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H.B. 353*
134th General Assembly

Bill Analysis

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Version: As Reported by Senate Workforce & Higher Education

Primary Sponsors: Reps. Click and Miranda

Allison Schoeppner, Research Analyst

SUMMARY

- Requires each state institution of higher education to adopt a policy that reasonably accommodates the sincerely held religious beliefs and practices of students regarding exams, other academic requirements, and absences for reasons of faith or religious or spiritual belief system.
- Entitles the bill "The Testing Your Faith Act."

DETAILED ANALYSIS

Policy to accommodate sincerely held religious beliefs

The bill requires each state institution of higher education to adopt a policy that reasonably accommodates the sincerely held religious beliefs and practice of students regarding exams, other academic requirements, and absences for reasons of faith or religious or spiritual belief system.¹

Absences and alternative accommodations

An institution's policy must permit a student to be absent for up to three days each academic semester to take holidays for reasons of faith or religious or spiritual belief system or to participate in organized activities conducted under the auspices of a religious denomination,

* This analysis was prepared before the report of the Senate Workforce and Higher Education Committee appeared in the Senate Journal. Note that the legislative history may be incomplete.

¹ R.C. 3345.024.

church, or other religious or spiritual organization. The institution is prohibited from imposing an academic penalty as a result of a student's absence under the policy.²

The policy also must require that students who miss exams and other academic requirements as a result of such absences be provided with alternative accommodations, if:

1. The student's sincerely held religious belief or practice severely affects the student's ability to take an exam or meet an academic requirement; and
2. Within 14 days after the first day of instruction in a course, the student provides the instructor with written notice of the specific dates for which the student requests alternative accommodations.³

Instructor responsibilities

Under the bill, an instructor must accept without question the sincerity of a student's religious or spiritual belief system and keep requests for alternative accommodations confidential. An instructor also must schedule a time and date for an alternative exam, which may be before or after the time and date the exam or other academic requirement was originally scheduled. The bill states that the instructor must schedule the alternative exam without prejudicial effect.⁴

In addition, instructors must include in each course syllabus a statement regarding the institution's policy. That statement must include a description of the general procedure for requesting accommodations and contact information for an individual whom a student may contact for more information about the policy.⁵

Posting the policy

An institution must post in a prominent location on its website:

1. A copy of the policy, including the contact information of an individual who can provide further information about it; and
2. A nonexhaustive list of major religious holidays or festivals for the next two academic years. The Chancellor of Higher Education must provide each institution with such a list at the beginning of each academic year, and each institution may decide whether to post the Chancellor's list or select which holidays to include.

The bill requires each institution to include a statement with the posted, printed, or published policy that the list is nonexhaustive and cannot be used to deny accommodation to a student for a holiday or festival of the student's faith or religious or spiritual belief system that does not appear on the list. Nothing in a school's policy or list, such as the inclusion or exclusion

² R.C. 3345.024(A).

³ R.C. 3345.024(B)(1).

⁴ R.C. 3345.024(B)(2).

⁵ R.C. 3345.024(D).

of a religious holiday or festival, may be used to deny full and reasonable accommodations to a student for any sincerely held religious belief or practice with regard to all examinations or other academic requirements and absences for reasons of faith or religious or spiritual belief system.⁶

Grievance procedure

The bill requires an institution's policy to include a procedure under which a student may notify the institution of any grievance regarding the policy's implementation.⁷

HISTORY

Action	Date
Introduced	06-17-21
Reported, H. Higher Education & Career Readiness	04-06-22
Passed House (88-1)	05-18-22
Reported, S. Workforce & Higher Education	--

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⁶ R.C. 3345.024(C).

⁷ R.C. 3345.024(E).