

**As Reported by the House Primary and Secondary Education Committee**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Am. H. B. No. 105**

**Representatives Lipps, Kelly**

**Cosponsors: Representatives Crossman, Fraizer, Koehler, LaRe, Manchester, Miller, A., Miller, J., Miranda, Russo, Sheehy, Stephens, Manning, Robinson, Click, Ingram, Lightbody, Sobecki**

**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.

Each school district shall notify the parents and legal guardians of students who receive instruction related to dating violence prevention and sexual violence prevention, as described under divisions (A) (5) (d) and (f) of this section, that such instruction is a required part of the district's curriculum. Notification shall include that upon request, parents and legal guardians may examine such instructional materials in accordance with this section.

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.

<del>(f)</del> -(g) Prescription opioid abuse prevention, with an	76
emphasis on the prescription drug epidemic and the connection	77
between prescription opioid abuse and addiction to other drugs,	78
such as heroin;	79
<del>(g)</del> -(h) The process of making an anatomical gift under	80
Chapter 2108. of the Revised Code, with an emphasis on the life-	81
saving and life-enhancing effects of organ and tissue donation.	82
(6) Physical education;	83
(7) The fine arts, including music;	84
(8) First aid, including a training program in	85
cardiopulmonary resuscitation, which shall comply with section	86
3313.6021 of the Revised Code when offered in any of grades nine	87
through twelve, safety, and fire prevention. However, upon	88
written request of the student's parent or guardian, a student	89
shall be excused from taking instruction in cardiopulmonary	90
resuscitation.	91
(B) Except as provided in division (E) of this section,	92
every school or school district shall include in the	93
requirements for promotion from the eighth grade to the ninth	94
grade one year's course of study of American history. A board	95
may waive this requirement for academically accelerated students	96
who, in accordance with procedures adopted by the board, are	97
able to demonstrate mastery of essential concepts and skills of	98
the eighth grade American history course of study.	99
(C) As specified in divisions (B) (6) and (C) (6) of section	100
3313.603 of the Revised Code, except as provided in division (E)	101
of this section, every high school shall include in the	102
requirements for graduation from any curriculum one-half unit	103
each of American history and government.	104

(D) Except as provided in division (E) of this section, 105  
basic instruction or demonstrated mastery in geography, United 106  
States history, the government of the United States, the 107  
government of the state of Ohio, local government in Ohio, the 108  
Declaration of Independence, the United States Constitution, and 109  
the Constitution of the state of Ohio shall be required before 110  
pupils may participate in courses involving the study of social 111  
problems, economics, foreign affairs, United Nations, world 112  
government, socialism, and communism. 113

(E) For each cooperative education school district 114  
established pursuant to section 3311.521 of the Revised Code and 115  
each city, exempted village, and local school district that has 116  
territory within such a cooperative district, the curriculum 117  
adopted pursuant to divisions (A) to (D) of this section shall 118  
only include the study of the subjects that apply to the grades 119  
operated by each such school district. The curriculums for such 120  
schools, when combined, shall provide to each student of these 121  
districts all of the subjects required under divisions (A) to 122  
(D) of this section. 123

(F) The board of education of any cooperative education 124  
school district established pursuant to divisions (A) to (C) of 125  
section 3311.52 of the Revised Code shall prescribe a curriculum 126  
for the subject areas and grade levels offered in any school 127  
under its control. 128

(G) Upon the request of any parent or legal guardian of a 129  
student, the board of education of any school district shall 130  
permit the parent or guardian to promptly examine, with respect 131  
to the parent's or guardian's own child: 132

(1) Any survey or questionnaire, prior to its 133  
administration to the child; 134

(2) Any textbook, workbook, software, video, or other instructional materials being used by the district in connection with the instruction of the child; 135  
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(3) Any completed and graded test taken or survey or questionnaire filled out by the child; 138  
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(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. 140  
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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. 144  
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(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. 150  
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(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. 154  
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(3) Each community school shall notify the parents and legal guardians of students who receive instruction related to 162  
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dating violence prevention and sexual violence prevention, as 164  
described in this section, that such instruction is a required 165  
part of the school's curriculum. Notification shall include that 166  
upon request, parents and legal guardians may examine such 167  
instructional materials in accordance with division (B) (2) of 168  
this section. 169

