelets
- Rainbows were banned in school classrooms
- Teachers punished for asking for pronouns, sometimes even having policies against it
- School districts sued for inclusivity efforts
- GSAs intimidated or encouraged to disband
- Local policies that directly conflict with Title IX being considered
- Parents groups are mass-FOIA'ing school boards and administrators
- Political operatives are sneaking hidden cameras into schools to "catch" CRT



# Be on the lookout for opposition tactics



Lawsuits  
Legislation  
School Policies

Hidden videos  
Spreading misinformation

Sneaking into ally spaces  
Provoking or misrepresenting our own community



# Title IX - What's the ACTUAL Rule?

**Passed in 1972, Title IX states:** *No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.*

- **Title IX applies to and protects students, employees, and community members interacting with the school district.**
- **Federal law includes gender identity as a subset of “sex,” and prohibits discrimination based on gender identity,** and Federal courts around the country have held that Title IX requires schools to accommodate transgender students.

# Title IX - What's the ACTUAL Rule?

- Students must be **permitted to use the restrooms and locker rooms** of the gender with which they identify. Any student may be offered single-occupancy/unisex options, but **no student can be required to use those facilities.**
- Students must be **permitted to room on overnight trips** in accordance with their gender identity.
- In general, students must be **addressed by their preferred names and pronouns** in accordance with their gender identity.\*
- Students must be **permitted to participate in extracurricular activities** in accordance with their gender identity. For sports regulated by the Ohio High School Athletic Association (“OHSAA”), transgender students may participate consistent with Ohio High School Athletic Association (OHSAA) regulations.

\*This means all day-to-day records (ID badges, classroom references, etc.) should be in the child's identified name/gender. Official records (transcripts, enrollment paperwork, grade reports, EMIS attendance data, etc.) should use the student's legal name and gender. If a student changed their legal name or gender, official records should be updated to reflect such changes.

# Other Relevant Legal Boundaries

- Parents may direct their child's education by choosing where to send their child, but **not dictate the curriculum or activities** that are implemented within a public school.
- There is a right to privacy, but **not a right to avoid transgender people.**
- **PUBLIC schools\* risk liability** for failing to accommodate transgender students
  - Districts have the ability to make their own policies, but those policies must follow the law
  - Denying students gender affirming care is harmful to students, and creates liability for school districts.
- Religious Freedom is Not Relevant - **Title IX exempts institutes of religious education** from the requirements of the statute

**Let's Talk!**

**What can you do?**

# TAKE ACTION!

## LEGISLATURE RECONVENES ON APRIL 17

**Monitor Bills:** Legislation Tracker, Honesty Mailing List, The Ohio Channel

**Contact Legislators:** Meeting, Phone, Email

**Prepare Testimony:** In-Person & Written NEEDED!

**Leverage Media:** Letters to the Editor, Op-Eds, Interviews

**Share Information:** Schools, Community, Colleagues, Networks

**Support LGBTQ+ Orgs:** Send Notes of #TransJoy

# Coming Up...

**SBOE Monthly Meeting**, Mon & Tues, April 10, 11 | ODE or **The Ohio Channel**

**Stop SB 83 + Testimony Workshop, Hosted by SOHE**

Thurs, April 13, 6pm | **REGISTER**

**Stop SB 83 Town Hall, Hosted by AAUP**

Mon, April 17, 6pm | **REGISTER**

**Rally for Fair Funding in Ohio, Hosted by Bainbridge UCC**

Sat, April 22, 11am | Bainbridge Community UCC, 17751 Chillicothe Rd, Chagrin Falls

**Rally for Change, Hosted by Pint Size Protesters**

Sat, April 22, 10:30am | Ohio Statehouse

# Stay Informed

[honestyforohioeducation.org](https://honestyforohioeducation.org)

- Updates, News, Information
- Legislation Tracker
- **TAKE ACTION**
- Events, Workshops, Programs
- Resources

 Honesty for  
Ohio Education



**JOIN MAILING LIST**

[bit.ly/H4OE\\_Newsletter](https://bit.ly/H4OE_Newsletter)

**FOLLOW US & SHARE**

[Facebook](#) • [Twitter](#) • [Instagram](#)

**VISIT US**

[HonestyForOhioEducation.org](https://HonestyForOhioEducation.org)



# Resources

## Honesty for Ohio Education

- Mailing List [HERE](#)
- Legislation Tracker [HERE](#) | Flyer [HERE](#)
- Website [HERE](#)
- Social Media: [FB](#) ● [Instagram](#) ● [Twitter](#)

## State of Education

- Track Actions Across US [K-12](#) | [CRT](#) | [HE](#)
- Roots of Critical Race Theory Campaign [HERE](#)
- Executive Order on Combating Race and Sex Stereotyping [HERE](#)

## Statehouse

- Honesty Legislation Tracker [HERE](#)
- Ohio Legislature Site [HERE](#)

## State Board of Education

- Each Child Our Future Strategic Plan [HERE](#)
- Whole Child Framework [HERE](#)
- Education Resources [HERE](#)
- Anti-LGBTQ+ Resolution [HERE](#)
- Anti-Racism and Equity Resolution [HERE](#)
- Gerrymandering SBOE Districts [HERE](#)

## Local Schools

- 2022 KIDS COUNT Data Book [HERE](#)
- 2022 KIDS COUNT Ohio Data Profile [HERE](#)
- Finding Unity and Common Ground [HERE](#)
- ACLU Ohio Student Rights Handbook [HERE](#)

# Thank You

