

As Introduced

**135th General Assembly
Regular Session
2023-2024**

S. B. No. 205

**Senator Johnson
Cosponsor: Senator Romanchuk**

A BILL

To amend section 3313.60 and to enact section 1
3301.0722 of the Revised Code with regard to 2
instruction in the harmful effects of and legal 3
restrictions against drug abuse, alcoholic 4
beverages, marijuana, and tobacco in schools. 5

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

Section 1. That section 3313.60 be amended and section 6
3301.0722 of the Revised Code be enacted to read as follows: 7

Sec. 3301.0722. The department of education and workforce, 8
in collaboration with the department of mental health and 9
addiction services, shall conduct a review of available 10
resources and develop a list of evidence-based curricula, 11
materials, programs, and instructional strategies related to the 12
instruction required under division (A) (5) (b) of section 3313.60 13
of the Revised Code, that school districts may utilize. 14

Sec. 3313.60. Notwithstanding division (D) of section 15
3311.52 of the Revised Code, divisions (A) to (E) of this 16
section do not apply to any cooperative education school 17
district established pursuant to divisions (A) to (C) of section 18

3311.52 of the Revised Code.	19
(A) The board of education of each city, exempted village,	20
and local school district and the board of each cooperative	21
education school district established, pursuant to section	22
3311.521 of the Revised Code, shall prescribe a curriculum for	23
all schools under its control. Except as provided in division	24
(E) of this section, in any such curriculum there shall be	25
included the study of the following subjects:	26
(1) The language arts, including reading, writing,	27
spelling, oral and written English, and literature;	28
(2) Geography, the history of the United States and of	29
Ohio, and national, state, and local government in the United	30
States, including a balanced presentation of the relevant	31
contributions to society of men and women of African, Mexican,	32
Puerto Rican, and American Indian descent as well as other	33
ethnic and racial groups in Ohio and the United States;	34
(3) Mathematics;	35
(4) Natural science, including instruction in the	36
conservation of natural resources;	37
(5) Health education, which shall include instruction in:	38
(a) The nutritive value of foods, including natural and	39
organically produced foods, the relation of nutrition to health,	40
and the use and effects of food additives;	41
(b) <u>The Annual developmentally appropriate instruction in</u>	42
<u>the harmful effects of and legal restrictions against the use of</u>	43
<u>drugs of abuse, including marijuana, alcoholic beverages, and</u>	44
<u>tobacco, including electronic smoking devices;— This</u>	45
<u>instruction shall include information on how both the short-term</u>	46

or chronic use of illicit exogenous substances to alter one's 47
mood is one of the most harmful things an individual can do for 48
an individual's health. 49

(c) Venereal disease education, except that upon written 50
request of the student's parent or guardian, a student shall be 51
excused from taking instruction in venereal disease education; 52

(d) In grades kindergarten through six, annual 53
developmentally appropriate instruction in child sexual abuse 54
prevention, including information on available counseling and 55
resources for children who are sexually abused. Such instruction 56
and information provided shall not be connected in any way to 57
any individual, entity, or organization that provides, promotes, 58
counsels, or makes referrals for abortion or abortion-related 59
services. Upon written request of the student's parent or 60
guardian, a student shall be excused from taking instruction in 61
child sexual abuse prevention. 62

(e) In grades kindergarten through six, instruction in 63
personal safety and assault prevention, except that upon written 64
request of the student's parent or guardian, a student shall be 65
excused from taking instruction in personal safety and assault 66
prevention; 67

(f) In grades seven through twelve, developmentally 68
appropriate instruction in dating violence prevention education 69
and sexual violence prevention education, which shall include 70
instruction in recognizing dating violence warning signs and 71
characteristics of healthy relationships, except that upon 72
written request of the student's parent or guardian a student 73
shall be excused from taking instruction in sexual violence 74
prevention. 75

