

Good morning,

Thank you for the committee for taking the time to consider this important legislation on HB 353 and the opportunities it holds throughout Ohio to support the tens of thousands of students it will affect.

My name is Cody Nielsen, and I serve as Executive Director of Convergence Strategies, a national organization dedicated to supporting all forms of religious, secular, and spiritual identities through research, policy, and practice. In 2019, I helped to spearhead the first bill in U.S. History which mandated that institutions create religious accommodations policies. The bill SB-5166 in Washington State, was passed with bi-partisan support in a single session of the Washington State Legislature. Last year, Utah passed a similar bill, SB-244, which passed without a single dissenting vote in either chamber. Other bills in Massachusetts and Michigan are in process, alongside discussions in several others states including Iowa, Illinois, Pennsylvania, and California.

Since December 15, 1791, the United States Constitution has included the statement *Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof*. Those 16 words, debated and finally agreed upon, ratified by the states, and placed into the record of history, held that the government would provide such freedoms.

But it was Congressman John Bingham, a native of Ohio, who saw the potential that citizens of the states might fail to be granted that which the federal government had bestowed. He became a champion of what would become the 14th Amendment, and it is in many ways the reason we are here today and why this bill is in front of you for consideration.

Despite there being intent to support religious freedom throughout our society, it is too often not upheld. Our college campuses, one of the pillars of America's greatness, are a place where this religious freedom remains in question. Every year, college students are asked to choose between their religious practices and their academic performance. They are asked to choose whether on Rosh Hashanah or Yom Kippur whether they can be Jewish or a college student. They are asked during Holi and Diwali, during Eid and even at times on dates like Good Friday if they can religiously practice and be a student.

This happens inside and outside the classroom, a product of a society that revolves around a Western Christian calendar in which dates like Christmas and Easter are already built into the ethos of our society. But what is more problematic is how often faculty and administrators within our institutions of higher learning are quick to dismiss the religious freedom for our students and instead name that their institutions are "secular" or that we have a "separation of church and state." Those last words, penned by Thomas Jefferson in a letter to the Anabaptists, never made it into the U.S. Constitution. And this bill only clear up for our institutions in Ohio that we are not beholden to this "separation" and that we do not live in only a "secular" society but rather live in one in which religious identity if becoming more and more complicated.

We do not have firm data on exactly how many religiously affiliated college students are attending Ohio's institutions of higher learning. What we can be sure of is that the Jewish community is now the most educated religious community in America, with more than 95% of college-aged individuals enrolled across the nation. We know that in the past 20 years, the growth of the Muslim community at colleges and universities has more than doubled. And we know that since the Civil Rights Act of 1965 once and for all overturned many of the exclusions that prevented communities from East and South Asia from immigrating to the United States, Hindus, Buddhist, Sikhs, Baha'is and other are all on the rise. And each of them deserves the same equal rights regarding their religious freedom.

This bill does not change what we are required to do by the First and Fourteenth Amendments within our institutions of higher learning. It provides only clarity to every person, including our students, what the previously afforded rights are. Admittedly, I would encourage the committee to go slightly further with the bill, amending to not place a limit upon the dates, as equity in this area may require students to have different amounts of days off. Furthermore, I would suggest that the bill requires that the non-exhaustive list is developed for at least three to four years in advance, something that is not nearly as difficult as it seems. The purpose of this last request is actually in regard to many of the dates which institutions decide years in advance, such as graduation dates, homecoming, or parents' weekends. These dates, if occurring during a major religious holiday, can be problematic in a multitude of ways we need not go into here.

Passing this bill is not just an act which speaks to supporting the agency of our students on college campuses, it is in my humble opinion upholding the oath that you took to protect the United States Constitution and the Constitution of the state of Ohio. You are simply codifying and clarifying that which already belongs to the students of this state. I ask you to humbly pass this bill and to join the growing number of states who as well sought to codify the religious freedoms of our students.