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H.B. 8
(1_135_0545-8)
135th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 8's Bill Analysis](#)

Version: In Senate Education

Primary Sponsors: Reps. Swearingen and Carruthers

Local Impact Statement Procedure Required: Yes

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Highlights

- Districts and schools may incur minimal administrative costs to comply with the parental notification and review policies required by the bill for certain sexuality-related instruction and school health care services.

Detailed Analysis

The bill prohibits public schools, including school districts, community schools, and science, technology, engineering, and mathematics (STEM) schools, as well as third parties acting on behalf of a district or school, from providing formal classroom instruction that includes sexuality content to students in grades K-3 and requires public schools to develop and adopt parental notification and review policies regarding certain sexuality-related content and student health care. The bill requires districts and schools to make the policies public and post them on their websites, if they have one. In general, the costs for districts and schools to implement the bill likely are minimal.

The bill requires districts and schools to adopt policies that require schools to do the following:

- Ensure that certain sexuality-related content defined by the bill is age-appropriate and developmentally appropriate, provide parents with the opportunity to review any instructional materials that include such content, and allow the parents to request a student's excusal from such instruction.
- Promptly notify parents of any substantial change in a student's services, including counseling services, or monitoring related to mental, emotional, or physical health or well-being or the school's ability to provide a safe and supporting learning environment.

- Prohibit district personnel from encouraging students to withhold information concerning health or well-being from their parents.
- Adopt a procedure to obtain authorization from parents prior to providing any physical, mental, or behavioral health care service, except for emergency, first aid, or other unanticipated minor health care services. The bill requires the procedure to include notifying parents of each health care service offered at or facilitated in cooperation with the student's school and their option to withhold consent or decline any specified service, whether a service is required to be provided by the district under state law, and whether other options exist.
- Notify parents of their right to file a written concern with the district and school and establish a process to resolve the concern about topics addressed in the bill within 30 days of receipt.

As described in the [LSC bill analysis](#), current law provides for parental notification, review, and opt-out of instruction in certain subject areas and requires school districts to establish a parental advisory committee or some other strategy to enable parental review of instructional materials and academic curricula. Schools likely will carry out the notification requirements in the course of distributing regular information at the beginning of each school year. Presumably, districts and schools will incorporate the bill's requirements regarding written concerns into existing procedures for resolving disputes, complaints, and similar matters.