

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 445

Representatives Cutrona, Click

**Cosponsors: Representatives Denson, Dean, Gross, Miller, M., King,
Klopfenstein, Johnson, Williams**

A BILL

To amend section 3313.6022 of the Revised Code 1
regarding school district policies for released 2
time courses in religious instruction. 3

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

Section 1. That section 3313.6022 of the Revised Code be 4
amended to read as follows: 5

Sec. 3313.6022. (A) As used in this section, "released 6
time" means a period of time during which a student is excused 7
from school to attend a course in religious instruction 8
conducted by a private entity off school district property. 9

(B) A school district board of education ~~may~~shall adopt a 10
policy that authorizes a student to be excused from school to 11
attend a released time course in religious instruction, provided 12
that each of the following applies: 13

(1) The student's parent or guardian gives written 14
consent. 15

(2) The sponsoring entity maintains attendance records and 16

makes them available to the school district the student attends. 17

(3) Transportation to and from the place of instruction, 18
including transportation for students with disabilities, is the 19
complete responsibility of the sponsoring entity, parent, 20
guardian, or student. 21

(4) The sponsoring entity makes provisions for and assumes 22
liability for the student. 23

(5) No public funds are expended and no public school 24
personnel are involved in providing the religious instruction. 25

(6) The student assumes responsibility for any missed 26
schoolwork. 27

While in attendance in a released time course in religious 28
instruction, a student shall not be considered absent from 29
school. No student may be released from a core curriculum 30
subject course to attend a religious instruction course. 31

(C) A policy adopted under division (B) of this section 32
may authorize high school students to earn up to two units of 33
high school credit for the completion of a released time course 34
in religious instruction. In determining whether to award credit 35
for completion of such a course, the board shall evaluate the 36
course based on purely secular criteria that are substantially 37
the same criteria used to evaluate similar nonpublic high school 38
courses for purposes of determining whether to award credit for 39
such courses to a student transferring from a nonpublic high 40
school to a public high school. However, there shall be no 41
criteria requiring that released time courses be completed only 42
at a nonpublic school. The decision to award credit for a 43
released time course of religious instruction shall be neutral 44
to, and shall not involve any test for, religious content or 45

denominational affiliation. 46

For purposes of this division, secular criteria may 47
include, but are not limited to, the following: 48

(1) The number of hours of classroom instruction time; 49

(2) A review of the course syllabus that reflects course 50
requirements and materials used; 51

(3) The methods of assessment used in the course; 52

(4) The qualifications of the course instructor, which 53
shall be similar to the qualifications of other teachers within 54
the district. 55

Notwithstanding division (C) (8) of section 3313.603 of the 56
Revised Code, high school credit awarded to a student for a 57
released time course in religious instruction may substitute for 58
the same amount of credit in subjects listed in that division. 59

(D) A school district, member of a school district board 60
of education, or school district employee is not liable in 61
damages in a civil action for injury allegedly arising during a 62
student's transportation to or from a place of instruction when 63
private transportation is used under a released time policy 64
adopted under this section. This division does not eliminate, 65
limit, or reduce any other immunity or defense that a school 66
district, member of a school district board of education, or 67
school district employee may be entitled to under Chapter 2744. 68
or any other provision of the Revised Code or under the common 69
law of this state. 70

Section 2. That existing section 3313.6022 of the Revised 71
Code is hereby repealed. 72