

As Introduced

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H. B. No. 437

Representatives Hagan, C., Ramos

**Cosponsors: Representatives Barborak, DeVitis, Fedor, Hagan, R., Mallory,
Milkovich, Phillips, Ruhl, Slesnick, Strahorn**

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A B I L L

To amend sections 3313.60 and 3319.073 and to enact 1
sections 3314.031 and 3326.091 of the Revised Code 2
with respect to age-appropriate student 3
instruction in child sexual abuse and sexual 4
violence prevention and in-service staff training 5
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 and 7
sections 3314.031 and 3326.091 of the Revised Code be enacted to 8
read as follows: 9

Sec. 3313.60. Notwithstanding division (D) of section 3311.52 10
of the Revised Code, divisions (A) to (E) of this section do not 11
apply to any cooperative education school district established 12
pursuant to divisions (A) to (C) of section 3311.52 of the Revised 13
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 all 18

schools under its control. Except as provided in division (E) of 19
this section, in any such curriculum there shall be included the 20
study of the following subjects: 21

(1) The language arts, including reading, writing, spelling, 22
oral and written English, and literature; 23

(2) Geography, the history of the United States and of Ohio, 24
and national, state, and local government in the United States, 25
including a balanced presentation of the relevant contributions to 26
society of men and women of African, Mexican, Puerto Rican, and 27
American Indian descent as well as other ethnic and racial groups 28
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 the 37
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 42
age-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 46
personal safety and assault prevention, except that upon written 47
request of the student's parent or guardian, a student shall be 48

excused from taking instruction in personal safety and assault prevention; 49
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~~(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. 51
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In order to assist school districts in developing a dating violence prevention education and sexual 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. 56
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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. 62
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(6) Physical education; 69

(7) The fine arts, including music; 70

(8) First aid, including a training program in cardiopulmonary resuscitation, safety, and fire prevention, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in cardiopulmonary resuscitation. 71
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(B) Except as provided in division (E) of this section, every school or school district shall include in the requirements for promotion from the eighth grade to the ninth grade one year's course of study of American history. A board may waive this 76
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requirement for academically accelerated students who, in 80
accordance with procedures adopted by the board, are able to 81
demonstrate mastery of essential concepts and skills of the eighth 82
grade American history course of study. 83

(C) As specified in divisions (B)(6) and (C)(6) of section 84
3313.603 of the Revised Code, except as provided in division (E) 85
of this section, every high school shall include in the 86
requirements for graduation from any curriculum one-half unit each 87
of American history and government. 88

(D) Except as provided in division (E) of this section, basic 89
instruction or demonstrated mastery in geography, United States 90
history, the government of the United States, the government of 91
the state of Ohio, local government in Ohio, the Declaration of 92
Independence, the United States Constitution, and the Constitution 93
of the state of Ohio shall be required before pupils may 94
participate in courses involving the study of social problems, 95
economics, foreign affairs, United Nations, world government, 96
socialism, and communism. 97

(E) For each cooperative education school district 98
established pursuant to section 3311.521 of the Revised Code and 99
each city, exempted village, and local school district that has 100
territory within such a cooperative district, the curriculum 101
adopted pursuant to divisions (A) to (D) of this section shall 102
only include the study of the subjects that apply to the grades 103
operated by each such school district. The curriculums for such 104
schools, when combined, shall provide to each student of these 105
districts all of the subjects required under divisions (A) to (D) 106
of this section. 107

(F) The board of education of any cooperative education 108
school district established pursuant to divisions (A) to (C) of 109
section 3311.52 of the Revised Code shall prescribe a curriculum 110
for the subject areas and grade levels offered in any school under 111

its control.	112
(G) Upon the request of any parent or legal guardian of a student, the board of education of any school district shall permit the parent or guardian to promptly examine, with respect to the parent's or guardian's own child:	113 114 115 116
(1) Any survey or questionnaire, prior to its administration to the child;	117 118
(2) Any textbook, workbook, software, video, or other instructional materials being used by the district in connection with the instruction of the child;	119 120 121
(3) Any completed and graded test taken or survey or questionnaire filled out by the child;	122 123
(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.	124 125 126 127
<u>Sec. 3314.031. (A) If a community school established under this chapter 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.</u>	128 129 130 131 132 133
<u>(B)(1) If a community school established under this chapter 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.</u>	134 135 136 137
<u>(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</u>	138 139 140 141

materials used at that school, the principal, within a reasonable 142
period of time after the request is made, shall allow the parent 143
or guardian to examine those materials at that school. 144

