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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**S.B. 7**  
**136<sup>th</sup> General Assembly**

## **Fiscal Note & Local Impact Statement**

[Click here for S.B. 7's Bill Analysis](#)

**Version:** As Passed by the Senate

**Primary Sponsor:** Sen. Johnson

**Local Impact Statement Procedure Required:** No

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### **Highlights**

- The Department of Education and Workforce (DEW) and the Department of Mental Health and Addiction Services (OhioMHAS) may incur likely minimal costs to review available resources and develop a list of evidence-based curricula, materials, programs, and strategies for providing instruction on substance abuse that may be used by school districts.
- School districts may incur minimal costs to update their current health curricula to provide for annual developmentally appropriate instruction as required by the bill.

### **Detailed Analysis**

#### **Instruction on substance abuse**

Under current law health education instructional requirements, school districts must provide instruction in the harmful effects of and legal restrictions against the use of drugs of abuse, including alcohol, tobacco, and electronic smoking devices. The bill adds marijuana, opioids, and opiates to the list of covered substances and requires that the instruction teach how short-term or chronic substance use to alter one's mood is harmful to an individual's health and be provided annually. Also, the bill requires health education instruction to include anti-bullying and anti-hazing instruction. School districts must determine the manner in which the instruction is provided though it must be age and developmentally appropriate, conform to prevention best-practice frameworks, and focus on addressing changes in knowledge, attitude, and skills as a child develops. The bill also extends the requirement on annual instruction on the harmful effects of substance use to community schools and science, technology, engineering, and mathematics (STEM) schools, and permits nonpublic schools to provide it annually.

The bill requires the Department of Education and Workforce (DEW), in collaboration with the Department of Mental Health and Addiction Services (OhioMHAS), to review available resources and develop a list of evidence-based curricula, materials, programs, and instructional strategies related to the required instruction on substance use and abuse. DEW also must highlight evidence-based resources on the list and periodically review and update it.

### **Fiscal effect**

DEW and OhioMHAS may incur likely minimal costs to review existing resources and develop the bill's required list for school district use. Currently, DEW has not adopted a model health curriculum.<sup>1</sup> While the bill does not require the development of a model curriculum or prescribe a process for DEW and OhioMHAS to review existing resources, the development of a list of evidence-based practices and resources may involve a similar process by which DEW's Office of Learning and Instructional Strategies works with teams of educators to identify what should be included. According to DEW, recent examples of model curriculum development have cost in the tens of thousands of dollars due to the costs of volunteer travel reimbursement and substitute teachers. The actual costs of the provision could be more or less depending on the process used.

Additionally, current law does not specify the frequency of instruction on substance abuse. However, the bill requires the instruction to be provided annually, which may result in minimal costs to districts and schools to change existing classroom curricula and use of instructional time to incorporate developmentally appropriate instruction into classes in which it may not have been previously included. The costs to districts and schools to incorporate the instruction annually may be mitigated by the use of existing resources that could be provided at little or no cost. For example, in addition to the state-developed resources under the bill, the Ohio Association for Health, Physical Education, Recreation, and Dance (OAHPERD) provides a publicly available model health curriculum that covers, among other topics, alcohol, tobacco, and other drugs tailored to various grade bands.<sup>2</sup>

### **Survey of school districts**

The bill modifies the current law requirement that school districts and other public schools report to DEW on prevention-focused programs, services, and supports aimed at increasing student awareness of the dangers and consequences of substance abuse, suicide, bullying, and other harmful behaviors. The bill requires public schools to report this information and their compliance with the bill's instructional requirements on an annual survey conducted by DEW. The bill further requires public schools to report the number of substance abuse cases that occurred in the district or school. It is not clear if any districts or schools currently collect this data. The bill requires DEW to analyze the substance abuse data collected in each annual survey

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<sup>1</sup> Continuing law prohibits DEW from adopting or revising any standards or curriculum in the area of health unless, by concurrent resolution, the standards, curriculum, or revisions are approved by both houses of the General Assembly.

<sup>2</sup> See OAHPERD's [Health Education Model Curriculum](#), which may be accessed by conducting a keyword "OAHPERD health education model curriculum" search on OAHPERD's website: [oahperd.memberclicks.net](http://oahperd.memberclicks.net).

and those conducted in prior years to determine the efficacy of different programs, services, and supports for substance abuse prevention education.

DEW's costs to develop and administer the survey are likely to be minimal. DEW may leverage its OHID online portal to conduct the survey, similar to how it carries out a survey required under continuing law regarding district venereal disease and sexual education instruction. However, DEW may incur additional costs to conduct the longitudinal analysis of substance abuse data and determine the effectiveness of programs and services at preventing substance abuse cases over time. Additionally, school districts and other public schools may incur costs to track and report substance abuse cases occurring in their schools if they do not already do so.