**Sec. 3319.073.** (A) The board of education of each city and 170  
exempted village school district and the governing board of each 171  
educational service center shall adopt or adapt the curriculum 172  
developed by the department of education for, or shall develop 173  
in consultation with public or private agencies or persons 174  
involved in child abuse prevention or intervention programs, a 175  
program of in-service training in the prevention of child abuse, 176  
violence, and substance abuse and the promotion of positive 177  
youth development. Each person employed by any school district 178  
or service center to work in a school as a nurse, teacher, 179  
counselor, school psychologist, or administrator shall complete 180  
at least four hours of the in-service training within two years 181  
of commencing employment with the district or center, and every 182  
five years thereafter. A person who is employed by any school 183  
district or service center to work in an elementary school as a 184  
nurse, teacher, counselor, school psychologist, or administrator 185  
on March 30, 2007, shall complete at least four hours of the in- 186  
service training not later than March 30, 2009, and every five 187  
years thereafter. A person who is employed by any school 188  
district or service center to work in a middle or high school as 189  
a nurse, teacher, counselor, school psychologist, or 190  
administrator on October 16, 2009, shall complete at least four 191  
hours of the in-service training not later than October 16, 192  
2011, and every five years thereafter. 193

(B) Each board shall incorporate training in school safety 194

and violence prevention, including human trafficking content, 195  
into the in-service training required by division (A) of this 196  
section. For this purpose, the board shall adopt or adapt the 197  
curriculum developed by the department or shall develop its own 198  
curriculum in consultation with public or private agencies or 199  
persons involved in school safety and violence prevention 200  
programs. 201

(C) Each board shall incorporate training on the board's 202  
harassment, intimidation, or bullying policy adopted under 203  
section 3313.666 of the Revised Code into the in-service 204  
training required by division (A) of this section. Each board 205  
also shall incorporate training in the prevention of dating 206  
violence into the in-service training required by that division 207  
for middle and high school employees. The board shall develop 208  
its own curricula for these purposes. 209

(D) Each board shall incorporate training in youth suicide 210  
awareness and prevention into the in-service training required 211  
by division (A) of this section for each person employed by a 212  
school district or service center to work in a school as a 213  
nurse, teacher, counselor, school psychologist, or 214  
administrator, and any other personnel that the board determines 215  
appropriate. The board shall require each such person to undergo 216  
training in youth suicide awareness and prevention programs once 217  
every two years. For this purpose, the board shall adopt or 218  
adapt the curriculum developed by the department or shall 219  
develop its own curriculum in consultation with public or 220  
private agencies or persons involved in youth suicide awareness 221  
and prevention programs. 222

The training completed under this division shall count 223  
toward the satisfaction of requirements for professional 224



development required by the school district or service center 225  
board, and the training may be accomplished through self-review 226  
of suitable suicide prevention materials approved by the board. 227

(E) Each board shall incorporate training on child sexual 228  
abuse into the in-service training required by division (A) of 229  
this section. The training completed under this division shall 230  
count toward the satisfaction of requirements for professional 231  
development required by the school district or service center 232  
board. 233

**Sec. 3326.091.** (A) If a STEM school serves students in any 234  
of grades kindergarten through six, the school's curriculum for 235  
that grade shall include annual age-appropriate instruction in 236  
child sexual abuse prevention, including information on 237  
available counseling and resources for children who are sexually 238  
abused. 239

(B) (1) If a STEM school serves students in any of grades 240  
seven through twelve, the school's curriculum for those grades 241  
shall include age-appropriate instruction in sexual violence 242  
prevention education. 243

(2) If the parent or legal guardian of a student less than 244  
eighteen years of age who is attending a STEM school submits to 245  
the principal of the student's school a written request to 246  
examine the sexual violence prevention education instruction 247  
materials used at that school, the principal, within a 248  
reasonable period of time after the request is made, shall allow 249  
the parent or guardian to examine those materials at that 250  
school. 251

(3) Each STEM school shall notify the parents and legal 252  
guardians of students who receive instruction related to dating 253

violence prevention and sexual violence prevention, as described 254  
under this section, that such instruction is a required part of 255  
the school's curriculum. Notification shall include that upon 256  
request, parents and legal guardians may examine such 257  
instructional materials in accordance with division (B) (2) of 258  
this section. 259

**Section 2.** That existing sections 3313.60 and 3319.073 of 260  
the Revised Code are hereby repealed. 261