

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 85**

**Representatives Ramos, Hagan**

**Cosponsors: Representatives Becker, Rezabek, Lepore-Hagan, Fedor, O'Brien, M.,  
Sheehy, Driehaus, Slesnick**

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**A BILL**

To amend sections 3313.60 and 3319.073 and to enact 1  
sections 3314.031 and 3326.091 of the Revised 2  
Code with respect to age-appropriate student 3  
instruction in child sexual abuse and sexual 4  
violence prevention and in-service staff 5  
training in child sexual abuse prevention. 6

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

**Section 1.** That sections 3313.60 and 3319.073 be amended 7  
and sections 3314.031 and 3326.091 of the Revised Code be 8  
enacted to read as follows: 9

**Sec. 3313.60.** Notwithstanding division (D) of section 10  
3311.52 of the Revised Code, divisions (A) to (E) of this 11  
section do not apply to any cooperative education school 12  
district established pursuant to divisions (A) to (C) of section 13  
3311.52 of the Revised Code. 14

(A) The board of education of each city, exempted village, 15  
and local school district and the board of each cooperative 16  
education school district established, pursuant to section 17  
3311.521 of the Revised Code, shall prescribe a curriculum for 18

all schools under its control. Except as provided in division	19
(E) of this section, in any such curriculum there shall be	20
included the study of the following subjects:	21
(1) The language arts, including reading, writing,	22
spelling, oral and written English, and literature;	23
(2) Geography, the history of the United States and of	24
Ohio, and national, state, and local government in the United	25
States, including a balanced presentation of the relevant	26
contributions to society of men and women of African, Mexican,	27
Puerto Rican, and American Indian descent as well as other	28
ethnic and racial groups in Ohio and the United States;	29
(3) Mathematics;	30
(4) Natural science, including instruction in the	31
conservation of natural resources;	32
(5) Health education, which shall include instruction in:	33
(a) The nutritive value of foods, including natural and	34
organically produced foods, the relation of nutrition to health,	35
and the use and effects of food additives;	36
(b) The harmful effects of and legal restrictions against	37
the use of drugs of abuse, alcoholic beverages, and tobacco;	38
(c) Venereal disease education, except that upon written	39
request of the student's parent or guardian, a student shall be	40
excused from taking instruction in venereal disease education;	41
(d) <u>In grades kindergarten through six, annual age-</u>	42
<u>appropriate instruction in child sexual abuse prevention,</u>	43
<u>including information on available counseling and resources for</u>	44
<u>children who are sexually abused;</u>	45

(e) In grades kindergarten through six, instruction in personal safety and assault prevention, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in personal safety and assault prevention;

~~(e)~~(f) In grades seven through twelve, age-appropriate instruction in dating violence prevention education and sexual violence prevention education, which shall include instruction in recognizing dating violence warning signs and characteristics of healthy relationships.

In order to assist school districts in developing a dating violence prevention education and sexual violence prevention education curriculum, the department of education shall provide on its web site links to free curricula addressing dating violence prevention and sexual violence prevention.

If the parent or legal guardian of a student less than eighteen years of age submits to the principal of the student's school a written request to examine the dating violence prevention and sexual violence prevention instruction materials used at that school, the principal, within a reasonable period of time after the request is made, shall allow the parent or guardian to examine those materials at that school.

(6) Physical education;

(7) The fine arts, including music;

(8) First aid, including a training program in cardiopulmonary resuscitation, safety, and fire prevention, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in cardiopulmonary resuscitation.

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

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

(D) Except as provided in division (E) of this section, basic instruction or demonstrated mastery in geography, United States history, the government of the United States, the government of the state of Ohio, local government in Ohio, the Declaration of Independence, the United States Constitution, and the Constitution of the state of Ohio shall be required before pupils may participate in courses involving the study of social problems, economics, foreign affairs, United Nations, world government, socialism, and communism.

(E) For each cooperative education school district established pursuant to section 3311.521 of the Revised Code and each city, exempted village, and local school district that has territory within such a cooperative district, the curriculum adopted pursuant to divisions (A) to (D) of this section shall only include the study of the subjects that apply to the grades operated by each such school district. The curriculums for such schools, when combined, shall provide to each student of these

districts all of the subjects required under divisions (A) to 105  
(D) of this section. 106

(F) The board of education of any cooperative education 107  
school district established pursuant to divisions (A) to (C) of 108  
section 3311.52 of the Revised Code shall prescribe a curriculum 109  
for the subject areas and grade levels offered in any school 110  
under its control. 111

(G) Upon the request of any parent or legal guardian of a 112  
student, the board of education of any school district shall 113  
permit the parent or guardian to promptly examine, with respect 114  
to the parent's or guardian's own child: 115

