



HB 164: The Ohio Student Religious Liberties Act of 2019

There has been incredible misinformation spread about the Ohio Student Religious Liberties Act of 2019, mostly due to an erroneous Cleveland.com article that has since been corrected. The following document answers the inaccuracies being promoted about this important legislation.

Myth: HB 164 will allow students to submit inaccurate class work in the name of religion.

Fact: This is wholly inaccurate and has no basis in the legislation. HB 164 does not create any new religious rights; it only clarifies what the courts have consistently maintained in regards to religious expression in public schools.

If, for example, a class is being tested on the Theory of Evolution, all students, regardless of their religious beliefs, must demonstrate an understanding of the Theory of Evolution. Under HB 164, A Christian or Jewish student would still not be allowed to say “my religious texts teach me that the world is 6,000 years old, so I don’t have to answer this question.”

What HB 164 would allow, for example, is if students are assigned to write a book report on any book of their choosing, they cannot be penalized for picking a religious text, as long as they fulfill the requirements of the assignment. Some students may pick Markus Zusak’s *The Book Thief*, J.K. Rowling’s *Harry Potter* series, or J.R.R. Tolkien’s *The Hobbit*. Other students may choose to write their book report on *The Book of Job* from the Bible. Again, as First Amendment jurisprudence already dictates, if the student writes the book report in a way that fulfills all the requirements of the assignment, HB 164 ensures that the student who picked the *Book of Job* cannot be penalized merely for picking a religious text.

Myth: HB 164 will allow students to disrupt class time in the name of religion.

Fact: No. HB 164 explicitly says:

*A student enrolled in a public school may engage in religious expression before, during, and after school hours in the same manner and **to the same extent** that a student is permitted to engage in secular activities or expression before, during, and after school hours.*

This is currently the constitutional standard, and HB 164 affirms that religious expression and nonreligious expression must be treated equally. Just as a student cannot interrupt class to sing Phil Collins’ *In the Air Tonight*, they cannot interrupt class to sing John Newton’s *Amazing Grace*.

Myth: HB 164 creates new rights for religious students.

Fact: HB 164 does not create any new religious rights. It explicitly clarifies for Ohio public schools the existing religious protections for all religious students. As Ohio grows into a more diverse state, it has become clear that many teachers and school administrators do not understand what the First Amendment protects and prohibits. HB 164 provides clarity that Muslim, Jewish, Christian, and students of any other faith – or no faith at all – do not surrender their religious freedom rights merely because they are attending a public school.