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Sub. S. B. No. 7

Senator Johnson

Cosponsors: Senators Huffman, Brenner, Antonio, Blackshear, Cirino, Cutrona, DeMora, Gavarone, Hicks-Hudson, Ingram, Landis, Liston, O'Brien, Patton, Reineke, Reynolds, Roegner, Romanchuk, Schaffer, Timken, Weinstein, Wilkin

To amend sections 3301.0732, 3313.60, and 3313.6024 1
and to enact sections 3301.0722, 3301.165, 2
3313.6031, 3314.0311, 3326.092, and 3328.60 of 3
the Revised Code regarding instruction for 4
students in the harmful effects of substance 5
use. 6

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

Section 1. That sections 3301.0732, 3313.60, and 3313.6024 7
be amended and sections 3301.0722, 3301.165, 3313.6031, 8
3314.0311, 3326.092, and 3328.60 of the Revised Code be enacted 9
to read as follows: 10

Sec. 3301.0722. (A) As used in this section, "evidence- 11
based" has the same meaning as in section 3301.221 of the 12
Revised Code. 13

(B) The department of education and workforce, in 14
collaboration with the department of mental health and addiction 15
services, shall conduct a review of available resources and 16
develop a list of curricula, materials, programs, and 17
instructional strategies related to the instruction required 18

under divisions (A) (5) (b) and (g) of section 3313.60 of the 19
Revised Code and section 3313.6031 of the Revised Code, that 20
districts or schools may utilize. The department of education 21
and workforce shall highlight any evidence-based resources that 22
exist on its list. Periodically, the department of education and 23
workforce shall review and update the list developed under this 24
section. 25

Sec. 3301.0732. The minimum education standards prescribed 26
by the director of education and workforce for nonchartered 27
nonpublic schools under section 3301.07 of the Revised Code 28
shall comply with and shall be limited to this section. 29

(A) A nonchartered nonpublic school that is not seeking a 30
charter from the department of education and workforce because 31
of truly held religious beliefs shall annually certify in a 32
report to the parents of its pupils that the school meets 33
minimum education standards for nonchartered nonpublic schools 34
as described in this section. A copy of the report shall be 35
filed with the department of education and workforce on or 36
before the thirtieth day of September of each year. 37

(B) A nonchartered nonpublic school shall be open for 38
instruction with pupils in attendance for not less than four 39
hundred fifty-five hours in the case of pupils in kindergarten 40
unless such pupils are provided all-day kindergarten, in which 41
case the pupils shall be in attendance for nine hundred ten 42
hours; nine hundred ten hours in the case of pupils in grades 43
one through six; and one thousand one hours in the case of 44
pupils in grades seven through twelve in each school year. 45

(C) The parents of a child enrolled in a nonchartered 46
nonpublic school shall be responsible for reporting their 47
child's enrollment or withdrawal from that school to the 48

treasurer of the board of education of the city, exempted 49
village, or local school district in which the pupil resides. 50
Pupil attendance is reported for the purposes of facilitating 51
the administration of laws relating to compulsory education and 52
the employment of minors. An individual in charge of the 53
nonchartered nonpublic school may, as a matter of convenience, 54
provide the report to the treasurer on behalf of the parents. 55

The attendance report shall include the name, age, and 56
place of residence of each pupil below eighteen years of age. 57
The report shall be made within the first two weeks of the 58
beginning of each school year. In the case of pupil withdrawal 59
or entrance during the school year, notice shall be given to the 60
treasurer of the appropriate board of education within the first 61
week of the next school month. 62

(D) Teachers and administrators at nonchartered nonpublic 63
schools shall hold at least a bachelor's degree, or the 64
equivalent, from a recognized college or university. 65

(E) The curriculum of each nonchartered nonpublic school 66
shall include the study of the following subjects: 67

(1) Language arts; 68

(2) Geography, the history of the United States and Ohio, 69
and national, state, and local government; 70

