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S.B. 181
134th General Assembly

Final Analysis

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Primary Sponsor: Sen. Gavarone

Effective date: May 30, 2022

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SUMMARY

- Generally prohibits a school or interscholastic athletics conference or organization from obstructing the wearing of religious apparel in interscholastic athletics or extracurricular activities.
- Provides civil immunity for schools, school districts, interscholastic conferences, and organizations and their employees related to decisions regarding wearing religious apparel during competition or participation in athletic or extracurricular events.
- Specifies that whoever violates the prohibition against creating obstructions to wearing religious apparel is subject to a civil action for damages, injunctive relief, or any other appropriate relief.

DETAILED ANALYSIS

Prohibiting obstructions to wearing religious apparel in sports

The act generally prohibits a public or nonpublic school, or an interscholastic athletics conference or organization, from prohibiting or creating any obstruction to wearing religious apparel when competing or participating in interscholastic athletics or extracurricular activities. Further, they may not require participants to obtain advanced approval, written waivers, or any other permission. Religious apparel includes headwear, clothing, jewelry, or other coverings that signify the observance of a sincerely held religious belief.¹

However, the act permits school administrators and event officials to limit the wearing of religious apparel if they identify a legitimate danger to participants. In that case, the

¹ R.C. 3313.5317(A).

administrator or official must offer all reasonable accommodations to the participant wearing religious apparel.²

Civil actions authorized

The act authorizes a civil action for damages, injunctive relief, or any other appropriate relief against anyone who violates the prohibition on obstructing the wearing of religious apparel in interscholastic athletics or extracurricular activities.³

Qualified immunity

The act also provides a qualified immunity in a civil action for money damages for a school, school district, members of a district board or school governing authority, a district's or school's employees, and members or employees of an interscholastic athletics conference or organization for injury, death, or other loss allegedly arising from executing duties under the act. The immunity does not apply if the execution of duties or omission constitutes willful or wanton misconduct.⁴

HISTORY

Action	Date
Introduced	05-18-21
Reported, S. Primary and Secondary Education	06-02-21
Passed Senate (33-0)	06-09-21
Reported, H. Primary and Secondary Education	10-27-21
Passed House (91-0)	02-09-22

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² R.C. 3313.5317(B).

³ R.C. 3313.5317(D).

⁴ R.C. 3313.5317(C).