(1) Any survey or questionnaire, prior to its 116  
administration to the child; 117

(2) Any textbook, workbook, software, video, or other 118  
instructional materials being used by the district in connection 119  
with the instruction of the child; 120

(3) Any completed and graded test taken or survey or 121  
questionnaire filled out by the child; 122

(4) Copies of the statewide academic standards and each 123  
model curriculum developed pursuant to section 3301.079 of the 124  
Revised Code, which copies shall be available at all times 125  
during school hours in each district school building. 126

Sec. 3314.031. (A) If a community school serves students 127  
in any of grades kindergarten through six, the school's 128  
curriculum for those grades shall include annual age-appropriate 129  
instruction in child sexual abuse prevention, including 130  
information on available counseling and resources for children 131  
who are sexually abused. 132

(B) (1) If a community school serves students in any of 133  
grades seven through twelve, the school's curriculum for those 134  
grades shall include age-appropriate instruction in sexual 135  
violence prevention education. 136

(2) If the parent or legal guardian of a student less than 137  
eighteen years of age who is attending a community school 138  
submits to the principal of the student's school a written 139  
request to examine the sexual violence prevention education 140  
instruction materials used at that school, the principal, within 141  
a reasonable period of time after the request is made, shall 142  
allow the parent or guardian to examine those materials at that 143  
school. 144

**Sec. 3319.073.** (A) The board of education of each city and 145  
exempted village school district and the governing board of each 146  
educational service center shall adopt or adapt the curriculum 147  
developed by the department of education for, or shall develop 148  
in consultation with public or private agencies or persons 149  
involved in child abuse prevention or intervention programs, a 150  
program of in-service training in the prevention of child abuse, 151  
violence, and substance abuse and the promotion of positive 152  
youth development. Each person employed by any school district 153  
or service center to work in a school as a nurse, teacher, 154  
counselor, school psychologist, or administrator shall complete 155  
at least four hours of the in-service training within two years 156  
of commencing employment with the district or center, and every 157  
five years thereafter. A person who is employed by any school 158  
district or service center to work in an elementary school as a 159  
nurse, teacher, counselor, school psychologist, or administrator 160  
on March 30, 2007, shall complete at least four hours of the in- 161  
service training not later than March 30, 2009, and every five 162  
years thereafter. A person who is employed by any school 163

district or service center to work in a middle or high school as 164  
a nurse, teacher, counselor, school psychologist, or 165  
administrator on October 16, 2009, shall complete at least four 166  
hours of the in-service training not later than October 16, 167  
2011, and every five years thereafter. 168

(B) Each board shall incorporate training in school safety 169  
and violence prevention, including human trafficking content, 170  
into the in-service training required by division (A) of this 171  
section. For this purpose, the board shall adopt or adapt the 172  
curriculum developed by the department or shall develop its own 173  
curriculum in consultation with public or private agencies or 174  
persons involved in school safety and violence prevention 175  
programs. 176

(C) Each board shall incorporate training on the board's 177  
harassment, intimidation, or bullying policy adopted under 178  
section 3313.666 of the Revised Code into the in-service 179  
training required by division (A) of this section. Each board 180  
also shall incorporate training in the prevention of dating 181  
violence into the in-service training required by that division 182  
for middle and high school employees. The board shall develop 183  
its own curricula for these purposes. 184

(D) Each board shall incorporate training in youth suicide 185  
awareness and prevention into the in-service training required 186  
by division (A) of this section for each person employed by a 187  
school district or service center to work in a school as a 188  
nurse, teacher, counselor, school psychologist, or 189  
administrator, and any other personnel that the board determines 190  
appropriate. For this purpose, the board shall adopt or adapt 191  
the curriculum developed by the department or shall develop its 192  
own curriculum in consultation with public or private agencies 193

or persons involved in youth suicide awareness and prevention programs. 194  
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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. 196  
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(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. 201  
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Sec. 3326.091. (A) If a STEM school serves students in sixth grade, the school's curriculum for that grade shall include annual age-appropriate instruction in child sexual abuse prevention, including information on available counseling and resources for children who are sexually abused. 207  
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(B) (1) If a STEM school serves students in any of grades seven through twelve, the school's curriculum for those grades shall include age-appropriate instruction in sexual violence prevention education. 212  
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(2) If the parent or legal guardian of a student less than eighteen years of age who is attending a STEM school submits to the principal of the student's school a written request to examine the sexual violence prevention education instruction materials used at that school, the principal, within a reasonable period of time after the request is made, shall allow the parent or guardian to examine those materials at that 216  
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school. 223

**Section 2.** That existing sections 3313.60 and 3319.073 of 224  
the Revised Code are hereby repealed. 225