(3) Mathematics; 71

(4) Science; 72

(5) Health, which may include age and developmentally 73
appropriate instruction about how short-term or chronic 74
substance use, as defined in section 3313.6031 of the Revised 75
Code, to alter an individual's mood is harmful to an 76

<u>individual's health;</u>	77
(6) Physical education;	78
(7) The fine arts, including music;	79
(8) First aid, safety, and fire prevention;	80
(9) Other subjects as prescribed by the nonchartered nonpublic school.	81 82
(F) Each nonchartered nonpublic school shall follow regular procedures for promotion from grade to grade for pupils who have met the school's educational requirements.	83 84 85
(G) Each nonchartered nonpublic school shall comply with all applicable health, fire, and safety laws.	86 87
(H) Pupils attending a nonchartered nonpublic school shall not be entitled to pupil transportation or auxiliary services. A nonchartered nonpublic school is not entitled to reimbursement for administrative costs.	88 89 90 91
<u>Sec. 3301.165. The governing authority of each chartered nonpublic school annually may provide instruction to students in the grade levels the school serves about how short-term or chronic substance use, as defined in section 3313.6031 of the Revised Code, to alter one's mood is harmful to an individual's health. Each governing authority may do all of the following with regard to the instruction:</u>	92 93 94 95 96 97 98
<u>(A) Determine the manner in which the instruction is provided to students;</u>	99 100
<u>(B) Ensure the instruction is age and developmentally appropriate;</u>	101 102
<u>(C) Conform the instruction to prevention best-practice</u>	103

<u>frameworks;</u>	104
<u>(D) Focus the instruction on addressing changes in</u>	105
<u>knowledge, attitude, and skills as a child develops.</u>	106
Sec. 3313.60. Notwithstanding division (D) of section	107
3311.52 of the Revised Code, divisions (A) to (E) of this	108
section do not apply to any cooperative education school	109
district established pursuant to divisions (A) to (C) of section	110
3311.52 of the Revised Code.	111
(A) The board of education of each city, exempted village,	112
and local school district and the board of each cooperative	113
education school district established, pursuant to section	114
3311.521 of the Revised Code, shall prescribe a curriculum for	115
all schools under its control. Except as provided in division	116
(E) of this section, in any such curriculum there shall be	117
included the study of the following subjects:	118
(1) The language arts, including reading, writing,	119
spelling, oral and written English, and literature;	120
(2) Geography, the history of the United States and of	121
Ohio, and national, state, and local government in the United	122
States, including a balanced presentation of the relevant	123
contributions to society of men and women of African, Mexican,	124
Puerto Rican, and American Indian descent as well as other	125
ethnic and racial groups in Ohio and the United States;	126
(3) Mathematics;	127
(4) Natural science, including instruction in the	128
conservation of natural resources;	129
(5) Health education, which shall include instruction in:	130
(a) The nutritive value of foods, including natural and	131

organically produced foods, the relation of nutrition to health, 132
and the use and effects of food additives; 133

(b) The harmful effects of and legal restrictions against 134
the use of drugs of abuse, including marijuana, opioids, 135
opiates, alcoholic beverages, and tobacco, including electronic 136
smoking devices; 137

(c) Sexually transmitted infection education, except that 138
upon written request of the student's parent or guardian, a 139
student shall be excused from taking instruction in sexually 140
transmitted infection education; 141

(d) In grades kindergarten through six, annual 142
developmentally appropriate instruction in child sexual abuse 143
prevention, including information on available counseling and 144
resources for children who are sexually abused. Such instruction 145
and information provided shall not be connected in any way to 146
any individual, entity, or organization that provides, promotes, 147
counsels, or makes referrals for abortion or abortion-related 148
services. Upon written request of the student's parent or 149
guardian, a student shall be excused from taking instruction in 150
child sexual abuse prevention. 151

(e) In grades kindergarten through six, instruction in 152
personal safety and assault prevention, except that upon written 153
request of the student's parent or guardian, a student shall be 154
excused from taking instruction in personal safety and assault 155
prevention; 156

