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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**S.B. 205**  
**135<sup>th</sup> General Assembly**

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

[Click here for S.B. 205's Bill Analysis](#)

**Version:** As Introduced

**Primary Sponsor:** Sen. Johnson

**Local Impact Statement Procedure Required:** No

Brian Hoffmeister, Fiscal Supervisor

### **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, 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 requires that the instruction be developmentally appropriate and provided annually, and adds marijuana to the list of substances it must cover. Additionally, the bill requires the instruction to include information on how both the short-term and chronic use of illicit substances to alter one's mood is one of the most harmful things an individual can do for their health.

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.

## 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 be provided annually, which may result in minimal costs to districts 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 school districts 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, 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

No later than one year after the bill's effective date, the bill requires DEW to conduct a survey of school districts on their compliance with the bill's instructional requirements. The bill requires districts to submit responses to the survey to DEW, and requires DEW to make the results of the survey public on its website. DEW's costs to develop and administer the survey, and districts' costs to respond to it, 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.

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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).