

SB 293 Opposition Testimony
Regards school policies for release for religious instruction
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Good afternoon Chair Brenner, Ranking member Ingram and members of the Senate Education Committee.

I am testifying this morning in opposition to SB 293, introduced by my State Senator Michele Reynolds. I am strongly opposed to SB 293 and its House counterpart HB 445. This flawed legislation erodes the Constitutional First Amendment prohibition of the government from "establishing" a religion. Forcing Ohio school districts to establish a policy specifically to address time away from school for religious instruction establishes a civil government-sanctioned avenue for religious instruction during time required by law to educate our children. This is a direct violation of the first Amendment of the United States Constitution as I will assert in detail below.

There are several other problematic or fatal flaws in proposed SB 293 and actually harms religious instruction.

I grew up Catholic and also joined Young Life in highschool. As a catholic, I attended catechism weekly at night. As a teeneager, I joined Younglife, a Christian organization that goes to kids, builds bridges of authentic friendship, and introduces them to Jesus Christ. But, none of those activities occurred during school hours - and for good reason. First and foremost was the First Amendment prohibition - but a close second was the goal to develop a deep understanding and relationship with Christ. Certainly many of the Committee members here today are still on that path. It takes time and fellowship to learn and develop a closer relationship with god. Younglife's approach, and one I submit is far superior to this legislation, was to engage students after school hours when time is not constrained. Sing-alongs, reading scripture and most importantly, discussing scripture for extended time at night or on the weekend was key to fostering and developing a relationship with Christ.

Alternately, this legislation forces school districts to develop policies shoe-horning religious instruction into prescribed hours and under prescribed structures. There is a reason school is not a 24 hour endeavor for students. The balance of days (and nights) and weekends are the proper time for those who are inclined to engage in religious instruction and other activities for our young people to explore.

This legislation is also problematic because it sets, through civil public school policy, a system of peer pressure or ostracism by establishing an intentionally religion-biased framework for students of various religious denominations versus those students who are agnostic. This framework sets the stage for distraction from learning and sows conflict. This is the antithesis of the purpose of our public schools.

Egregiously problematic in this legislation is the provision providing school credit for time spent off-campus instruction by religious organizations. The legislation provides zero standards, accountability, or technical safeguards associated with this provision. SB293 states that "The qualifications of the course instructor, which shall be similar to the qualifications of other teachers within the district." and "The sponsoring entity makes provisions for and assumes liability for the student." There is no enforceable hiring or background check associated with a religious organization-based instructor. Or, if the members of this Committee assert otherwise, it means that school or school board resources are expended to ensure a third party religious organization meets those standards - a clear violation of using taxpayers' money to support such a program. This is a clear violation of the Establishment Clause under *Zorach v. Clauson*. Without oversight review by the school board, all sorts of bad results could ensue. I ask the members of this Committee - what if a student is sexually abused by a religious instructor during their school sanctioned absence from the public school campus established through this legislation? Simply put, this legislation puts our children at risk.

Finally, the heart of the First Amendment is violated in the SB 293 provision that allows “High school credit awarded to a student for a released time course in religious instruction may substitute for the same amount of credit in subjects listed in that division.” My local school tax dollars should not be used for religious instruction. Period. I am not a fan of the current policy where a local school board may elect to establish leave time for students but at least school board members passing such policies are accountable through local school board races. Mandating local school boards to establish such policies violates home rule and disenfranchises Ohio voters.

This legislation is misguided and harmful to Ohio students and communities. I strongly urge you to vote no on SB 293.