

As Reported by the Senate Primary and Secondary Education Committee

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Representatives Lipps, Kelly

**Cosponsors: Representatives Crossman, Fraizer, Koehler, LaRe, Manchester, Miller, A., Miller, J., Miranda, Russo, Sheehy, Stephens, Manning, Robinson, Click, Ingram, Lightbody, Sobecki, Baldrige, Boggs, Brent, Brown, Carfagna, Carruthers, Crawley, Cross, Cutrona, Denson, Galonski, Hicks-Hudson, Jarrells, Jones, Leland, Lepore-Hagan, Liston, O'Brien, Smith, K., Smith, M., Sweeney, Troy, Weinstein, West, White, Young, T.
Senator Brenner**

A BILL

To amend sections 3301.221, 3313.60, and 3319.073 1
and to enact sections 3314.0310 and 3326.091 of 2
the Revised Code with respect to developmentally 3
appropriate student instruction in child sexual 4
abuse and sexual violence prevention and in- 5
service staff training in child sexual abuse 6
prevention. 7

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

Section 1. That sections 3301.221, 3313.60, and 3319.073 8
be amended and sections 3314.0310 and 3326.091 of the Revised 9
Code be enacted to read as follows: 10

Sec. 3301.221. (A) As used in this section and section 11
3313.60 of the Revised Code, "evidence-based" means a program or 12
practice that does either of the following: 13

(1) Demonstrates a rationale based on high-quality 14

research findings or positive evaluation that such a program or 15
practice is likely to improve relevant outcomes and includes 16
ongoing efforts to examine the effects of the program or 17
practice; 18

(2) Has a statistically significant effect on relevant 19
outcomes based on: 20

(a) Strong evidence from at least one well-designed and 21
well-implemented experimental study; 22

(b) Moderate evidence from at least one well-designed and 23
well-implemented quasi-experimental study; or 24

(c) Promising evidence from at least one well-designed and 25
well-implemented correlation study with statistical controls for 26
selection bias. 27

(B) The department of education, in consultation with the 28
department of public safety and the department of mental health 29
and addiction services, shall maintain a list of approved 30
training programs, to be posted on the department of education's 31
web site, for instruction in suicide awareness and prevention 32
and violence prevention as prescribed under division ~~(A) (5) (h)~~ 33
(A) (5) (i) of section 3313.60 and division (D) of section 34
3319.073 of the Revised Code. The list of approved training 35
programs shall include at least one option that is free or of no 36
cost to schools. The approved training programs shall be 37
evidence-based and include the following: 38

(1) How to instruct school personnel to identify the signs 39
and symptoms of depression, suicide, and self-harm in students; 40

(2) How to instruct students to identify the signs and 41
symptoms of depression, suicide, and self-harm in their peers; 42

(3) How to identify appropriate mental health services within schools and within larger communities, and when and how to refer youth and their families to those services;	43 44 45
(4) How to teach students about mental health and depression, warning signs of suicide, and the importance of and processes for seeking help on behalf of self and peers and reporting of these behaviors;	46 47 48 49
(5) How to identify observable warning signs and signals of individuals who may be a threat to themselves or others;	50 51
(6) The importance of taking threats seriously and seeking help;	52 53
(7) How students can report dangerous, violent, threatening, harmful, or potentially harmful activity, including the use of the district's chosen anonymous reporting program.	54 55 56
(C) The department of education, in consultation with the department of mental health and addiction services, shall maintain a list of approved training programs, to be posted on the department of education's web site, for instruction in social inclusion as prescribed by division (A) (5) (i) <u>(A) (5) (j)</u> of section 3313.60 of the Revised Code. The list of approved training programs shall include at least one option that is free or of no cost to schools. The approved training programs shall be evidence-based and include the following:	57 58 59 60 61 62 63 64 65
(1) What social isolation is and how to identify it in others;	66 67
(2) What social inclusion is and the importance of establishing connections with peers;	68 69
(3) When and how to seek help for peers who may be	70

