

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

**134th General Assembly**

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**Sub. 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, Baldrige, Boggs, Brent, Brown, Carfagna, Carruthers, Crawley, Cross, Cutrona, Denson, Galonski, Hicks-Hudson, Jarrells, Jones, Leland, Lepore-Hagan, Liston, O'Brien, Smith, K., Smith, M., Sweeney, Troy, Weinstein, West, White, Young, T.  
Senator Brenner**

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**A BILL**

To amend sections 3301.221, 3313.60, and 3319.073 1  
and to enact sections 3314.0310 and 3326.091 of 2  
the Revised Code with respect to developmentally 3  
appropriate student instruction in child sexual 4  
abuse and sexual violence prevention and in- 5  
service staff training in child sexual abuse 6  
prevention. 7

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

**Section 1.** That sections 3301.221, 3313.60, and 3319.073 8  
be amended and sections 3314.0310 and 3326.091 of the Revised 9  
Code be enacted to read as follows: 10

**Sec. 3301.221.** (A) As used in this section and section 11  
3313.60 of the Revised Code, "evidence-based" means a program or 12  
practice that does either of the following: 13

(1) Demonstrates a rationale based on high-quality 14

research findings or positive evaluation that such a program or 15  
practice is likely to improve relevant outcomes and includes 16  
ongoing efforts to examine the effects of the program or 17  
practice; 18

(2) Has a statistically significant effect on relevant 19  
outcomes based on: 20

(a) Strong evidence from at least one well-designed and 21  
well-implemented experimental study; 22

(b) Moderate evidence from at least one well-designed and 23  
well-implemented quasi-experimental study; or 24

(c) Promising evidence from at least one well-designed and 25  
well-implemented correlation study with statistical controls for 26  
selection bias. 27

(B) The department of education, in consultation with the 28  
department of public safety and the department of mental health 29  
and addiction services, shall maintain a list of approved 30  
training programs, to be posted on the department of education's 31  
web site, for instruction in suicide awareness and prevention 32  
and violence prevention as prescribed under division ~~(A) (5) (h)~~ 33  
(A) (5) (i) of section 3313.60 and division (D) of section 34  
3319.073 of the Revised Code. The list of approved training 35  
programs shall include at least one option that is free or of no 36  
cost to schools. The approved training programs shall be 37  
evidence-based and include the following: 38

(1) How to instruct school personnel to identify the signs 39  
and symptoms of depression, suicide, and self-harm in students; 40

(2) How to instruct students to identify the signs and 41  
symptoms of depression, suicide, and self-harm in their peers; 42

(3) How to identify appropriate mental health services within schools and within larger communities, and when and how to refer youth and their families to those services;	43 44 45
(4) How to teach students about mental health and depression, warning signs of suicide, and the importance of and processes for seeking help on behalf of self and peers and reporting of these behaviors;	46 47 48 49
(5) How to identify observable warning signs and signals of individuals who may be a threat to themselves or others;	50 51
(6) The importance of taking threats seriously and seeking help;	52 53
(7) How students can report dangerous, violent, threatening, harmful, or potentially harmful activity, including the use of the district's chosen anonymous reporting program.	54 55 56
(C) The department of education, in consultation with the department of mental health and addiction services, shall maintain a list of approved training programs, to be posted on the department of education's web site, for instruction in social inclusion as prescribed by division <del>(A) (5) (i)</del> <u>(A) (5) (j)</u> of section 3313.60 of the Revised Code. The list of approved training programs shall include at least one option that is free or of no cost to schools. The approved training programs shall be evidence-based and include the following:	57 58 59 60 61 62 63 64 65
(1) What social isolation is and how to identify it in others;	66 67
(2) What social inclusion is and the importance of establishing connections with peers;	68 69
(3) When and how to seek help for peers who may be	70

socially isolated;	71
(4) How to utilize strategies for more social inclusion in classrooms and the school community.	72 73
<b>Sec. 3313.60.</b> Notwithstanding division (D) of section 3311.52 of the Revised Code, divisions (A) to (E) of this section do not apply to any cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code.	74 75 76 77 78
(A) The board of education of each city, exempted village, and local school district and the board of each cooperative education school district established, pursuant to section 3311.521 of the Revised Code, shall prescribe a curriculum for all schools under its control. Except as provided in division (E) of this section, in any such curriculum there shall be included the study of the following subjects:	79 80 81 82 83 84 85
(1) The language arts, including reading, writing, spelling, oral and written English, and literature;	86 87
(2) Geography, the history of the United States and of Ohio, and national, state, and local government in the United States, including a balanced presentation of the relevant contributions to society of men and women of African, Mexican, Puerto Rican, and American Indian descent as well as other ethnic and racial groups in Ohio and the United States;	88 89 90 91 92 93
(3) Mathematics;	94
(4) Natural science, including instruction in the conservation of natural resources;	95 96
(5) Health education, which shall include instruction in:	97
(a) The nutritive value of foods, including natural and	98

