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# OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 240  
134<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Reps. Stoltzfus and Fowler Arthur

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### SUMMARY

- Requires instruction in venereal disease or teen pregnancy prevention to teach risk avoidance to unhealthy behaviors including alcohol, drugs, dating violence, bullying, gambling, pornography, and human trafficking and to encourage optimal health for all youth.
- Requires a school district or school to notify all parents and guardians if the district or school chooses to offer additional instruction in venereal disease or teen pregnancy prevention education not specified under continuing law, and to provide instructional and supplemental materials to parents or guardians, including third party websites.
- Prohibits a district or school from offering such additional instruction to a student without written permission from the student's parent or guardian.
- Requires the State Board of Education to conduct an annual audit at the beginning of each school year of each school district's compliance with the requirements regarding venereal disease or teen pregnancy prevention instruction.
- Permits parents and guardians to bring a civil action against a district to enforce its compliance with the requirements regarding venereal disease or teen pregnancy prevention instruction.
- Entitles the bill the "Parents Right to Know Act."

### DETAILED ANALYSIS

#### Venereal disease or teen pregnancy prevention instruction

##### Curriculum requirements

The bill requires instruction in venereal disease or teen pregnancy prevention to teach risk avoidance to unhealthy behaviors including alcohol, drugs, dating violence, bullying, gambling, pornography, and human trafficking and encourage optimal health for all youth. The

bill also adds the words “teen pregnancy prevention” to the venereal disease education provision under current law.<sup>1</sup>

### **Parental notification and opt-in**

The bill requires a school district or school to notify all parents and guardians if it chooses to offer additional instruction in venereal disease, or teen pregnancy prevention, not specified under continuing law. Specifically, it states that the additional instruction cannot conflict with continuing law requirements and that the notification must provide instructional and supplemental materials to parents or guardians and include third party websites.

Additionally, the bill prohibits a district or school from offering the additional instruction unless that student’s parent or guardian has submitted written permission for that student to receive such instruction.<sup>2</sup>

### **Annual audit by the State Board and posting of findings**

The bill requires the State Board of Education to conduct an annual audit at the beginning of each school year of each school district’s compliance with the requirements regarding venereal disease or teen pregnancy prevention instruction. It further requires the State Board to include in its findings the name of any organization or program that provided materials to a district regarding that instruction.

The State Board must publish the findings of the audits not later than 120 days after the start of each school year and prominently post the results of the audits on the Department of Education’s website. If a district or school has a website, the information provided to the State Board must be posted on that website as well.<sup>3</sup>

### **Civil action**

The bill permits parents and guardians to bring a civil action against a district to enforce its compliance with the requirements regarding venereal disease or teen pregnancy prevention instruction, if the State Board’s audit finds the district not to be in compliance.<sup>4</sup>

## **Background**

Continuing law requires each school district to include venereal disease education as part of its health curriculum. However, a student must be excused from the instruction upon request of the student’s parent. The instruction must emphasize that abstinence from sexual activity is the only 100% effective protection against unwanted pregnancy, sexually transmitted disease, and the sexual transmission of the AIDS virus. Furthermore, course materials and instruction must (1) stress that students should abstain from sexual activity until after marriage,

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<sup>1</sup> R.C. 3313.60 and 3313.6011(C)(1)(h).

<sup>2</sup> R.C. 3313.6011(C)(2).

<sup>3</sup> R.C. 3313.6011(E).

<sup>4</sup> R.C. 3313.6011(F).

(2) teach the potential physical, psychological, emotional, and social side effects of sexual activity outside of marriage, (3) teach that conceiving children out of wedlock is likely to have harmful consequences for the child, the child's parents, and society, (4) stress that sexually transmitted diseases are serious possible hazards of sexual activity, (5) advise students of the child support laws, (6) advise students of the circumstances in which sexual contact with a minor is a crime, and (7) emphasize adoption as an option for unintended pregnancies.

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## HISTORY

Action	Date
Introduced	03-31-21

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