Sec. 3319.073. (A) The board of education of each city and 145
exempted village school district and the governing board of each 146
educational service center shall adopt or adapt the curriculum 147
developed by the department of education for, or shall develop in 148
consultation with public or private agencies or persons involved 149
in child abuse prevention or intervention programs, a program of 150
in-service training in the prevention of child abuse, violence, 151
and substance abuse and the promotion of positive youth 152
development. Each person employed by any school district or 153
service center to work in a school as a nurse, teacher, counselor, 154
school psychologist, or administrator shall complete at least four 155
hours of the in-service training within two years of commencing 156
employment with the district or center, and every five years 157
thereafter. A person who is employed by any school district or 158
service center to work in an elementary school as a nurse, 159
teacher, counselor, school psychologist, or administrator on March 160
30, 2007, shall complete at least four hours of the in-service 161
training not later than March 30, 2009, and every five years 162
thereafter. A person who is employed by any school district or 163
service center to work in a middle or high school as a nurse, 164
teacher, counselor, school psychologist, or administrator on 165
October 16, 2009, shall complete at least four hours of the 166
in-service training not later than October 16, 2011, and every 167
five years thereafter. 168

(B) Each board shall incorporate training in school safety 169
and violence prevention, including human trafficking content, into 170
the in-service training required by division (A) of this section. 171
For this purpose, the board shall adopt or adapt the curriculum 172
developed by the department or shall develop its own curriculum in 173

consultation with public or private agencies or persons involved 174
in school safety and violence prevention programs. 175

(C) Each board shall incorporate training on the board's 176
harassment, intimidation, or bullying policy adopted under section 177
3313.666 of the Revised Code into the in-service training required 178
by division (A) of this section. Each board also shall incorporate 179
training in the prevention of dating violence into the in-service 180
training required by that division for middle and high school 181
employees. The board shall develop its own curricula for these 182
purposes. 183

(D) Each board shall incorporate training in youth suicide 184
awareness and prevention into the in-service training required by 185
division (A) of this section for each person employed by a school 186
district or service center to work in a school as a nurse, 187
teacher, counselor, school psychologist, or administrator, and any 188
other personnel that the board determines appropriate. For this 189
purpose, the board shall adopt or adapt the curriculum developed 190
by the department or shall develop its own curriculum in 191
consultation with public or private agencies or persons involved 192
in youth suicide awareness and prevention programs. 193

The training completed under this division shall count toward 194
the satisfaction of requirements for professional development 195
required by the school district or service center board, and the 196
training may be accomplished through self-review of suitable 197
suicide prevention materials approved by the board. 198

(E) Each board shall incorporate training on child sexual 199
abuse into the in-service training required by division (A) of 200
this section. The training completed under this division shall 201
count toward the satisfaction of requirements for professional 202
development required by the school district or service center 203
board. 204

Sec. 3326.091. (A) If a STEM school established under this 205
chapter serves students in sixth grade, the school's curriculum 206
for that grade shall include annual age-appropriate instruction in 207
child sexual abuse prevention, including information on available 208
counseling and resources for children who are sexually abused. 209

(B)(1) If a STEM school established under this chapter serves 210
students in any of grades seven through twelve, the school's 211
curriculum for those grades shall include age-appropriate 212
instruction in sexual violence prevention education. 213

(2) If the parent or legal guardian of a student less than 214
eighteen years of age who is attending a STEM school submits to 215
the principal of the student's school a written request to examine 216
the sexual violence prevention education instruction materials 217
used at that school, the principal, within a reasonable period of 218
time after the request is made, shall allow the parent or guardian 219
to examine those materials at that school. 220

Section 2. That existing sections 3313.60 and 3319.073 of the 221
Revised Code are hereby repealed. 222