socially isolated;	71
(4) How to utilize strategies for more social inclusion in classrooms and the school community.	72 73
Sec. 3313.60. Notwithstanding division (D) of section 3311.52 of the Revised Code, divisions (A) to (E) of this section do not apply to any cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code.	74 75 76 77 78
(A) The board of education of each city, exempted village, and local school district and the board of each cooperative education school district established, pursuant to section 3311.521 of the Revised Code, shall prescribe a curriculum for all schools under its control. Except as provided in division (E) of this section, in any such curriculum there shall be included the study of the following subjects:	79 80 81 82 83 84 85
(1) The language arts, including reading, writing, spelling, oral and written English, and literature;	86 87
(2) Geography, the history of the United States and of Ohio, and national, state, and local government in the United States, including a balanced presentation of the relevant contributions to society of men and women of African, Mexican, Puerto Rican, and American Indian descent as well as other ethnic and racial groups in Ohio and the United States;	88 89 90 91 92 93
(3) Mathematics;	94
(4) Natural science, including instruction in the conservation of natural resources;	95 96
(5) Health education, which shall include instruction in:	97
(a) The nutritive value of foods, including natural and	98

organically produced foods, the relation of nutrition to health,	99
and the use and effects of food additives;	100
(b) The harmful effects of and legal restrictions against	101
the use of drugs of abuse, alcoholic beverages, and tobacco,	102
including electronic smoking devices;	103
(c) Venereal disease education, except that upon written	104
request of the student's parent or guardian, a student shall be	105
excused from taking instruction in venereal disease education;	106
(d) <u>In grades kindergarten through six, annual</u>	107
<u>developmentally appropriate instruction in child sexual abuse</u>	108
<u>prevention, including information on available counseling and</u>	109
<u>resources for children who are sexually abused. Such instruction</u>	110
<u>and information provided shall not be connected in any way to</u>	111
<u>any individual, entity, or organization that provides, promotes,</u>	112
<u>counsels, or makes referrals for abortion or abortion-related</u>	113
<u>services. Upon written request of the student's parent or</u>	114
<u>guardian, a student shall be excused from taking instruction in</u>	115
<u>child sexual abuse prevention;</u>	116
(e) <u>In grades kindergarten through six, instruction in</u>	117
personal safety and assault prevention, except that upon written	118
request of the student's parent or guardian, a student shall be	119
excused from taking instruction in personal safety and assault	120
prevention;	121
(e) -(f) <u>In grades seven through twelve, age-appropriate</u>	122
<u>developmentally appropriate instruction in dating violence</u>	123
<u>prevention education and sexual violence prevention education,</u>	124
which shall include instruction in recognizing dating violence	125
warning signs and characteristics of healthy relationships,	126
<u>except that upon written request of the student's parent or</u>	127

guardian a student shall be excused from taking instruction in 128
sexual violence prevention. 129

In order to assist school districts in developing a dating 130
violence prevention education and sexual violence prevention 131
education curriculum, the department of education shall provide 132
on its web site links to free curricula addressing dating 133
violence prevention and sexual violence prevention education. 134
Such instruction and information shall not be connected in any 135
way to any individual, entity, or organization that provides, 136
promotes, counsels, or makes referrals for abortion or abortion- 137
related services. 138

Each school district shall notify the parents and legal 139
guardians of students who receive instruction related to child 140
sexual abuse prevention and sexual violence prevention, as 141
described under divisions (A)(5)(d) and (f) of this section, of 142
all of the following: 143

(i) That instruction in child sexual abuse prevention and 144
sexual violence prevention is a required part of the district's 145
curriculum; 146

(ii) That upon request, parents and legal guardians may 147
examine such instructional materials in accordance with this 148
section; 149

(iii) That upon written request of the student's parent or 150
guardian, a student shall be excused from taking instruction in 151
child sexual abuse prevention and sexual violence prevention. 152