(f) In grades seven through twelve, developmentally 157
appropriate instruction in dating violence prevention education 158
and sexual violence prevention education, which shall include 159
instruction in recognizing dating violence warning signs and 160

characteristics of healthy relationships, except that upon 161
written request of the student's parent or guardian a student 162
shall be excused from taking instruction in sexual violence 163
prevention. 164

In order to assist school districts in developing a dating 165
violence prevention education and sexual violence prevention 166
education curriculum, the department of education and workforce 167
shall provide on its web site links to free curricula addressing 168
dating violence prevention and sexual violence prevention 169
education. Such instruction and information shall not be 170
connected in any way to any individual, entity, or organization 171
that provides, promotes, counsels, or makes referrals for 172
abortion or abortion-related services. 173

Each school district shall notify the parents and legal 174
guardians of students who receive instruction related to child 175
sexual abuse prevention and sexual violence prevention, as 176
described under divisions (A) (5) (d) and (f) of this section, of 177
all of the following: 178

(i) That instruction in child sexual abuse prevention and 179
sexual violence prevention is a required part of the district's 180
curriculum; 181

(ii) That upon request, parents and legal guardians may 182
examine such instructional materials in accordance with this 183
section; 184

(iii) That upon written request of the student's parent or 185
guardian, a student shall be excused from taking instruction in 186
child sexual abuse prevention and sexual violence prevention. 187

If the parent or legal guardian of a student less than 188
eighteen years of age submits to the principal of the student's 189

school a written request to examine the dating violence 190
prevention and sexual violence prevention instruction materials 191
used at that school, the principal, within forty-eight hours 192
after the request is made, shall allow the parent or guardian to 193
examine those materials at that school. 194

(g) Prescription opioid abuse prevention, with an emphasis 195
on the prescription drug epidemic and the connection between 196
prescription opioid abuse and addiction to other drugs, such as 197
heroin; 198

(h) The process of making an anatomical gift under Chapter 199
2108. of the Revised Code, with an emphasis on the life-saving 200
and life-enhancing effects of organ and tissue donation; 201

(i) Beginning with the first day of the next school year 202
that begins at least two years after March 24, 2021, in grades 203
six through twelve, at least one hour or one standard class 204
period per school year of evidence-based suicide awareness and 205
prevention and at least one hour or one standard class period 206
per school year of safety training and violence prevention, 207
except that upon written request of the student's parent or 208
guardian, a student shall be excused from taking instruction in 209
suicide awareness and prevention or safety training and violence 210
prevention; 211

(j) Beginning with the first day of the next school year 212
that begins at least two years after March 24, 2021, in grades 213
six through twelve, at least one hour or one standard class 214
period per school year of evidence-based social inclusion 215
instruction, except that upon written request of the student's 216
parent or guardian, a student shall be excused from taking 217
instruction in social inclusion. 218

For the instruction required under divisions (A) (5) (i) and 219
(j) of this section, the board shall use a training program 220
approved by the department of education and workforce under 221
section 3301.221 of the Revised Code. 222

Schools may use student assemblies, digital learning, and 223
homework to satisfy the instruction requirements under divisions 224
(A) (5) (i) and (j) of this section. 225

(k) Instruction in bullying and hazing. 226

(6) Physical education; 227

(7) The fine arts, including music; 228

(8) First aid, including a training program in 229
cardiopulmonary resuscitation, which shall comply with section 230
3313.6021 of the Revised Code when offered in any of grades nine 231
through twelve, safety, and fire prevention. However, upon 232
written request of the student's parent or guardian, a student 233
shall be excused from taking instruction in cardiopulmonary 234
resuscitation. 235

(B) Except as provided in division (E) of this section, 236
every school or school district shall include in the 237
requirements for promotion from the eighth grade to the ninth 238
grade one year's course of study of American history. A board 239
may waive this requirement for academically accelerated students 240
who, in accordance with procedures adopted by the board, are 241
able to demonstrate mastery of essential concepts and skills of 242
the eighth grade American history course of study. 243

