

As Passed by the House

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, Antonio, Arndt, Ashford, Barnes, Bishoff, Bocchieri, Boggs, Boyd, Brown, Craig, Duffey, Ginter, Henne, Kuhns, Leland, Manning, O'Brien, S., Patmon, Patterson, Perales, Phillips, Rogers, Smith, K., Sweeney

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) In grades kindergarten through six, annual age- 42
appropriate instruction in child sexual abuse prevention, 43
including information on available counseling and resources for 44

children who are sexually abused; 45

(e) In grades kindergarten through six, instruction in 46
personal safety and assault prevention, except that upon written 47
request of the student's parent or guardian, a student shall be 48
excused from taking instruction in personal safety and assault 49
prevention; 50

~~(e)~~ (f) In grades seven through twelve, age-appropriate 51
instruction in dating violence prevention education and sexual 52
violence prevention education, which shall include instruction 53
in recognizing dating violence warning signs and characteristics 54
of healthy relationships. 55

In order to assist school districts in developing a dating 56
violence prevention education and sexual violence prevention 57
education curriculum, the department of education shall provide 58
on its web site links to free curricula addressing dating 59
violence prevention and sexual violence prevention. 60

If the parent or legal guardian of a student less than 61
eighteen years of age submits to the principal of the student's 62
school a written request to examine the dating violence 63
prevention and sexual violence prevention instruction materials 64
used at that school, the principal, within a reasonable period 65
of time after the request is made, shall allow the parent or 66
guardian to examine those materials at that school. 67

(6) Physical education; 68

(7) The fine arts, including music; 69

(8) First aid, including a training program in 70
cardiopulmonary resuscitation, safety, and fire prevention, 71
except that upon written request of the student's parent or 72
guardian, a student shall be excused from taking instruction in 73

cardiopulmonary resuscitation. 74

(B) Except as provided in division (E) of this section, 75
every school or school district shall include in the 76
requirements for promotion from the eighth grade to the ninth 77
grade one year's course of study of American history. A board 78
may waive this requirement for academically accelerated students 79
who, in accordance with procedures adopted by the board, are 80
able to demonstrate mastery of essential concepts and skills of 81
the eighth grade American history course of study. 82

(C) As specified in divisions (B) (6) and (C) (6) of section 83
3313.603 of the Revised Code, except as provided in division (E) 84
of this section, every high school shall include in the 85
requirements for graduation from any curriculum one-half unit 86
each of American history and government. 87

(D) Except as provided in division (E) of this section, 88
basic instruction or demonstrated mastery in geography, United 89
States history, the government of the United States, the 90
government of the state of Ohio, local government in Ohio, the 91
Declaration of Independence, the United States Constitution, and 92
the Constitution of the state of Ohio shall be required before 93
pupils may participate in courses involving the study of social 94
problems, economics, foreign affairs, United Nations, world 95
government, socialism, and communism. 96

(E) For each cooperative education school district 97
established pursuant to section 3311.521 of the Revised Code and 98
each city, exempted village, and local school district that has 99
territory within such a cooperative district, the curriculum 100
adopted pursuant to divisions (A) to (D) of this section shall 101
only include the study of the subjects that apply to the grades 102
operated by each such school district. The curriculums for such 103

schools, when combined, shall provide to each student of these 104
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 194
programs. 195

The training completed under this division shall count 196
toward the satisfaction of requirements for professional 197
development required by the school district or service center 198
board, and the training may be accomplished through self-review 199
of suitable suicide prevention materials approved by the board. 200

(E) Each board shall incorporate training on child sexual 201
abuse into the in-service training required by division (A) of 202
this section. The training completed under this division shall 203
count toward the satisfaction of requirements for professional 204
development required by the school district or service center 205
board. 206

Sec. 3326.091. (A) If a STEM school serves students in 207
sixth grade, the school's curriculum for that grade shall 208
include annual age-appropriate instruction in child sexual abuse 209
prevention, including information on available counseling and 210
resources for children who are sexually abused. 211

(B) (1) If a STEM school serves students in any of grades 212
seven through twelve, the school's curriculum for those grades 213
shall include age-appropriate instruction in sexual violence 214
prevention education. 215

(2) If the parent or legal guardian of a student less than 216
eighteen years of age who is attending a STEM school submits to 217
the principal of the student's school a written request to 218
examine the sexual violence prevention education instruction 219
materials used at that school, the principal, within a 220
reasonable period of time after the request is made, shall allow 221
the parent or guardian to examine those materials at that 222

school. 223

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