organically produced foods, the relation of nutrition to health,	99
and the use and effects of food additives;	100
(b) The harmful effects of and legal restrictions against	101
the use of drugs of abuse, alcoholic beverages, and tobacco,	102
including electronic smoking devices;	103
(c) Venereal disease education, except that upon written	104
request of the student's parent or guardian, a student shall be	105
excused from taking instruction in venereal disease education;	106
(d) <u>In grades kindergarten through six, annual</u>	107
<u>developmentally appropriate instruction in child sexual abuse</u>	108
<u>prevention, including information on available counseling and</u>	109
<u>resources for children who are sexually abused. Such instruction</u>	110
<u>and information provided shall not be connected in any way to</u>	111
<u>any individual, entity, or organization that provides, promotes,</u>	112
<u>counsels, or makes referrals for abortion or abortion-related</u>	113
<u>services. Upon written request of the student's parent or</u>	114
<u>guardian, a student shall be excused from taking instruction in</u>	115
<u>child sexual abuse prevention;</u>	116
(e) <u>In grades kindergarten through six, instruction in</u>	117
personal safety and assault prevention, except that upon written	118
request of the student's parent or guardian, a student shall be	119
excused from taking instruction in personal safety and assault	120
prevention;	121
<del>(e)</del> -(f) <u>In grades seven through twelve, <del>age-appropriate</del></u>	122
<u>developmentally appropriate instruction in dating violence</u>	123
<u>prevention education and sexual violence prevention education,</u>	124
which shall include instruction in recognizing dating violence	125
warning signs and characteristics of healthy relationships,	126
<u>except that upon written request of the student's parent or</u>	127

guardian a student shall be excused from taking instruction in 128  
sexual violence prevention. 129

In order to assist school districts in developing a dating 130  
violence prevention education and sexual violence prevention 131  
education curriculum, the department of education shall provide 132  
on its web site links to free curricula addressing dating 133  
violence prevention and sexual violence prevention education. 134  
Such instruction and information shall not be connected in any 135  
way to any individual, entity, or organization that provides, 136  
promotes, counsels, or makes referrals for abortion or abortion- 137  
related services. 138

Each school district shall notify the parents and legal 139  
guardians of students who receive instruction related to child 140  
sexual abuse prevention and sexual violence prevention, as 141  
described under divisions (A)(5)(d) and (f) of this section, of 142  
all of the following: 143

(i) That instruction in child sexual abuse prevention and 144  
sexual violence prevention is a required part of the district's 145  
curriculum; 146

(ii) That upon request, parents and legal guardians may 147  
examine such instructional materials in accordance with this 148  
section; 149

(iii) That upon written request of the student's parent or 150  
guardian, a student shall be excused from taking instruction in 151  
child sexual abuse prevention and sexual violence prevention. 152

If the parent or legal guardian of a student less than 153  
eighteen years of age submits to the principal of the student's 154  
school a written request to examine the dating violence 155  
prevention and sexual violence prevention instruction materials 156

used at that school, the principal, within ~~a reasonable period~~ 157  
~~of time~~ forty-eight hours after the request is made, shall allow 158  
the parent or guardian to examine those materials at that 159  
school. 160

~~(f)~~ (g) Prescription opioid abuse prevention, with an 161  
emphasis on the prescription drug epidemic and the connection 162  
between prescription opioid abuse and addiction to other drugs, 163  
such as heroin; 164

~~(g)~~ (h) The process of making an anatomical gift under 165  
Chapter 2108. of the Revised Code, with an emphasis on the life- 166  
saving and life-enhancing effects of organ and tissue donation; 167

~~(h)~~ (i) Beginning with the first day of the next school 168  
year that begins at least two years after March 24, 2021, in 169  
grades six through twelve, at least one hour or one standard 170  
class period per school year of evidence-based suicide awareness 171  
and prevention and at least one hour or one standard class 172  
period per school year of safety training and violence 173  
prevention, except that upon written request of the student's 174  
parent or guardian, a student shall be excused from taking 175  
instruction in suicide awareness and prevention or safety 176  
training and violence prevention; 177

~~(i)~~ (j) Beginning with the first day of the next school 178  
year that begins at least two years after March 24, 2021, in 179  
grades six through twelve, at least one hour or one standard 180  
class period per school year of evidence-based social inclusion 181  
instruction, except that upon written request of the student's 182  
parent or guardian, a student shall be excused from taking 183  
instruction in social inclusion. 184

