

Congregation Beth Adam
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MEMORANDUM

TO: OH Senate Education Committee

FROM: Congregation Beth Adam, Social Justice Committee – Team Leader Jean E. Feinberg

DATE: June 1, 2020

RE: HB 164 – OPPONENT TESTIMONY

To Chairperson Peggy Lehner, Vice Chair Andrew O. Brenner, Ranking Minority Member Teresa Fedor and members of the Ohio Senate Education Committee, thank you for this opportunity to present Opponent Testimony on HB 164.

House Bill 164 weakens Separation of Church and State and is an assault on academic integrity within our public schools.

HB 164 expands the presence and influence of religion in Ohio public schools, both elementary and high school. It values religious education as equal to secular education by giving religious views equal or more weight than secular or scientific principles, thereby undermining academic standards. It removes an earlier provision that allows school districts to limit religious expression to lunch period or other non-instructional times; with this bill, students will be able to engage in religious activities and expression during school hours. Under the guise of protecting students' right of free speech and religious expression, it encourages increased religious activity in our public schools which are secular, inclusive institutions. This will potentially expose students from families whose religions are not in the majority to unwanted proselytizing, marginalization and harassment. This legislation is opposed by the Ohio Federation of Teachers, the very individuals expected to carry out aspects of this confusingly worded and unnecessary legislation.

Families who send their children to private religious schools are aware that the curriculum will include specific religious education, along with academic subjects, and agree to this curriculum. Religious schools do not have to meet a criterion of inclusivity and indeed may endorse a specific faith.

By contrast, families who send their children to public schools expect these institutions to be inclusive in that they accept persons of all religious persuasions (or lack thereof) and do not endorse any individual religion. Such schools are supported by public taxes and assumed to be secular in nature.

Members of Congregation Beth Adam are aware from painful personal experience how other efforts to widen religious expression in public schools, under the broad heading of freedom of religious expression, has led to exclusion, religious conversion efforts and even persecution of religious minorities. Perhaps as a nod to these possibilities, HB 164 includes a provision whereby any student who (or whose family) feels uncomfortable with prayer in school may "opt out." We consider this "opt out" provision to be a sham. It

puts undue burden on a child during the exact time and place in that child's life in which he or she most wants to blend in. And to where will the student "opt"? The back row of class? The hallway? Shall he be told to put his head on his desk? Clearly, with the "opt out" provision, students who acknowledge discomfort with religious expression will be marginalized.

House Bill 164 is unnecessary legislation. The First Amendment already protects the very rights (freedom of religious expression) this proposes to defend. It creates confusion, and as such is opposed by teachers. It can alienate students that aren't of the majority religion. It doesn't include constitutional limitations.

For all reasons noted, Congregation Beth Adam asks our elected representatives to oppose House Bill 164, and vote **no** on this legislation.

Congregation Beth Adam is a humanist Jewish congregation in Loveland, Ohio. It is celebrating its 40th anniversary in 2020. In addition to our Loveland temple building, Beth Adam has a vibrant online community with national and international participants. Our Founding Rabbi, Robert Barr, is a noted leader in contemporary Jewish thought. Congregation Beth Adam advocates for religious tolerance and understanding by supporting the constitutionally mandated principle of Separation of Church and State.