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H.B. 105*
134th General Assembly

Bill Analysis

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Version: As Reported by Senate Primary & Secondary Education

Primary Sponsors: Reps. Lipps and Kelly

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SUMMARY

- Requires each public school to provide annual developmentally appropriate instruction in child sexual abuse prevention for grades K-6.
- Requires each public school to include developmentally appropriate instruction in sexual violence prevention education for grades 7-12.
- Prohibits public schools from providing instruction in child sexual abuse prevention to students in grades kindergarten through six that is connected in any way with an individual, entity, or organization that provides, promotes, counsels, or makes referrals for abortion or abortion-related services.
- Requires each public school to notify the parents or guardians of students who receive instruction related to dating violence prevention and sexual violence prevention that it is required curriculum, that parents or guardians may examine the instructional materials, upon request, and that a student will be excused from the instruction upon the parent or guardian's written request.
- Requires the Department of Education to provide on its website links to free curricula addressing sexual violence prevention to assist schools in developing their curricula.
- Requires each school district, educational service center, community school, and STEM school to incorporate training on child sexual abuse into its required in-service training for teachers and other professionals.

* This analysis was prepared before the report of the Senate Primary and Secondary Education Committee appeared in the Senate Journal. Note that the legislative history may be incomplete.

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- Requires that trainings on child sexual abuse prevention for teachers and other professionals be presented by individuals who have experience in handling cases involving child sexual abuse or child sexual violence and are either law enforcement officers or prosecutors.

DETAILED ANALYSIS

Instruction in child sexual abuse prevention and sexual violence prevention

The bill requires school districts, community schools, and STEM schools to provide both (1) annual developmentally appropriate instruction in child sexual abuse prevention for students in grades K-6 and (2) developmentally appropriate instruction in sexual violence prevention education for students in grades 7-12. In the case of a school district, instruction in either topic must be part of the district's general health curriculum.¹

The bill further provides that instruction in child sexual abuse prevention must include information on available counseling and resources for children who are sexually abused.

The bill prohibits the instruction and information provided regarding child sexual abuse prevention presented to students in grades kindergarten through six from being connected in any way to any individual, entity, or organization that provides, promotes, counsels, or makes referrals for abortion or abortion-related services.² In the case of a school district, instruction and information on dating violence prevention and sexual violence prevention presented to students in grades seven through twelve are also prohibited from being connected to the above individuals, entities, or groups.³

It also requires each school district, community school, and STEM school to notify parents or guardians of students who receive instruction related to dating violence prevention and sexual violence prevention that it is a required part of the district's curriculum. The notification must include a statement that, upon request, parents or guardians may examine the instructional materials. The notification must also explain that a student will be excused from the instruction if a parent submits a written request.⁴

Regarding sexual violence prevention instruction, the bill provides that, if the parent or legal guardian of a student less than 18 years of age submits to the school's principal a written request to examine the instruction materials used at that school, the principal, within 48 hours, must allow the parent or guardian to examine those materials at that school.⁵

¹ R.C. 3313.60(A)(5)(d) and (f), 3314.0310(A) and (B)(1), and 3326.091(A) and (B)(1).

² R.C. 3313.60(A)(5)(d), 3314.0310(A), 3326.091(A).

³ R.C. 3313.60(A)(5)(f).

⁴ R.C. 3313.60(A)(5)(f)(iii), 3314.0310(A) and (B)(3)(c), and 3326.091(A) and (B)(1).

⁵ R.C. 3313.60(A)(5)(f), 3314.0310(B)(2), and 3326.091(B)(2).

Finally, the bill requires the Department of Education to provide on its website links to free curricula addressing sexual violence prevention in order to assist schools in developing their own curricula.⁶

In-service staff training in child sexual abuse prevention

The bill requires each school district, educational service center, community school, and STEM school to incorporate training on child sexual abuse into its required in-service training for teachers, nurses, counselors, school psychologists, and administrators. This training must count toward the satisfaction of requirements for professional development required by the district, service center, or school. The training must be presented by individuals with experience in handling cases involving child sexual abuse or child sexual violence who are either law enforcement officers or prosecutors.⁷

HISTORY

Action	Date
Introduced	02-10-21
Reported, H. Primary & Secondary Education	05-26-21
Passed House (86-8)	06-10-21
Reported, S. Primary & Secondary Education	--

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⁶ R.C. 3313.60(A)(5)(f).

⁷ R.C. 3319.073(E). This section applies to community schools and STEM schools through references in R.C. 3314.03(A)(11)(d) and 3326.11, neither in the bill.