

Opponent Testimony for HB 8
Senate Education Committee
Dec. 10, 2024

Chair Brenner, Vice Chair O'Brien, Ranking Member Ingram, and members of the Senate Education Committee,

Thank you for hearing my testimony. My name is Jaclyn Fraley, and I am a mother to a first grade student in Westerville public schools.

Senate Bill 293 has been added to House Bill 8. When this bill was proposed, Senator Cutrona described it as a simple change, one word—from “may” to “shall.” In his written sponsor testimony, he stated: “This bill, however, DOES NOT (in all caps) mandate what should be in the district policy, but simply that there needs to be a policy. By requiring school districts to adopt a policy, we seek to accommodate both parents’ wishes and the unique needs of the school district.” Yet, that is ****not**** the bill that has been incorporated into HB 8.

Reading the addition from the current bill:

"A school district board of education shall ensure that a policy adopted under division (B) of this section grants students reasonable access and opportunity to attend a released time course in religious instruction during a time when non-core curriculum subject courses are offered. A board shall not unduly limit access and opportunity to attend a released time course in religious instruction during that time."

This bill narrowly defines core classes as being limited to reading and english language arts, mathematics, science, social studies, and health education. This appears to mandate policy content—despite stating it wasn't.

By limiting the definition of core classes, you are effectively saying that library, art, music, gym, and STEM elective classes are not important to a child's education and can be missed every single week. You are stripping away school districts' autonomy to prioritize classes they know are evidence based and critical for a child's development. Many districts have previously restricted their Released Time Religious Instruction (RTRI) programs to lunch and recess. This bill would override that local decision.

You are telling a Jewish second-grade student in Defiance, who does not attend Lifewise, that their education is not as important to you. Non-attending students are supposed to be continuing with their education, and attending the non core classes while peers attend religious instruction. Yet in defiance second grade students have been sent to independently led study halls or put in character classes, neither of which are a standard part of second grade curriculum. Parents in Defiance have voiced this frustration clearly stating: “Education stops in Defiance when Lifewise is in session.” An education you as legislators are supposed to safeguard.

This legislature had an opportunity to amend this bill to include measures to ensure the safety and well-being of children attending RTRI programs, yet you failed to make any attempts to do so. You could have:

- Required RTRI programs to ensure true parental consent, closing the loophole where anyone who knows a student's birthday, grade, and teacher information could enroll a child in Lifewise using an online form.
- Improved student safety by requiring RTRI programs to adhere to the same level of background checks as school employees and to maintain the same student-to-teacher ratios required for all out of school activities.
- Mandated that RTRI programs publish and have their curriculum continuously fully accessible and be transparent about what is being taught, enabling communities to fully assess the program.
- Placed restrictions on RTRI programs' marketing efforts, preventing them from using students as tools for recruitment, thereby reducing the risk of division and conflict within classrooms and subsequently at home with their parents.

You could have listened to school districts like Westerville and Worthington, which, after two years of hosting Lifewise, rescinded their RTRI policies entirely due to significant issues with liability, safety, and classroom disruptions reported by teachers.

You could have listened to those who expressed concerns with about current RTRI programs and, while still determined to pass this legislation, crafted a bill that addressed those concerns. Yet you did not. You did not listen those in opposition who greatly outnumbered proponents in submitted testimony and comments.

This bill begins by claiming that parents have the “fundamental right to make decisions concerning the upbringing, education, and care of their child.” Yet it undermines that very right. I chose a public school for my child because I wanted her education to be free from religious influence during the school day. This bill takes that choice away from me—and from countless other parents.