For the instruction required under divisions ~~(A) (5) (h)~~ (A) 185

(5) (i) and ~~(i)-(j)~~ of this section, the board shall use a 186  
training program approved by the department of education under 187  
section 3301.221 of the Revised Code. 188

Schools may use student assemblies, digital learning, and 189  
homework to satisfy the instruction requirements under divisions 190  
~~(A) (5) (h)~~ (A) (5) (i) and ~~(i)-(j)~~ of this section. 191

(6) Physical education; 192

(7) The fine arts, including music; 193

(8) First aid, including a training program in 194  
cardiopulmonary resuscitation, which shall comply with section 195  
3313.6021 of the Revised Code when offered in any of grades nine 196  
through twelve, safety, and fire prevention. However, upon 197  
written request of the student's parent or guardian, a student 198  
shall be excused from taking instruction in cardiopulmonary 199  
resuscitation. 200

(B) Except as provided in division (E) of this section, 201  
every school or school district shall include in the 202  
requirements for promotion from the eighth grade to the ninth 203  
grade one year's course of study of American history. A board 204  
may waive this requirement for academically accelerated students 205  
who, in accordance with procedures adopted by the board, are 206  
able to demonstrate mastery of essential concepts and skills of 207  
the eighth grade American history course of study. 208

(C) As specified in divisions (B) (6) and (C) (6) of section 209  
3313.603 of the Revised Code, except as provided in division (E) 210  
of this section, every high school shall include in the 211  
requirements for graduation from any curriculum one-half unit 212  
each of American history and government. 213

(D) Except as provided in division (E) of this section, 214



basic instruction or demonstrated mastery in geography, United 215  
States history, the government of the United States, the 216  
government of the state of Ohio, local government in Ohio, the 217  
Declaration of Independence, the United States Constitution, and 218  
the Constitution of the state of Ohio shall be required before 219  
pupils may participate in courses involving the study of social 220  
problems, economics, foreign affairs, United Nations, world 221  
government, socialism, and communism. 222

(E) For each cooperative education school district 223  
established pursuant to section 3311.521 of the Revised Code and 224  
each city, exempted village, and local school district that has 225  
territory within such a cooperative district, the curriculum 226  
adopted pursuant to divisions (A) to (D) of this section shall 227  
only include the study of the subjects that apply to the grades 228  
operated by each such school district. The curricula for such 229  
schools, when combined, shall provide to each student of these 230  
districts all of the subjects required under divisions (A) to 231  
(D) of this section. 232

(F) The board of education of any cooperative education 233  
school district established pursuant to divisions (A) to (C) of 234  
section 3311.52 of the Revised Code shall prescribe a curriculum 235  
for the subject areas and grade levels offered in any school 236  
under its control. 237

(G) Upon the request of any parent or legal guardian of a 238  
student, the board of education of any school district shall 239  
permit the parent or guardian to promptly examine, with respect 240  
to the parent's or guardian's own child: 241

(1) Any survey or questionnaire, prior to its 242  
administration to the child; 243

(2) Any textbook, workbook, software, video, or other 244  
instructional materials being used by the district in connection 245  
with the instruction of the child; 246

(3) Any completed and graded test taken or survey or 247  
questionnaire filled out by the child; 248

(4) Copies of the statewide academic standards and each 249  
model curriculum developed pursuant to section 3301.079 of the 250  
Revised Code, which copies shall be available at all times 251  
during school hours in each district school building. 252

Sec. 3314.0310. (A) If a community school serves students 253  
in any of grades kindergarten through six, the school's 254  
curriculum for those grades shall include annual developmentally 255  
appropriate instruction in child sexual abuse prevention, 256  
including information on available counseling and resources for 257  
children who are sexually abused. Such instruction and 258  
information provided shall not be connected in any way to any 259  
individual, entity, or organization that provides, promotes, 260  
counsels, or makes referrals for abortion or abortion-related 261  
services. Upon written request of the student's parent or 262  
guardian, a student shall be excused from taking instruction in 263  
child sexual abuse prevention. 264

(B) (1) If a community school serves students in any of 265  
grades seven through twelve, the school's curriculum for those 266  
grades shall include developmentally appropriate instruction in 267  
sexual violence prevention education, except that upon written 268  
request of the student's parent or guardian a student shall be 269  
excused from taking instruction in sexual violence prevention. 270

(2) If the parent or legal guardian of a student less than 271  
eighteen years of age who is attending a community school 272

submits to the principal of the student's school a written 273  
request to examine the sexual violence prevention education 274  
instruction materials used at that school, the principal, within 275  
forty-eight hours after the request is made, shall allow the 276  
parent or guardian to examine those materials at that school. 277

(3) Each community school shall notify the parents and 278  
legal guardians of students who receive instruction related to 279  
child sexual abuse prevention and sexual violence prevention, as 280  
described in divisions (A) and (B)(1) of this section, of all of 281  
the following: 282