(C) As specified in divisions (B) (6) and (C) (6) of section 244
3313.603 of the Revised Code, except as provided in division (E) 245
of this section, every high school shall include in the 246
requirements for graduation from any curriculum one-half unit 247

each of American history and government. 248

(D) Except as provided in division (E) of this section, 249
basic instruction or demonstrated mastery in geography, United 250
States history, the government of the United States, the 251
government of the state of Ohio, local government in Ohio, the 252
Declaration of Independence, the United States Constitution, and 253
the Constitution of the state of Ohio shall be required before 254
pupils may participate in courses involving the study of social 255
problems, economics, foreign affairs, United Nations, world 256
government, socialism, and communism. 257

(E) For each cooperative education school district 258
established pursuant to section 3311.521 of the Revised Code and 259
each city, exempted village, and local school district that has 260
territory within such a cooperative district, the curriculum 261
adopted pursuant to divisions (A) to (D) of this section shall 262
only include the study of the subjects that apply to the grades 263
operated by each such school district. The curricula for such 264
schools, when combined, shall provide to each student of these 265
districts all of the subjects required under divisions (A) to 266
(D) of this section. 267

(F) The board of education of any cooperative education 268
school district established pursuant to divisions (A) to (C) of 269
section 3311.52 of the Revised Code shall prescribe a curriculum 270
for the subject areas and grade levels offered in any school 271
under its control. 272

(G) Upon the request of any parent or legal guardian of a 273
student, the board of education of any school district shall 274
permit the parent or guardian to promptly examine, with respect 275
to the parent's or guardian's own child: 276

(1) Any survey or questionnaire, prior to its administration to the child;	277 278
(2) Any textbook, workbook, software, video, or other instructional materials being used by the district in connection with the instruction of the child;	279 280 281
(3) Any completed and graded test taken or survey or questionnaire filled out by the child;	282 283
(4) Copies of the statewide academic standards and each 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.	284 285 286 287
Sec. 3313.6024. (A) Annually each school district <u>and</u> <u>other public school, as defined in section 3301.0711 of the</u> <u>Revised Code,</u> shall report to the department of education and workforce, in the manner prescribed <u>a survey established by the</u> department, the types of prevention-focused programs, services, and supports used to assist students in developing the knowledge and skills to engage in healthy behaviors and decision-making and to increase their awareness of the dangers and consequences of risky behaviors, including substance abuse, suicide, bullying, and other harmful behaviors. The <u>Each</u> district <u>or</u> <u>school</u> shall report <u>on the survey</u> the following information regarding such programs, services, and supports for each building operated by the district <u>or school</u> and for each of grades kindergarten through twelve served by the building:	288 289 290 291 292 293 294 295 296 297 298 299 300 301
(1) Curriculum and instruction provided during the school day;	302 303
(2) Programs and supports provided outside of the classroom or outside of the school day;	304 305

(3) Professional development for teachers, administrators,	306
and other staff;	307
(4) Partnerships with community coalitions and	308
organizations to provide prevention services and resources to	309
students and their families;	310
(5) School efforts to engage parents and the community;	311
(6) Activities designed to communicate with and learn from	312
other schools or professionals with expertise in prevention	313
education—;	314
<u>(7) A description of how the district or school complies</u>	315
<u>with the following:</u>	316
<u>(a) For each school district, divisions (A) (5) (b) and (g)</u>	317
<u>of section 3313.60 of the Revised Code and section 3313.6031 of</u>	318
<u>the Revised Code;</u>	319
<u>(b) For every other public school, section 3314.0311,</u>	320
<u>3326.092, or 3328.60 of the Revised Code.</u>	321
<u>(8) The number of substance abuse cases that occurred in</u>	322
<u>the district or school.</u>	323
<u>(B) A chartered nonpublic school may report to the</u>	324
<u>department the information described in division (A) of this</u>	325
<u>section by electing to participate in the department's annual</u>	326
<u>survey.</u>	327
<u>(C) Each year, the department shall analyze the substance</u>	328
<u>abuse case data and the information on programs, services, and</u>	329
<u>supports collected in the annual survey prescribed under this</u>	330
<u>section for that year, and prior years, to determine the overall</u>	331
<u>effectiveness of different programs, services, and supports at</u>	332
<u>preventing substance abuse cases over time and identify best</u>	333

