



Representative Al Cutrona
58th Ohio House District

Chair Bird, Vice Chair Fowler Arthur, Ranking Member Robinson, and members of the House Primary and Secondary Education Committee, thank you for the opportunity to provide sponsor testimony on House Bill 445 alongside my joint-sponsor, Representative Click.

In 1952, the US Supreme Court ruled in *Zorach v. Clausen* that religious release-time programs are legal so long as no person is compelled to attend, and they are conducted by a third party off public property. In 2014, Ohio's 130th General Assembly passed bipartisan legislation that built a framework in Ohio law for religious release-time programs.

Over the past few years, many parents in Ohio have expressed interest in wanting their children to participate in a religious release-time programs. This legislation requires, rather than permits, a school district to adopt a policy authorizing a student to be excused from school for religious release-time instruction.

Current law clearly states that a release-time program may only be conducted by a third party and may not take place on school property. The third party is responsible for transporting children to and from the release-time location. Further, children may only participate in such a program if their parents enroll them.

The intent of the bill is to leave the decision to participate in a religious release-time program up to parents, not the school board. This bill, however, DOES NOT mandate what should be in the school district policy, but simply that there needs to be a policy.

By requiring school districts to adopt a policy, while at the same time giving them the discretion to determine what the policy is, we seek to accommodate both parents' wishes and the unique needs of the local school district. Thank you again for the opportunity to provide sponsor testimony on HB 445. I would be happy to answer any questions at this time.