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October 20, 2025

The Hon. Sarah Fowler Arthur, Chair
House Education Committee
One Capitol Square, Rm. 121
Columbus, OH 43215

Re: Testimony in opposition to H.B 486

Dear Rep. Fowler Arthur and Committee members:

I am writing on behalf of the FFRF Action Fund (FFRF AF) in strong opposition to H.B. 486. FFRF AF is an affiliate of the Freedom From Religion Foundation, a national nonprofit organization with about 40,000 members across the country, including more than 1,000 members and two local chapters in Ohio. We work to ensure that our laws remain secular in order to protect the constitutional separation between state and church and to represent the views of nonreligious residents.

H.B. 486 allows teachers to “provide instruction on the positive impacts of religion on American history,” asserting that such content is “consistent with the First Amendment” to the U.S. Constitution if it is “historical” and “verifiable.” There are several problems with this.

First, the bill lists 20 specific “historic accounts” that the bill would allow teachers to present, and they are riddled with historical flaws. The bill defines neither “historical” nor “verifiable,” but it seems neither word means what a reasonable teacher would expect based on these cherry-picked, misleading and false accounts.

Here is a short sample of the misleading and/or false claims in the bill:

<u>H.B. 486 “historic account”</u>	<u>Reality</u>
“Benjamin Franklin’s appeal for prayer at the constitutional convention”	Franklin’s prayer was <i>rejected</i> , and he wrote that “Everyone ‘except for 3 or 4 persons, thought prayers unnecessary.’”
“The appeals to divine power and protection embedded in the Declaration of Independence”	The Declaration, like the Constitution, was notable in its total <i>absence</i> of Christian language. Deistic references

	such as “endowed by their creator” were chosen as rhetorical flourishes and, if anything, show deliberate movement <i>away from</i> European theocracies.
“The historic role of the black robe regiment”	This obscure reference comes from a myth propagated by disgraced pseudo-historian David Barton. The historical evidence is scant and even the term “black robe regiment” is historically incorrect. ¹
“The nation's response to Thomas Paine’s, “The Age of Reason,” including Benjamin Franklin’s suggestion that he burn it”	Thomas Paine began writing <i>The Age of Reason</i> between 1793 and finished the last part around 1800. Benjamin Franklin died in 1790, and thus could not have made this suggestion.
“The role of the Ten Commandments in shaping American law”	The myth that the Ten Commandments are a basis of American law has been repeatedly rejected by courts and historians. While some of the Ten Commandments are common rules in every society, others directly conflict with the U.S. Constitution.

It appears the bill’s authors are drinking from a tainted source, and this was all but confirmed at the bill’s first hearing when the bill’s author repeated more myths that stem from David Barton and have been repeatedly debunked.² Asserting that a fictional account is “historical” does not make it so.

The same is true of the bill’s assertion that teachers presenting a lesson on the “positive influence” of religion would be “consistent with the First Amendment.” Ohio teachers who follow this bill’s invitation to teach a Christian nationalist fever dream would certainly risk violating the First Amendment because they would be indoctrinating public school students with a slanted and ahistorical perspective in order to favor of a particular version of Christianity.

¹<https://www.christianitytoday.com/2021/01/black-robe-regiment-revolutionary-war-pastor-election-trump/>

²

<https://bjconline.org/wp-content/uploads/2014/04/A-Critique-of-David-Bartons-Views-on-Church-and-State-1.pdf>

The bill's historical mistakes adds to the asymmetry of only encouraging teachers to present the "positive" impact of religion. The bill's transparent effort to distort history reveals the author's true intent—not to teach Ohio students accurate, verifiable history, but just the opposite.

The Ohio Constitution, too, prohibits public school teachers from using their position as state officials to promote religion. The state constitution states that "no preference shall be given, by law, to any religious society," and prohibits "any interference with the rights of conscience."³ Ohio's public school students have a right to a secular school system.

Unfortunatly, this bill is only the latest in a long string of attempts to promote religion in public schools under the false pretense of teaching history. Disingenuous lawmakers, in Ohio and elsewhere, deny that they are promoting religion while pushing for school-sponsored prayers,⁴ placing Ten Commandments displays in classrooms,⁵ forcing schools to offer sectarian religious instruction during the school day,⁶ forcing schools to show students religious anti-abortion propaganda videos,⁷ mandating moments of silence including "for prayer,"⁸ forcing taxpayers to pay for religious education,⁹ and placing religious chaplains into public schools.¹⁰ It is insulting for these lawmakers to pretend they have a religiously neutral intent.

Please respect the religious liberty rights of Ohio public school students, and protect their access to *accurate* historical information, by rejecting this attempt at ahistorical religious indoctrination. Thank you for considering this testimony.

Sincerely,



Ryan D. Jayne
Senior Policy Counsel

³ Ohio Const., Art. I § 7.

⁴ <https://capitol.texas.gov/BillLookup/History.aspx?Bill=SB11&LegSess=89R>

⁵ <https://capitol.texas.gov/tlodocs/89R/billtext/pdf/SB00010L.pdf>

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<https://ohiohouse.gov/members/gary-click/news/clicks-religious-release-time-instruction-legislation-signed-by-governor-dewine-126246>

⁷ <https://www.legislature.ohio.gov/legislation/136/hb485>

⁸ https://search-prod.lis.state.oh.us/api/v2/general_assembly_136/legislation/hb187/00_IN/pdf/

⁹ <https://www.legislature.ohio.gov/legislation/136/sb68>

¹⁰ <https://www.legislature.ohio.gov/legislation/135/hb240>