

# AN ACT

To amend sections 3313.601 and 3313.602 of the Revised Code to permit the board of education of a school district to provide for a moment of silence each school day for prayer, reflection, or meditation upon a moral, philosophical, or patriotic theme; to prohibit boards of education, schools, or employees of the school district from requiring a pupil to participate in such a moment of silence; to prohibit the board of education of a school district from adopting certain policies pertaining to religion or religious expression; and to forbid boards of education from requiring any student to participate in the oral recitation of the Pledge of Allegiance to the Flag.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 3313.601 and 3313.602 of the Revised Code be amended to read as follows:

Sec. 3313.601. The board of education of each school district may provide for a moment of silence each school day for prayer, reflection, or meditation upon a moral, philosophical, or patriotic theme. No board of education, school, or employee of the school district shall require a pupil to participate in a moment of silence provided for pursuant to this section. No board of education shall prohibit a classroom teacher from providing in his the teacher's classroom reasonable periods of time for ~~programs or meditation upon~~ activities of a moral, philosophical, or patriotic theme. No pupil shall be required to participate in such ~~programs or meditations~~ activities if they are contrary to the religious convictions of the pupil or his the pupil's parents or guardians.

No board of education of a school district shall adopt any policy or rule respecting or promoting an establishment of religion or prohibiting any pupil from the free, individual, and voluntary exercise or expression of the pupil's religious beliefs in any primary or secondary school. The board of

education may limit the exercise or expression of the pupil's religious beliefs as described in this section to lunch periods or other noninstructional time periods when pupils are free to associate.

Sec. 3313.602. (A) The board of education of each city, local, exempted village, and joint vocational school district shall adopt a policy specifying whether or not oral recitation of the pledge of allegiance to the flag shall be a part of the school's program and, if so, establishing a time and manner for ~~such~~ the recitation. The policy adopted under this division shall not require any student to participate in the recitation and shall prohibit the intimidation of any student by other students or staff aimed at coercing participation.

(B) In the development of its graded course of study, the board of education of each city and exempted village school district and the governing board of each educational service center shall ensure that the principles of democracy and ethics are emphasized and discussed wherever appropriate in all parts of the curriculum for grades kindergarten through twelve.

(C) Each city, local, exempted village, and joint vocational school board shall adopt policies that encourage all certificated and noncertificated employees to be cognizant of their roles in instilling ethical principles and democratic ideals in all district pupils.

(D) The board of education of each city, local, joint vocational, chartered community, and exempted village school district, and the Cleveland ~~Scholarship~~ scholarship and ~~Tutoring Program~~ tutoring program, shall require each district school to devote time on or about Veterans' day to an observance that conveys the meaning and significance of that day. The amount of time each school devotes to this observance shall be at least one hour or, in schools that schedule class periods of less than one hour, at least one standard class period. The board shall determine the specific activities to constitute the observance in each school in the district after consultation with the school's administrators.

SECTION 2. That existing sections 3313.601 and 3313.602 of the Revised Code are hereby repealed.

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*Speaker* \_\_\_\_\_ *of the House of Representatives.*

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*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

Am. Sub. H. B. No. 394

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The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the  
\_\_\_\_ day of \_\_\_\_\_, A. D. 20\_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_