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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 353  
134<sup>th</sup> General Assembly

## Final Analysis

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**Primary Sponsors:** Reps. Click and Miranda

**Effective date:** April 3, 2023

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### SUMMARY

- Requires each state institution of higher education to adopt a policy that reasonably accommodates the sincerely held religious beliefs and practices of students.
- Entitles the act “The Testing Your Faith Act.”

### DETAILED ANALYSIS

#### Policy to accommodate sincerely held religious beliefs

The act 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.<sup>1</sup>

#### Absences and alternative accommodations

An institution’s policy must permit a student to be absent for up to three days each 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, 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.<sup>2</sup>

<sup>1</sup> R.C. 3345.026. The act originally codified this provision as R.C. 3345.024. The LSC Director has renumbered it as R.C. 3345.026 as authorized by R.C 101.131.

<sup>2</sup> R.C. 3345.026(A).

The policy also must require the provision of alternative accommodations for students who miss exams or other academic requirements as a result of such absences, 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 the first 14 days of a course, the student provides the instructor with written notice of the requested dates for alternative accommodations.<sup>3</sup>

### **Instructor responsibilities**

Under the act, an instructor must accept without question the sincerity of a student's religious or spiritual belief system and keep alternative accommodation requests confidential. An instructor also must schedule, without prejudicial effect, another time and date for the missed alternative exam or other academic requirement.<sup>4</sup>

In addition, the act requires each course syllabus to include the institution's policy on requesting accommodations and the contact information of a person who can provide further information.<sup>5</sup>

### **Posting the policy**

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

1. The policy, including the contact information of a person who can provide further information; and
2. A nonexhaustive list of major religious holidays or festivals for the next two academic years, created either by the Chancellor of Higher Education or the institution itself. The Chancellor must provide such a list at the beginning of each academic year.

Each institution must note alongside its posted, printed, or published policy that the list is not exhaustive and the exclusion of certain holidays or festivals may not be the basis for denying accommodation to a student. A school's policy or list may not be used to deny full and reasonable accommodations to a student for any sincerely held religious belief or practice for exams or other academic requirements and absences for reasons of faith or religious or spiritual belief system.<sup>6</sup>

### **Grievance procedure**

The act requires an institution's policy to include a procedure for students to notify the institution of any grievance regarding the policy's implementation.<sup>7</sup>

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<sup>3</sup> R.C. 3345.026(B)(1).

<sup>4</sup> R.C. 3345.026(B)(2).

<sup>5</sup> R.C. 3345.026(D).

<sup>6</sup> R.C. 3345.026(C).

<sup>7</sup> R.C. 3345.026(E).

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## HISTORY

Action	Date
Introduced	06-17-21
Reported, H. Higher Education & Career Readiness	04-06-22
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