**2/8/2020**

**Michael Carney**

**Public High School Science Teacher**

**Proponent Testimony on HB 164**

**Senate Education Committee**

Chairman Lehner, Vice Chair Brenner, Ranking Member Fedor and members of the Senate Education Committee, thank you for allowing me to come before you today and present proponent testimony on House Bill 164. My name is Michael Carney, and since earning a master’s degree in science education from Ohio State University, I have served 15 years in Ohio public schools. Currently and for the last 14 years, I’ve had the joy of teaching students the wonders of science in the 8th largest school district in the state of Ohio and also in the community in which I live.

My testimony today is how local school students, parents, teachers, and administrators would benefit immediately from the timely content and clarity of House Bill 164.

Since 2008, a student-initiated, student-led group called “Faith” began meeting weekly before school in a classroom made accessible by accommodating teachers. The student leaders attempted to help secure our Administration’s permission in making this Faith group an “official” club organization, such as Key Club or Ski Club.

Our administration summarily denied and dismissed these young students and this group, citing the religious nature of the group and claiming that such recognition would be a legal violation of the “separation of church & state” maxim. Over *six* years, student leaders of this same group went through the same repeated rejection.

It is disappointing, to say the least, that I would have to be involved in such efforts, but during the 2014-15 school year, I attempted to support these students by meeting with administrators using objective and authoritative federal legal resources that provide clarity about this issue. Our principal told me that he and our Central Office were not willing to make the Faith group an official club and therefore would not, among other things be given the same rights and privileges as secular clubs (such as representation in the yearbook and facility use for events).

I urged the principal to reconsider and to read the federal guidelines that clarify the issue. He declined and invited me to take it up with the assistant superintendent. All together, I reached out to the assistant principal, the principal, the Diversity/Educational Equity Coordinator, the assistant superintendent, and the superintendent to review the following federal documents: Equal Access Act of 1984, the legal guidelines regarding the Act from the US Department of Education, and the 2011 DOE letter written by Arne Duncan to encourage every school district to make sure that its administrators, faculty members, staff, students, and parents are familiar with these (Equal Access) principles in order to protect the rights of all students.

That said…I did not receive a direct or conclusive reply from central office leaders on the Faith club matter until just after a plucky 17 year-old Faith leader named Kelly Haight gave her brave testimony in support of a similar bill to HB 164 in the Ohio House in 2015. The Superintendent wrote me that afternoon, saying: “As we work through challenging issues regarding religious and ethnic expression and freedom, we do our level best to make sure that we protect the rights of individual students. We work within the boundaries of state law and district policies; we strive to be fair, consistent, and transparent in our practices.”

Instead, of having Ohio HB 164 as state law for clear guidance…the Superintendent in the same letter referred me back to the same building administrators that denied our students in the first place. These building leaders doubled down and rejected Kelly’s most recent plea for recognition and equal access. At this point, Kelly pursued legal counsel. Long story short, it required parents and students willing to expose themselves to the retribution of district leaders to lawyer-up in order to protect student liberties for all. They prevailed and today the Faith club is recognized officially by our school, and since 2015 there have been at least three other officially recognized faith-based clubs among our three high schools.

I believe most district leaders like ours share the same lofty-sounding mindset that was written by our superintendent (which I believe is well-intended). Nonetheless, the law as it is was being persistently bent and broken, and this begs for HB 164. HB 164 summarizes and enumerates clearly what the state law really is and is specific and brief enough to serve as a virtual field guide to inform Superintendents and District officials to adopt and practice Constitutionally-sound policy, not lofty puffery in order to create building cultures that are not faith-hostile.

To this end HB 164 also packages more concisely the law as it relates to K12 student religious expression freedoms in the classroom.

One memorable example of religious point-of-view suppression occurred among my (also well-intended) teaching colleagues. While working with teachers across different curricula, an issue regarding students’ ability to self-select research topics arose. High school students had been encouraged to select from current issues for a cross-curricular research assignment for an election forum. Many students had demonstrated strong interest in more controversial topics such as abortion. Several teacher colleagues expressed that it was inappropriate for us to allow students to research abortion because it might include too moral or religious-based points of argument. It was said (and then imposed by administration) that such topics were thereby off-limits in a classroom context.

On another matter as it relates to view point suppression, our then principal even explicitly shared with me that I was never allowed to mention the creationism viewpoint at any time while teaching evolution. The same person who is now the high school curriculum director also went as far as telling me that at no time are we ever allowed to present the “other side of the issue.” This includes any other side of a scientific theory. In my view, this is a grave disservice to our students and their opportunities to critically think for themselves and continues to foster a sense of censorship in our students’ minds.

Let me close my “insider” remarks on some Ohio school cultures. In recent years, several of my high school students asked whether they could include their faith in God as a part of their senior capstone project. They felt they must ask permission. Why, because they have been tutored by school policies and teacher practices that their public school is faith-unfriendly space.

Students are surprised and thankful to hear that, of course, they may include their faith in their studies. My hope is that with the help of HB 164, all Ohio students will become better prepared to express and live out their earnest faith beliefs and that Ohio public schools will actually become famous for being faith & conscience-friendly and therein truly educate each child, the whole child in Constitutionally-affirmed complimentary partnerships with their local families, local communities and local places of worship….so that the next generation of Ohio citizens are optimally equipped to build our pluralistic, civil society, together.

Once again, Chairman Lehner thank you for the opportunity to offer my testimony on behalf of HB 164. I would be happy to answer any questions at this time.