If the parent or legal guardian of a student less than 153
eighteen years of age submits to the principal of the student's 154
school a written request to examine the dating violence 155
prevention and sexual violence prevention instruction materials 156

used at that school, the principal, within ~~a reasonable period~~ 157
~~of time~~ forty-eight hours after the request is made, shall allow 158
the parent or guardian to examine those materials at that 159
school. 160

~~(f)~~ (g) Prescription opioid abuse prevention, with an 161
emphasis on the prescription drug epidemic and the connection 162
between prescription opioid abuse and addiction to other drugs, 163
such as heroin; 164

~~(g)~~ (h) The process of making an anatomical gift under 165
Chapter 2108. of the Revised Code, with an emphasis on the life- 166
saving and life-enhancing effects of organ and tissue donation; 167

~~(h)~~ (i) Beginning with the first day of the next school 168
year that begins at least two years after March 24, 2021, in 169
grades six through twelve, at least one hour or one standard 170
class period per school year of evidence-based suicide awareness 171
and prevention and at least one hour or one standard class 172
period per school year of safety training and violence 173
prevention, except that upon written request of the student's 174
parent or guardian, a student shall be excused from taking 175
instruction in suicide awareness and prevention or safety 176
training and violence prevention; 177

~~(i)~~ (j) Beginning with the first day of the next school 178
year that begins at least two years after March 24, 2021, in 179
grades six through twelve, at least one hour or one standard 180
class period per school year of evidence-based social inclusion 181
instruction, except that upon written request of the student's 182
parent or guardian, a student shall be excused from taking 183
instruction in social inclusion. 184

For the instruction required under divisions ~~(A) (5) (h)~~ (A) 185

(5) (i) and ~~(i)-(j)~~ of this section, the board shall use a 186
training program approved by the department of education under 187
section 3301.221 of the Revised Code. 188

Schools may use student assemblies, digital learning, and 189
homework to satisfy the instruction requirements under divisions 190
~~(A) (5) (h)~~ (A) (5) (i) and ~~(i)-(j)~~ of this section. 191

(6) Physical education; 192

(7) The fine arts, including music; 193

(8) First aid, including a training program in 194
cardiopulmonary resuscitation, which shall comply with section 195
3313.6021 of the Revised Code when offered in any of grades nine 196
through twelve, safety, and fire prevention. However, upon 197
written request of the student's parent or guardian, a student 198
shall be excused from taking instruction in cardiopulmonary 199
resuscitation. 200

(B) Except as provided in division (E) of this section, 201
every school or school district shall include in the 202
requirements for promotion from the eighth grade to the ninth 203
grade one year's course of study of American history. A board 204
may waive this requirement for academically accelerated students 205
who, in accordance with procedures adopted by the board, are 206
able to demonstrate mastery of essential concepts and skills of 207
the eighth grade American history course of study. 208

(C) As specified in divisions (B) (6) and (C) (6) of section 209
3313.603 of the Revised Code, except as provided in division (E) 210
of this section, every high school shall include in the 211
requirements for graduation from any curriculum one-half unit 212
each of American history and government. 213

(D) Except as provided in division (E) of this section, 214

basic instruction or demonstrated mastery in geography, United 215
States history, the government of the United States, the 216
government of the state of Ohio, local government in Ohio, the 217
Declaration of Independence, the United States Constitution, and 218
the Constitution of the state of Ohio shall be required before 219
pupils may participate in courses involving the study of social 220
problems, economics, foreign affairs, United Nations, world 221
government, socialism, and communism. 222

(E) For each cooperative education school district 223
established pursuant to section 3311.521 of the Revised Code and 224
each city, exempted village, and local school district that has 225
territory within such a cooperative district, the curriculum 226
adopted pursuant to divisions (A) to (D) of this section shall 227
only include the study of the subjects that apply to the grades 228
operated by each such school district. The curricula for such 229
schools, when combined, shall provide to each student of these 230
districts all of the subjects required under divisions (A) to 231
(D) of this section. 232

