

As Introduced

133rd General Assembly

Regular Session

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H. B. No. 790

Representative Hood

**Cosponsors: Representatives Powell, Keller, Vitale, Stoltzfus, Riedel, Becker,
Dean, Brinkman**

A BILL

To amend section 3313.6011 of the Revised Code to 1
enforce school district compliance with venereal 2
disease instruction requirements. 3

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

Section 1. That section 3313.6011 of the Revised Code be 4
amended to read as follows: 5

Sec. 3313.6011. (A) As used in this section, "sexual 6
activity" has the same meaning as in section 2907.01 of the 7
Revised Code. 8

(B) Instruction in venereal disease education pursuant to 9
division (A) (5) (c) of section 3313.60 of the Revised Code shall 10
emphasize that abstinence from sexual activity is the only 11
protection that is one hundred per cent effective against 12
unwanted pregnancy, sexually transmitted disease, and the sexual 13
transmission of a virus that causes acquired immunodeficiency 14
syndrome. 15

(C) ~~In adopting minimum standards under section 3301.07 of~~ 16
~~the Revised Code, the~~ (1) The state board of education shall 17

require course material and instruction in venereal disease 18
education courses taught pursuant to division (A) (5) (c) of 19
section 3313.60 of the Revised Code to do all of the following: 20

~~(1)~~ (a) Stress that students should abstain from sexual 21
activity until after marriage; 22

~~(2)~~ (b) Teach the potential physical, psychological, 23
emotional, and social side effects of participating in sexual 24
activity outside of marriage; 25

~~(3)~~ (c) Teach that conceiving children out of wedlock is 26
likely to have harmful consequences for the child, the child's 27
parents, and society; 28

~~(4)~~ (d) Stress that sexually transmitted diseases are 29
serious possible hazards of sexual activity; 30

~~(5)~~ (e) Advise students of the laws pertaining to 31
financial responsibility of parents to children born in and out 32
of wedlock; 33

~~(6)~~ (f) Advise students of the circumstances under which 34
it is criminal to have sexual contact with a person under the 35
age of sixteen pursuant to section 2907.04 of the Revised Code; 36

~~(7)~~ (g) Emphasize adoption as an option for unintended 37
pregnancies. 38

(2) If a school district or school chooses to offer 39
additional instruction in venereal disease or sexual education 40
not specified in division (C) (1) of this section, the district 41
or school shall notify all parents or guardians of that 42
instruction. No district or school shall offer that instruction 43
to a student unless that student's parent or guardian has 44
submitted written permission for that student to receive that 45

instruction. Divisions (E) and (F) of this section do not apply 46
to division (C) (2) of this section. 47

(D) Any model education program for health education the 48
state board of education adopts shall conform to the 49
requirements of this section. 50

(E) The state board shall conduct an annual audit of each 51
city, local, and exempted village school district, at the start 52
of each school year, relative to its compliance with the 53
instruction requirements of this section and division (A) (5) (c) 54
of section 3313.60 of the Revised Code. The state board shall 55
publish the findings of each audit not later than one hundred 56
twenty days after the start of the school year. The board shall 57
include in the findings of each audit the name of any 58
organization or program that provided materials to a school 59
district regarding venereal disease instruction. The state 60
board's findings shall be prominently posted on the department 61
of education's web site. 62

(F) A parent or guardian of a student attending a school 63
district may bring a civil action against the district to 64
enforce compliance with this section if an audit conducted under 65
division (E) of this section determines the district not to be 66
in compliance. 67

(G) On and after March 18, 1999, and notwithstanding 68
section 3302.07 of the Revised Code, the superintendent of 69
public instruction shall not approve, pursuant to section 70
3302.07 of the Revised Code, any waiver of any requirement of 71
this section or of any rule adopted by the state board of 72
education pursuant to this section. 73

Section 2. That existing section 3313.6011 of the Revised 74

Code is hereby repealed.

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