



EDUCATION
COMMITTEE

Witness Form

Today's Date 11-28-18

Name: John E. Hart

Address: 251 N Main Street
Cedarville OH 45314

Telephone: 937-766-3400

Organization Representing: Cedarville University

Testifying on Bill Number: House Bill 428

Testimony: Verbal Written Both

Testifying As: Proponent Opponent Interested Party

Are you a Registered Lobbyist? Yes No

Special Requests: _____

November 28, 2018

The Honorable Peggy Lehner
Chair, Senate Education Committee
Columbus, OH 43215

Dear Senator Lehner:

We are writing to express our support for HB 428. The preservation of the rights addressed by the legislation is in the best interest of students and all Ohioans, and also aligns with the mission and values of Cedarville University.

Located in southwest Ohio, Cedarville University is an accredited, Christ-centered, Baptist institution with an enrollment of 4,193 undergraduate, graduate, and online students in more than 100 areas of study. Founded in 1887, Cedarville is recognized nationally for its authentic Christian community, rigorous academic programs, strong graduation and retention rates, accredited professional and health science offerings, and leading student satisfaction ratings. While Cedarville University is a private institution of higher education, this legislation protects the rights of not only our future students which we want to keep in Ohio, but also the students we currently serve through dual enrollment and the College Now/ College Credit Plus programs in Ohio.

HB 428 merits bipartisan support as an important effort to ensure that students' religious expression is protected in Ohio's schools. Consistent with the First Amendment, it protects public school students' right to express their religious beliefs as protected by the Free Speech and Free Exercise Clauses, while respecting the boundary set by the Establishment Clause that requires the government to be neutral in its treatment of students' religious expression.

As clarified in other statements of support, "HB 428 is win-win legislation. Not only will it protect students' religious expression, but it also will help school districts and school administrators avoid costly legal mistakes and, therefore, will save taxpayer money. Too often, problems involving religious expression in the public schools arise when school administrators mistakenly think that they must censor students' religious expression in order to avoid a violation of the Establishment Clause. School administrators' mistakes then lead to unnecessary litigation that wastes taxpayer money. By clarifying that students' religious expression is protected in Ohio schools, HB 428 helps school districts avoid unnecessary and costly mistakes. But most importantly, it ensures that Ohio's public schools teach students the invaluable lesson that freedom of speech and free exercise of religion are inalienable rights."

HB 428 does this in several ways:

- *Requires public schools to give students who wish to meet for the purpose of religious expression the same access to school facilities given to secular student groups, without regard to the content of the expression.*
- *Removes a provision that permits a school district to limit the exercise or expression of religion to lunch periods or other non-instructional time periods.*
- *Authorizes students enrolled in public schools to engage in religious expression before, during, and after school hours in the same manner and to the same extent that a student may engage in secular activities or expression before, during, and after school hours.*
- *Prohibits public schools from restricting a student from engaging in religious expression in the completion of homework, artwork, or other assignments.*
- *Prohibits public schools from rewarding or penalizing a student based on the religious content of the student's homework, artwork, or other assignments.*

We respectfully encourage support for such legislation. We would welcome the opportunity to discuss the reasons behind our position in more detail.

Sincerely,



John E. Hart
General Counsel