practices for prevention education. 334

(D) The department may use information reported under this 335
section, and any other information collected by the department 336
pursuant to law, as a factor in the distribution of any funding 337
available for prevention-focused programs, services, and 338
supports. 339

Sec. 3313.6031. (A) As used in this section, "substance 340
use" includes the use of marijuana, alcoholic beverages, 341
opioids, opiates, and tobacco, including electronic smoking 342
devices, and any substance derived from a source external to the 343
human body that is not legally permitted or authorized for use 344
without a prescription. 345

(B) In accordance with the curriculum requirement 346
prescribed under divisions (A) (5) (b) and (g) of section 3313.60 347
of the Revised Code, the board of education of each city, local, 348
and exempted village school district annually shall provide 349
instruction to students in grades kindergarten through twelve 350
about how short-term or chronic substance use to alter one's 351
mood is harmful to an individual's health. 352

(C) Each district board shall do all of the following with 353
regard to the instruction: 354

(1) Determine the manner in which the instruction is 355
provided to students; 356

(2) Ensure the instruction is age and developmentally 357
appropriate; 358

(3) Conform the instruction to prevention best-practice 359
frameworks; 360

(4) Focus the instruction on addressing changes in 361

knowledge, attitude, and skills as a child develops. 362

Sec. 3314.0311. The governing authority of each community 363
school established under this chapter annually shall provide 364
instruction to students in the grade levels the school serves 365
about how short-term or chronic substance use, as defined in 366
section 3313.6031 of the Revised Code, to alter one's mood is 367
harmful to an individual's health. Each governing authority 368
shall do all of the following with regard to the instruction: 369

(A) Determine the manner in which the instruction is 370
provided to students; 371

(B) Ensure the instruction is age and developmentally 372
appropriate; 373

(C) Conform the instruction to prevention best-practice 374
frameworks; 375

(D) Focus the instruction on addressing changes in 376
knowledge, attitude, and skills as a child develops. 377

Sec. 3326.092. The governing body of each each science, 378
technology, engineering, and mathematics school established 379
under this chapter annually shall provide instruction to 380
students in the grade levels the school serves about how short- 381
term or chronic substance use, as defined in section 3313.6031 382
of the Revised Code, to alter one's mood is harmful to an 383
individual's health. Each governing body shall do all of the 384
following with regard to the instruction: 385

(A) Determine the manner in which the instruction is 386
provided to students; 387

(B) Ensure the instruction is age and developmentally 388
appropriate; 389

(C) Conform the instruction to prevention best-practice 390
frameworks; 391

(D) Focus the instruction on addressing changes in 392
knowledge, attitude, and skills as a child develops. 393

Sec. 3328.60. The board of trustees of each college- 394
preparatory boarding school established under this chapter 395
annually shall provide instruction to students in the grade 396
levels the school serves about how the short-term or chronic 397
substance use, as defined in section 3313.6031 of the Revised 398
Code, to alter one's mood is harmful to an individual's health. 399
Each board of trustees shall do all of the following with regard 400
to the instruction: 401

(A) Determine the manner in which the instruction is 402
provided to students; 403

(B) Ensure the instruction is age and developmentally 404
appropriate; 405

(C) Conform the instruction to prevention best-practice 406
frameworks; 407

(D) Focus the instruction on addressing changes in 408
knowledge, attitude, and skills as a child develops. 409

Section 2. That existing sections 3301.0732, 3313.60, and 410
3313.6024 of the Revised Code are hereby repealed. 411