



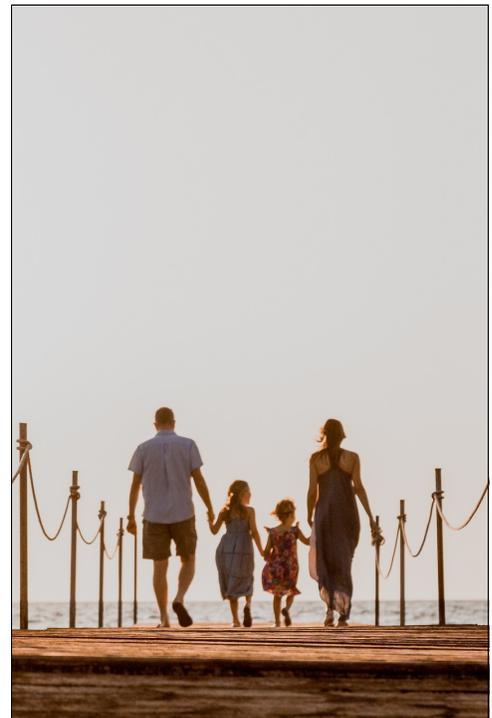
NICOLA  
GUDBRANSON  
COOPER LEGAL EXCELLENCE  
SINCE 1933

## House Bill 8: “Parents’ Bill of Rights”

by Ben Cooper and Samantha Lonsinger

On January 8<sup>th</sup> Governor Mike DeWine signed House Bill 8 into law. The new law, known as the “Parents’ Bill of Rights,” states that the Ohio General Assembly maintains that a parent has a fundamental right to make decisions concerning the upbringing, education, and care of their child. Enactment of the Parents’ Bill of Rights has been controversial, with supporters of the bill arguing that parents, not educators or government officials, should have the right to make important decisions involving healthcare and education for their children, while opponents believe the new law threatens LGBTQ+ student safety and violates student privacy. Pursuant to the law, by July 1, 2025 schools must adopt a policy with specific requirements and prohibitions related to “student mental, emotional, or physical well-being” and “sexuality content.”

The law defines “student mental, emotional, or physical well-being” as including: (i) any request by a student to identify as a gender that does not align with the student’s biological sex; (ii) symptoms related to mental health issues; (iii) incidents of bullying against the student; (iv) physical sickness, injury, or trauma suffered by the student; (v) and the student’s academic performance. Specifically, the policy must prohibit the school from encouraging a student to withhold from a parent information concerning their mental, emotional, or physical well-being. The policy must also require the school to notify a student’s parent of any substantial change in the student’s services, including counseling services, or monitoring related to the student’s mental emotion, or physical well-being and it must include a procedure for obtaining authorization from parents prior to providing any health care services, including behavioral health care services, to the student.



The law defines "sexuality content" as any oral or written instruction, presentation, image or description of sexual concepts or gender ideology provided in a classroom setting, with the exception of instruction on sexually transmitted infections, child sexual abuse prevention, and sexual violence prevention. School policies must ensure that sexuality content is age-appropriate and developmentally appropriate for the age of the student receiving the instruction, regardless of the age or grade level of the student and that parents will be provided with the opportunity to review any instructional material that includes sexuality content. Parents may also request that their student be excused from instruction that includes sexuality content, and schools are prohibited from providing instruction that includes sexuality content to students in kindergarten through 3<sup>rd</sup> grade.

Whether for better or for worse, HB 8 will have a substantial impact on student/teacher relationships and parental ability to control the education of their children.