

**As Reported by the House Health Committee**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 321**

**Representatives Lipps, Kelly**

**Cosponsors: Representatives Romanchuk, Ginter, Kent, Miranda, O'Brien, Keller,  
Blair, Strahorn, Crossman**

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**A BILL**

To amend sections 3313.60 and 3319.073 and to enact 1  
sections 3314.0310 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 3314.0310 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 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.

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

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

(6) Physical education;	75
(7) The fine arts, including music;	76
(8) First aid, including a training program in	77
cardiopulmonary resuscitation, which shall comply with section	78
3313.6021 of the Revised Code when offered in any of grades nine	79
through twelve, safety, and fire prevention. However, upon	80
written request of the student's parent or guardian, a student	81
shall be excused from taking instruction in cardiopulmonary	82
resuscitation.	83
(B) Except as provided in division (E) of this section,	84
every school or school district shall include in the	85
requirements for promotion from the eighth grade to the ninth	86
grade one year's course of study of American history. A board	87
may waive this requirement for academically accelerated students	88
who, in accordance with procedures adopted by the board, are	89
able to demonstrate mastery of essential concepts and skills of	90
the eighth grade American history course of study.	91
(C) As specified in divisions (B) (6) and (C) (6) of section	92
3313.603 of the Revised Code, except as provided in division (E)	93
of this section, every high school shall include in the	94
requirements for graduation from any curriculum one-half unit	95
each of American history and government.	96
(D) Except as provided in division (E) of this section,	97
basic instruction or demonstrated mastery in geography, United	98
States history, the government of the United States, the	99
government of the state of Ohio, local government in Ohio, the	100
Declaration of Independence, the United States Constitution, and	101
the Constitution of the state of Ohio shall be required before	102
pupils may participate in courses involving the study of social	103

problems, economics, foreign affairs, United Nations, world 104  
government, socialism, and communism. 105

(E) For each cooperative education school district 106  
established pursuant to section 3311.521 of the Revised Code and 107  
each city, exempted village, and local school district that has 108  
territory within such a cooperative district, the curriculum 109  
adopted pursuant to divisions (A) to (D) of this section shall 110  
only include the study of the subjects that apply to the grades 111  
operated by each such school district. The curriculums for such 112  
schools, when combined, shall provide to each student of these 113  
districts all of the subjects required under divisions (A) to 114  
(D) of this section. 115

(F) The board of education of any cooperative education 116  
school district established pursuant to divisions (A) to (C) of 117  
section 3311.52 of the Revised Code shall prescribe a curriculum 118  
for the subject areas and grade levels offered in any school 119  
under its control. 120

(G) Upon the request of any parent or legal guardian of a 121  
student, the board of education of any school district shall 122  
permit the parent or guardian to promptly examine, with respect 123  
to the parent's or guardian's own child: 124

(1) Any survey or questionnaire, prior to its 125  
administration to the child; 126

(2) Any textbook, workbook, software, video, or other 127  
instructional materials being used by the district in connection 128  
with the instruction of the child; 129

(3) Any completed and graded test taken or survey or 130  
questionnaire filled out by the child; 131

(4) Copies of the statewide academic standards and each 132

model curriculum developed pursuant to section 3301.079 of the Revised Code, which copies shall be available at all times during school hours in each district school building.

Sec. 3314.0310. (A) If a community school serves students in any of grades kindergarten through six, the school's curriculum for those grades shall include annual age-appropriate instruction in child sexual abuse prevention, including information on available counseling and resources for children who are sexually abused.

(B) (1) If a community 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.

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

**Sec. 3319.073.** (A) The board of education of each city and exempted village school district and the governing board of each educational service center shall adopt or adapt the curriculum developed by the department of education for, or shall develop in consultation with public or private agencies or persons involved in child abuse prevention or intervention programs, a program of in-service training in the prevention of child abuse, violence, and substance abuse and the promotion of positive youth development. Each person employed by any school district

or service center to work in a school as a nurse, teacher, 163  
counselor, school psychologist, or administrator shall complete 164  
at least four hours of the in-service training within two years 165  
of commencing employment with the district or center, and every 166  
five years thereafter. A person who is employed by any school 167  
district or service center to work in an elementary school as a 168  
nurse, teacher, counselor, school psychologist, or administrator 169  
on March 30, 2007, shall complete at least four hours of the in- 170  
service training not later than March 30, 2009, and every five 171  
years thereafter. A person who is employed by any school 172  
district or service center to work in a middle or high school as 173  
a nurse, teacher, counselor, school psychologist, or 174  
administrator on October 16, 2009, shall complete at least four 175  
hours of the in-service training not later than October 16, 176  
2011, and every five years thereafter. 177

(B) Each board shall incorporate training in school safety 178  
and violence prevention, including human trafficking content, 179  
into the in-service training required by division (A) of this 180  
section. For this purpose, the board shall adopt or adapt the 181  
curriculum developed by the department or shall develop its own 182  
curriculum in consultation with public or private agencies or 183  
persons involved in school safety and violence prevention 184  
programs. 185

(C) Each board shall incorporate training on the board's 186  
harassment, intimidation, or bullying policy adopted under 187  
section 3313.666 of the Revised Code into the in-service 188  
training required by division (A) of this section. Each board 189  
also shall incorporate training in the prevention of dating 190  
violence into the in-service training required by that division 191  
for middle and high school employees. The board shall develop 192  
its own curricula for these purposes. 193

(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 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.

**Sec. 3326.091.** (A) If a STEM school serves students in any of grades kindergarten through six, 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.



(B) (1) If a STEM school serves students in any of grades 224  
seven through twelve, the school's curriculum for those grades 225  
shall include age-appropriate instruction in sexual violence 226  
prevention education. 227

(2) If the parent or legal guardian of a student less than 228  
eighteen years of age who is attending a STEM school submits to 229  
the principal of the student's school a written request to 230  
examine the sexual violence prevention education instruction 231  
materials used at that school, the principal, within a 232  
reasonable period of time after the request is made, shall allow 233  
the parent or guardian to examine those materials at that 234  
school. 235

**Section 2.** That existing sections 3313.60 and 3319.073 of 236  
the Revised Code are hereby repealed. 237