

As Passed by the Senate

133rd General Assembly

Regular Session

2019-2020

S. B. No. 288

Senator Gavarone

Cosponsors: Senators Brenner, Maharath, Huffman, S., Manning, Blessing, Lehner, Coley, Burke, Craig, Dolan, Eklund, Hottinger, Johnson, Kunze, McColley, Obhof, O'Brien, Peterson, Roegner, Rulli, Schaffer, Sykes, Thomas, Wilson, Yuko

A BILL

To enact section 3313.5317 of the Revised Code 1
regarding student religious expression in 2
interscholastic athletics and extracurricular 3
activities. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3313.5317 of the Revised Code be 5
enacted to read as follows: 6

Sec. 3313.5317. As used in this section, "wearing 7
religious apparel" means the wearing of headwear, clothing, 8
jewelry, or other coverings while observing a sincerely held 9
religious belief. 10

(A) Except as provided in division (B) of this section, no 11
public or nonpublic school, school district, interscholastic 12
conference, or organization that regulates interscholastic 13
athletics shall adopt a rule, bylaw, or other regulation that 14
prohibits or creates any obstruction to wearing religious 15
apparel when competing or participating in interscholastic 16

athletics or extracurricular activities, including requirements 17
that participants obtain advanced approval, written waivers, or 18
any other permission. 19

(B) A school or district, interscholastic conference, or 20
organization that regulates interscholastic athletics may limit 21
wearing religious apparel while competing or participating in 22
interscholastic athletics or extracurricular activities if a 23
legitimate danger to participants is identified due to wearing 24
religious apparel. If such a danger is identified, the 25
administrator or official of the event or activity shall offer 26
all reasonable accommodations to the participant wearing 27
religious apparel. 28

(C) A school or school district, member of a district 29
board of education or governing authority, a district or school 30
employee, member or employee of an interscholastic conference, 31
or organization that regulates interscholastic athletics or 32
employee of such an organization is not liable in damages in a 33
civil action for injury, death, or loss to person or property 34
allegedly arising from the school, district, board member or 35
governing authority, district or school employee, 36
interscholastic conference member or employee, or 37
interscholastic athletics organization or organization employee 38
executing any duties under this section unless the act or 39
omission constitutes willful or wanton misconduct. 40

This division does not eliminate, limit, or reduce any 41
other immunity or defense that a school or school district, 42
member of a district board or governing authority, or a district 43
or school employee may be entitled to under Chapter 2744. or any 44
other provision of the Revised Code or under the common law of 45
this state. 46

<u>(D) Whoever violates this section is subject to a civil</u>	47
<u>action for damages, injunctive relief, or any other appropriate</u>	48
<u>relief.</u>	49