(F) The board of education of any cooperative education 233
school district established pursuant to divisions (A) to (C) of 234
section 3311.52 of the Revised Code shall prescribe a curriculum 235
for the subject areas and grade levels offered in any school 236
under its control. 237

(G) Upon the request of any parent or legal guardian of a 238
student, the board of education of any school district shall 239
permit the parent or guardian to promptly examine, with respect 240
to the parent's or guardian's own child: 241

(1) Any survey or questionnaire, prior to its 242
administration to the child; 243

(2) Any textbook, workbook, software, video, or other 244
instructional materials being used by the district in connection 245
with the instruction of the child; 246

(3) Any completed and graded test taken or survey or 247
questionnaire filled out by the child; 248

(4) Copies of the statewide academic standards and each 249
model curriculum developed pursuant to section 3301.079 of the 250
Revised Code, which copies shall be available at all times 251
during school hours in each district school building. 252

Sec. 3314.0310. (A) If a community school serves students 253
in any of grades kindergarten through six, the school's 254
curriculum for those grades shall include annual developmentally 255
appropriate instruction in child sexual abuse prevention, 256
including information on available counseling and resources for 257
children who are sexually abused. Such instruction and 258
information provided shall not be connected in any way to any 259
individual, entity, or organization that provides, promotes, 260
counsels, or makes referrals for abortion or abortion-related 261
services. Upon written request of the student's parent or 262
guardian, a student shall be excused from taking instruction in 263
child sexual abuse prevention. 264

(B) (1) If a community school serves students in any of 265
grades seven through twelve, the school's curriculum for those 266
grades shall include developmentally appropriate instruction in 267
sexual violence prevention education, except that upon written 268
request of the student's parent or guardian a student shall be 269
excused from taking instruction in sexual violence prevention. 270

(2) If the parent or legal guardian of a student less than 271
eighteen years of age who is attending a community school 272

submits to the principal of the student's school a written 273
request to examine the sexual violence prevention education 274
instruction materials used at that school, the principal, within 275
forty-eight hours after the request is made, shall allow the 276
parent or guardian to examine those materials at that school. 277

(3) Each community school shall notify the parents and 278
legal guardians of students who receive instruction related to 279
child sexual abuse prevention and sexual violence prevention, as 280
described in divisions (A) and (B)(1) of this section, of all of 281
the following: 282

(a) That instruction related to child sexual abuse 283
prevention and sexual violence prevention is a required part of 284
the school's curriculum; 285

(b) That upon request, parents and legal guardians may 286
examine such instructional materials in accordance with division 287
(B)(2) of this section; 288

(c) That upon written request of the student's parent or 289
guardian, a student shall be excused from taking instruction in 290
child sexual abuse prevention and sexual violence prevention. 291

Sec. 3319.073. (A) The board of education of each city and 292
exempted village school district and the governing board of each 293
educational service center shall adopt or adapt the curriculum 294
developed by the department of education for, or shall develop 295
in consultation with public or private agencies or persons 296
involved in child abuse prevention or intervention programs, a 297
program of in-service training in the prevention of child abuse, 298
violence, and substance abuse and the promotion of positive 299
youth development. Each person employed by any school district 300
or service center to work in a school as a nurse, teacher, 301

counselor, school psychologist, or administrator shall complete 302
at least four hours of the in-service training within two years 303
of commencing employment with the district or center, and every 304
five years thereafter. A person who is employed by any school 305
district or service center to work in an elementary school as a 306
nurse, teacher, counselor, school psychologist, or administrator 307
on March 30, 2007, shall complete at least four hours of the in- 308
service training not later than March 30, 2009, and every five 309
years thereafter. A person who is employed by any school 310
district or service center to work in a middle or high school as 311
a nurse, teacher, counselor, school psychologist, or 312
administrator on October 16, 2009, shall complete at least four 313
hours of the in-service training not later than October 16, 314
2011, and every five years thereafter. 315

