

As Reported by the Senate Workforce and Higher Education Committee

134th General Assembly

Regular Session

2021-2022

Am. H. B. No. 353

Representatives Click, Miranda

**Cosponsors: Representatives Carfagna, Creech, Callender, Gross, Jarrells, John, Lightbody, LaRe, Miller, A., Miller, J., Patton, Russo, Smith, K., Young, T., White, Ferguson, Weinstein, Leland, Addison, Baldrige, Blackshear, Boggs, Brent, Brown, Carruthers, Crossman, Davis, Fowler Arthur, Fraizer, Ginter, Hall, Hillyer, Ingram, Johnson, Kick, Lepore-Hagan, McClain, O'Brien, Oelslager, Richardson, Riedel, Robinson, Roemer, Schmidt, Smith, M., Stein, Stephens, Stevens, Sweeney, Upchurch, West, Young, B., Speaker Cupp
Senator Johnson**

A BILL

To enact section 3345.024 of the Revised Code to 1
enact "The Testing Your Faith Act" to require 2
each state institution of higher education to 3
adopt a policy providing students with religious 4
accommodations. 5

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

Section 1. That section 3345.024 of the Revised Code be 6
enacted to read as follows: 7

Sec. 3345.024. Each state institution of higher education, 8
as defined in section 3345.011 of the Revised Code, shall adopt 9
a policy that reasonably accommodates the sincerely held 10
religious beliefs and practices of individual students with 11
regard to all examinations or other academic requirements and 12
absences for reasons of faith or religious or spiritual belief 13
system. The policy shall satisfy all of the following 14

conditions: 15

(A) The policy shall permit a student to be absent for up 16
to three days each academic semester to take holidays for 17
reasons of faith or religious or spiritual belief system or 18
participate in organized activities conducted under the auspices 19
of a religious denomination, church, or other religious or 20
spiritual organization. The institution shall not impose an 21
academic penalty as a result of a student being absent as 22
permitted in the policy. 23

(B) (1) The policy shall require that students be provided 24
with alternative accommodations with regard to examinations and 25
other academic requirements missed due to an absence described 26
in division (A) of this section, if both of the following apply: 27

(a) The student's sincerely held religious belief or 28
practice severely affects the student's ability to take an 29
examination or meet an academic requirement. 30

(b) Not later than fourteen days after the first day of 31
instruction in a particular course, the student provides the 32
instructor with written notice of the specific dates for which 33
the student requests alternative accommodations. 34

(2) An instructor shall accept without question the 35
sincerity of a student's religious or spiritual belief system. 36
An instructor shall keep requests for alternative accommodations 37
confidential. An instructor shall schedule a time and date for 38
an alternative examination, which may be before or after the 39
time and date the examination or other academic requirement was 40
originally scheduled, but shall do so without prejudicial 41
effect. 42

(C) The policy shall require the institution to post both 43

of the following in a prominent location on the institution's 44
web site: 45

(1) A copy of the policy adopted under this section, which 46
shall include the contact information of an individual who can 47
provide further information about the policy; 48

(2) A nonexhaustive list of major religious holidays or 49
festivals for the next two academic years 50

. The chancellor of higher education shall provide each 51
state institution with a nonexhaustive list of major religious 52
holidays or festivals for the next two academic years at the 53
beginning of each academic year. Each state institution may 54
adopt the chancellor's list in its entirety or choose which 55
holidays to include on its list. 56

Each time a state institution's policy is posted, printed, 57
or published, including as described in divisions (C) and (D) of 58
this section, the state institution shall include a statement 59
that the list is nonexhaustive, and the list may not be used to 60
deny accommodation to a student for a holiday or festival of the 61
student's faith or religious or spiritual belief system that 62
does not appear on the list. 63

Nothing in this section, and no inclusion or exclusion of 64
a religious holiday or festival on the list posted by a state 65
institution, shall preclude a student from full and reasonable 66
accommodations for any sincerely held religious beliefs and 67
practices with regard to all examinations or other academic 68
requirements and absences for reasons of faith or religious or 69
spiritual belief system provided under this section. 70

(D) The policy shall require instructors to include in 71
each course syllabus a statement regarding the institutions's 72

<u>policy adopted under this section. The statement shall include</u>	73
<u>both of the following:</u>	74
<u>(1) A description of the general procedure for requesting</u>	75
<u>accommodations;</u>	76
<u>(2) Contact information for an individual whom a student</u>	77
<u>may contact for more information about the policy adopted under</u>	78
<u>this section.</u>	79
<u>(E) The policy shall include a procedure under which a</u>	80
<u>student may notify the institution of any grievance with regard</u>	81
<u>to the implementation of the policy.</u>	82
Section 2. This act shall be known as "The Testing Your	83
Faith Act."	84