(a) That instruction related to child sexual abuse 283  
prevention and sexual violence prevention is a required part of 284  
the school's curriculum; 285

(b) That upon request, parents and legal guardians may 286  
examine such instructional materials in accordance with division 287  
(B)(2) of this section; 288

(c) That upon written request of the student's parent or 289  
guardian, a student shall be excused from taking instruction in 290  
child sexual abuse prevention and sexual violence prevention. 291

**Sec. 3319.073.** (A) The board of education of each city and 292  
exempted village school district and the governing board of each 293  
educational service center shall adopt or adapt the curriculum 294  
developed by the department of education for, or shall develop 295  
in consultation with public or private agencies or persons 296  
involved in child abuse prevention or intervention programs, a 297  
program of in-service training in the prevention of child abuse, 298  
violence, and substance abuse and the promotion of positive 299  
youth development. Each person employed by any school district 300  
or service center to work in a school as a nurse, teacher, 301

counselor, school psychologist, or administrator shall complete 302  
at least four hours of the in-service training within two years 303  
of commencing employment with the district or center, and every 304  
five years thereafter. A person who is employed by any school 305  
district or service center to work in an elementary school as a 306  
nurse, teacher, counselor, school psychologist, or administrator 307  
on March 30, 2007, shall complete at least four hours of the in- 308  
service training not later than March 30, 2009, and every five 309  
years thereafter. A person who is employed by any school 310  
district or service center to work in a middle or high school as 311  
a nurse, teacher, counselor, school psychologist, or 312  
administrator on October 16, 2009, shall complete at least four 313  
hours of the in-service training not later than October 16, 314  
2011, and every five years thereafter. 315

(B) Each board shall incorporate training in school safety 316  
and violence prevention, including human trafficking content, 317  
into the in-service training required by division (A) of this 318  
section. For this purpose, the board shall adopt or adapt the 319  
curriculum developed by the department or shall develop its own 320  
curriculum in consultation with public or private agencies or 321  
persons involved in school safety and violence prevention 322  
programs. 323

(C) Each board shall incorporate training on the board's 324  
harassment, intimidation, or bullying policy adopted under 325  
section 3313.666 of the Revised Code into the in-service 326  
training required by division (A) of this section. Each board 327  
also shall incorporate training in the prevention of dating 328  
violence into the in-service training required by that division 329  
for middle and high school employees. The board shall develop 330  
its own curricula for these purposes. 331

(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 under section 3301.221 of the Revised Code 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. Any training provided under this section shall be presented by either of the following who have experience in handling cases involving child sexual abuse or child sexual violence:

(1) Law enforcement officers;

(2) Prosecutors.

Sec. 3326.091. (A) If a STEM school serves students in any 361  
of grades kindergarten through six, the school's curriculum for 362  
that grade shall include annual developmentally appropriate 363  
instruction in child sexual abuse prevention, including 364  
information on available counseling and resources for children 365  
who are sexually abused. Such instruction and information 366  
provided shall not be connected in any way to any individual, 367  
entity, or organization that provides, promotes, counsels, or 368  
makes referrals for abortion or abortion-related services. Upon 369  
written request of the student's parent or guardian, a student 370  
shall be excused from taking instruction in child sexual abuse 371  
prevention. 372

(B) (1) If a STEM school serves students in any of grades 373  
seven through twelve, the school's curriculum for those grades 374  
shall include developmentally appropriate instruction in sexual 375  
violence prevention education, except that upon written request 376  
of the student's parent or guardian a student shall be excused 377  
from taking instruction in sexual violence prevention. 378

(2) If the parent or legal guardian of a student less than 379  
eighteen years of age who is attending a STEM school submits to 380  
the principal of the student's school a written request to 381  
examine the sexual violence prevention education instruction 382  
materials used at that school, the principal, within forty-eight 383  
hours after the request is made, shall allow the parent or 384  
guardian to examine those materials at that school. 385

(3) Each STEM school shall notify the parents and legal 386  
guardians of students who receive instruction related to child 387  
sexual abuse prevention and sexual violence prevention, as 388  
described under divisions (A) and (B) (1) of this section, of all 389  
of the following: 390

(a) That instruction related to child sexual abuse 391  
prevention and sexual violence prevention is a required part of 392  
the school's curriculum; 393

(b) That upon request, parents and legal guardians may 394  
examine such instructional materials in accordance with division 395  
(B) (2) of this section; 396

(c) That upon written request of the student's parent or 397  
guardian, a student shall be excused from taking instruction in 398  
child sexual abuse prevention and sexual violence prevention. 399

**Section 2.** That existing sections 3301.221, 3313.60, and 400  
3319.073 of the Revised Code are hereby repealed. 401