(B) Each board shall incorporate training in school safety 316
and violence prevention, including human trafficking content, 317
into the in-service training required by division (A) of this 318
section. For this purpose, the board shall adopt or adapt the 319
curriculum developed by the department or shall develop its own 320
curriculum in consultation with public or private agencies or 321
persons involved in school safety and violence prevention 322
programs. 323

(C) Each board shall incorporate training on the board's 324
harassment, intimidation, or bullying policy adopted under 325
section 3313.666 of the Revised Code into the in-service 326
training required by division (A) of this section. Each board 327
also shall incorporate training in the prevention of dating 328
violence into the in-service training required by that division 329
for middle and high school employees. The board shall develop 330
its own curricula for these purposes. 331

(D) Each board shall incorporate training in youth suicide awareness and prevention into the in-service training required by division (A) of this section for each person employed by a school district or service center to work in a school as a nurse, teacher, counselor, school psychologist, or administrator, and any other personnel that the board determines appropriate. The board shall require each such person to undergo training in youth suicide awareness and prevention programs once every two years. For this purpose, the board shall adopt or adapt the curriculum developed by the department under section 3301.221 of the Revised Code or shall develop its own curriculum in consultation with public or private agencies or persons involved in youth suicide awareness and prevention programs.

The training completed under this division shall count toward the satisfaction of requirements for professional development required by the school district or service center board, and the training may be accomplished through self-review of suitable suicide prevention materials approved by the board.

(E) Each board shall incorporate training on child sexual abuse into the in-service training required by division (A) of this section. The training completed under this division shall count toward the satisfaction of requirements for professional development required by the school district or service center board. Any training provided under this section shall be presented by either of the following who have experience in handling cases involving child sexual abuse or child sexual violence:

(1) Law enforcement officers;

(2) Prosecutors.

Sec. 3326.091. (A) If a STEM school serves students in any 361
of grades kindergarten through six, the school's curriculum for 362
that grade shall include annual developmentally appropriate 363
instruction in child sexual abuse prevention, including 364
information on available counseling and resources for children 365
who are sexually abused. Such instruction and information 366
provided shall not be connected in any way to any individual, 367
entity, or organization that provides, promotes, counsels, or 368
makes referrals for abortion or abortion-related services. Upon 369
written request of the student's parent or guardian, a student 370
shall be excused from taking instruction in child sexual abuse 371
prevention. 372

(B) (1) If a STEM school serves students in any of grades 373
seven through twelve, the school's curriculum for those grades 374
shall include developmentally appropriate instruction in sexual 375
violence prevention education, except that upon written request 376
of the student's parent or guardian a student shall be excused 377
from taking instruction in sexual violence prevention. 378

(2) If the parent or legal guardian of a student less than 379
eighteen years of age who is attending a STEM school submits to 380
the principal of the student's school a written request to 381
examine the sexual violence prevention education instruction 382
materials used at that school, the principal, within forty-eight 383
hours after the request is made, shall allow the parent or 384
guardian to examine those materials at that school. 385

(3) Each STEM school shall notify the parents and legal 386
guardians of students who receive instruction related to child 387
sexual abuse prevention and sexual violence prevention, as 388
described under divisions (A) and (B) (1) of this section, of all 389
of the following: 390

(a) That instruction related to child sexual abuse 391
prevention and sexual violence prevention is a required part of 392
the school's curriculum; 393

(b) That upon request, parents and legal guardians may 394
examine such instructional materials in accordance with division 395
(B) (2) of this section; 396

(c) That upon written request of the student's parent or 397
guardian, a student shall be excused from taking instruction in 398
child sexual abuse prevention and sexual violence prevention. 399

Section 2. That existing sections 3301.221, 3313.60, and 400
3319.073 of the Revised Code are hereby repealed. 401