

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 288

Senator Gavarone

A BILL

To enact section 3313.5317 of the Revised Code 1
regarding student religious expression in 2
interscholastic athletics and extracurricular 3
activities. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3313.5317 of the Revised Code be 5
enacted to read as follows: 6

Sec. 3313.5317. As used in this section, "wearing 7
religious apparel" means the wearing of headwear, clothing, 8
jewelry, or other coverings while observing a sincerely held 9
religious belief. 10

(A) Except as provided in division (B) of this section, no 11
public or nonpublic school, school district, interscholastic 12
conference, or organization that regulates interscholastic 13
athletics shall adopt a rule, bylaw, or other regulation that 14
prohibits or creates any obstruction to wearing religious 15
apparel when competing or participating in interscholastic 16
athletics or extracurricular activities, including requirements 17
that participants obtain advanced approval, written waivers, or 18
any other permission. 19

(B) A school or district, interscholastic conference, or organization that regulates interscholastic athletics may limit wearing religious apparel while competing or participating in interscholastic athletics or extracurricular activities if a legitimate danger to participants is identified due to wearing religious apparel. If such a danger is identified, the administrator or official of the event or activity shall offer all reasonable accommodations to the participant wearing religious apparel. 20
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(C) A school or school district, member of a district board of education or governing authority, a district or school employee, member or employee of an interscholastic conference, or organization that regulates interscholastic athletics or employee of such an organization is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the school, district, board member or governing authority, district or school employee, interscholastic conference member or employee, or interscholastic athletics organization or organization employee executing any duties under this section unless the act or omission constitutes willful or wanton misconduct. 29
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This division does not eliminate, limit, or reduce any other immunity or defense that a school or school district, member of a district board or governing authority, or a district or school employee may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state. 41
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(D) Whoever violates this section is subject to a civil action for damages, injunctive relief, or any other appropriate relief. 47
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