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

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

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

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

(iii) That upon written request of the student's parent or guardian, a student shall be excused from taking instruction in child sexual abuse 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 forty-eight hours after the request is made, shall allow the parent or guardian to

examine those materials at that school.	105
(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;	106 107 108 109
(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;	110 111 112
(i) Beginning with the first day of the next school year that begins at least two years after March 24, 2021, in grades six through twelve, at least one hour or one standard class period per school year of evidence-based suicide awareness and prevention and at least one hour or one standard class period per school year of safety training and violence prevention, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in suicide awareness and prevention or safety training and violence prevention;	113 114 115 116 117 118 119 120 121 122
(j) Beginning with the first day of the next school year that begins at least two years after March 24, 2021, in grades six through twelve, at least one hour or one standard class period per school year of evidence-based social inclusion instruction, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in social inclusion.	123 124 125 126 127 128 129
For the instruction required under divisions (A) (5) (i) and (j) of this section, the board shall use a training program approved by the department of education and workforce under section 3301.221 of the Revised Code.	130 131 132 133

Schools may use student assemblies, digital learning, and	134
homework to satisfy the instruction requirements under divisions	135
(A) (5) (i) and (j) of this section.	136
(6) Physical education;	137
(7) The fine arts, including music;	138
(8) First aid, including a training program in	139
cardiopulmonary resuscitation, which shall comply with section	140
3313.6021 of the Revised Code when offered in any of grades nine	141
through twelve, safety, and fire prevention. However, upon	142
written request of the student's parent or guardian, a student	143
shall be excused from taking instruction in cardiopulmonary	144
resuscitation.	145
(B) Except as provided in division (E) of this section,	146
every school or school district shall include in the	147
requirements for promotion from the eighth grade to the ninth	148
grade one year's course of study of American history. A board	149
may waive this requirement for academically accelerated students	150
who, in accordance with procedures adopted by the board, are	151
able to demonstrate mastery of essential concepts and skills of	152
the eighth grade American history course of study.	153
(C) As specified in divisions (B) (6) and (C) (6) of section	154
3313.603 of the Revised Code, except as provided in division (E)	155
of this section, every high school shall include in the	156
requirements for graduation from any curriculum one-half unit	157
each of American history and government.	158
(D) Except as provided in division (E) of this section,	159
basic instruction or demonstrated mastery in geography, United	160
States history, the government of the United States, the	161
government of the state of Ohio, local government in Ohio, the	162

Declaration of Independence, the United States Constitution, and 163
the Constitution of the state of Ohio shall be required before 164
pupils may participate in courses involving the study of social 165
problems, economics, foreign affairs, United Nations, world 166
government, socialism, and communism. 167

(E) For each cooperative education school district 168
established pursuant to section 3311.521 of the Revised Code and 169
each city, exempted village, and local school district that has 170
territory within such a cooperative district, the curriculum 171
adopted pursuant to divisions (A) to (D) of this section shall 172
only include the study of the subjects that apply to the grades 173
operated by each such school district. The curricula for such 174
schools, when combined, shall provide to each student of these 175
districts all of the subjects required under divisions (A) to 176
(D) of this section. 177

(F) The board of education of any cooperative education 178
school district established pursuant to divisions (A) to (C) of 179
section 3311.52 of the Revised Code shall prescribe a curriculum 180
for the subject areas and grade levels offered in any school 181
under its control. 182

(G) Upon the request of any parent or legal guardian of a 183
student, the board of education of any school district shall 184
permit the parent or guardian to promptly examine, with respect 185
to the parent's or guardian's own child: 186

(1) Any survey or questionnaire, prior to its 187
administration to the child; 188

(2) Any textbook, workbook, software, video, or other 189
instructional materials being used by the district in connection 190
with the instruction of the child; 191

(3) Any completed and graded test taken or survey or questionnaire filled out by the child;	192 193
(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.	194 195 196 197
Section 2. That existing section 3313.60 of the Revised Code is hereby repealed.	198 199
Section 3. (A) The Department of Education and Workforce shall conduct a survey of school districts on the ways in which districts are complying with division (A) (5) (b) of section 3313.60 of the Revised Code.	200 201 202 203
(B) (1) The Department shall begin conducting the survey not later than one year after the effective date of this section and include data regarding the curriculum, materials, programs, and instructional strategies being used for such instruction.	204 205 206 207
(2) Each district shall submit, in a manner determined by the Department, a response to the survey prescribed under this section.	208 209 210
(3) Not later than sixty days following the end of the survey period, as determined by the Department, the Department shall make public the results of the survey by publishing them on its web site.	211 212 213 214