

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) The Annual developmentally appropriate instruction in 42
the harmful effects of and legal restrictions against the use of 43
drugs of abuse, including marijuana, alcoholic beverages, and 44
tobacco, including electronic smoking devices, . This 45
instruction shall include information on how both the short-term 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 76
violence prevention education and sexual violence prevention 77
education curriculum, the department of education and workforce 78
shall provide on its web site links to free curricula addressing 79
dating violence prevention and sexual violence prevention 80
education. Such instruction and information shall not be 81
connected in any way to any individual, entity, or organization 82
that provides, promotes, counsels, or makes referrals for 83
abortion or abortion-related services. 84

Each school district shall notify the parents and legal 85
guardians of students who receive instruction related to child 86
sexual abuse prevention and sexual violence prevention, as 87
described under divisions (A) (5) (d) and (f) of this section, of 88
all of the following: 89

(i) That instruction in child sexual abuse prevention and 90
sexual violence prevention is a required part of the district's 91
curriculum; 92

(ii) That upon request, parents and legal guardians may 93
examine such instructional materials in accordance with this 94
section; 95

(iii) That upon written request of the student's parent or 96
guardian, a student shall be excused from taking instruction in 97
child sexual abuse prevention and sexual violence prevention. 98

If the parent or legal guardian of a student less than 99
eighteen years of age submits to the principal of the student's 100
school a written request to examine the dating violence 101
prevention and sexual violence prevention instruction materials 102
used at that school, the principal, within forty-eight hours 103
after the request is made, shall allow the parent or guardian to 104

examine those materials at that school. 105

(g) Prescription opioid abuse prevention, with an emphasis 106
on the prescription drug epidemic and the connection between 107
prescription opioid abuse and addiction to other drugs, such as 108
heroin; 109

(h) The process of making an anatomical gift under Chapter 110
2108. of the Revised Code, with an emphasis on the life-saving 111
and life-enhancing effects of organ and tissue donation; 112

(i) Beginning with the first day of the next school year 113
that begins at least two years after March 24, 2021, in grades 114
six through twelve, at least one hour or one standard class 115
period per school year of evidence-based suicide awareness and 116
prevention and at least one hour or one standard class period 117
per school year of safety training and violence prevention, 118
except that upon written request of the student's parent or 119
guardian, a student shall be excused from taking instruction in 120
suicide awareness and prevention or safety training and violence 121
prevention; 122

(j) Beginning with the first day of the next school year 123
that begins at least two years after March 24, 2021, in grades 124
six through twelve, at least one hour or one standard class 125
period per school year of evidence-based social inclusion 126
instruction, except that upon written request of the student's 127
parent or guardian, a student shall be excused from taking 128
instruction in social inclusion. 129

For the instruction required under divisions (A) (5) (i) and 130
(j) of this section, the board shall use a training program 131
approved by the department of education and workforce under 132
section 3301.221 of the Revised Code. 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
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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. 194
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Section 2. That existing section 3313.60 of the Revised Code is hereby repealed. 198
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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
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(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
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(2) Each district shall submit, in a manner determined by the Department, a response to the survey prescribed under this section. 208
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(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
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