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November 17, 2025

Submitted via email

The Hon. Andrew Brenner
Chair, Senate Education Committee
Senate Building
1 Capitol Square, First Floor, Room 140
Columbus, OH 43215

Re: Testimony in opposition to SB 34

Dear Chair Brenner and members of the committee:

I am writing on behalf of the FFRF Action Fund (FFRF AF) to voice opposition to Senate Bill 34. FFRF AF is an affiliate of the Freedom From Religion Foundation, a national nonprofit organization with more than 41,000 members across the country, including nearly 1,200 members in Ohio, as well as two chapters in the state. We work to ensure that our laws remain secular in order to protect the constitutional separation between state and church.

Senate Bill 34 would require every K-12 public school to display at least one “historical document” in each classroom. An exhaustive list of the approved documents is listed in the bill. Most troubling among the approved documents is the Ten Commandments. The 10 Commandments’ minimal educational purpose is drastically outweighed by its obvious religious significance. In fact, the Supreme Court held in *Stone v. Graham* that “the pre-eminent purpose for posting the Ten Commandments on schoolroom walls is plainly religious in nature.”¹ *Stone v. Graham* remains good law. The Supreme Court affirmed *Stone*, saying “in *Stone*, the Court held that the ‘posting of religious texts on the wall served no ... educational function,’ and found that if ‘the posted copies of the Ten Commandments were to have any effect at all, it would be to induce the schoolchildren to read, meditate upon, perhaps to venerate and obey, the Commandments.’”²

¹ *Stone v. Graham*, 449 U.S. 39, 41 (1980).

² *McCreary Cnty., Ky v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 863 (2005) (*quoting Id.* at 42.)

The inclusion of the Ten Commandments among "historical documents" is clearly intended to promote the debunked myth that Christian principles founded this country. This false narrative is perpetuated by pseudohistorian David Barton, who claims secret knowledge of American history in his numerous books and speeches. However, Barton is demonstrably wrong; the Founders did not rely on Christianity as the source of U.S. laws. In fact, Barton's factual errors have been so egregious that his own publishers have withdrawn his books.

Additionally, the bill also authorizes schools to erect "monuments" displaying the Ten Commandments. Courts have long held that stand-alone Ten Commandments monuments on public property violate the Establishment Clause when their primary purpose is religious. In *McCreary County v. ACLU*, the Supreme Court struck down nearly identical displays because their unmistakable religious intent rendered them unconstitutional. Placing these monuments inside public schools — where children are a captive audience and where their constitutional protections must be at their strongest — would only make the violation more severe and unmistakable.

SB 34 would do nothing to ensure that Ohio public school students are better suited to take on challenges in the real world. This legislation only serves the purpose of pushing religious beliefs onto students. That objective has no place in our secular, pluralistic society — especially not in public schools.

Thank you for your time and attention to this matter. I urge you to vote no on SB 34 or at the very least, vote to amend the bill to remove the 10 Commandments as an approved "historical document."

Sincerely,

A handwritten signature in black ink, appearing to read "RD", with a stylized flourish extending to the right.

Ryan Dudley
State Policy Manager
FFRF Action Fund