

H. B. No. 8  
As Introduced

\_\_\_\_\_ moved to amend as follows:

- In line 6 of the title, delete "sexually" 1
- In line 7 of the title, delete "explicit" and insert "sexuality" 2
- In line 11, after "(A)" insert "The general assembly maintains that a parent has a fundamental right to make decisions concerning the upbringing, education, and care of the parent's child." 3  
4  
5
- (B)" 6
- In line 16, delete "Notify the parents of students prior to instruction" 7  
8
- Delete lines 17 through 23 and insert "Ensure that any sexuality content is age-appropriate and developmentally appropriate." 9  
10
- (b) Prior to providing instruction that includes sexuality content, disclose to parents any instructional material that includes sexuality content. Upon request of the student's parent, a student shall be excused from instruction that includes sexuality content and be permitted to take an alternative class." 11  
12  
13  
14  
15  
16



After line 57, insert: 17

"If a school district does not resolve a parent's written concern within thirty days, the parent may request a hearing before the board of education of the school district. The board shall hold a hearing for any request received from a parent under this section and shall make a determination regarding the parent's concern." 18-23

In line 58, delete "(B)" and insert "(C) This section does not prescribe all rights of parents or preempt or foreclose claims or remedies in support of parental rights that are available under the constitution, statutes, or common law of this state." 24-27

(D)" 28

In line 59, after "(1)" insert ""Biological sex" means the biological indication of male and female, including sex chromosomes, naturally occurring sex hormones, gonads, and unambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen, or subjective experience of gender." 29-33

(2)" 34

In line 61, delete "(2) 'Sexually explicit'" and insert "(3) 'Sexuality'"; delete "description of" 35-36

Delete lines 62 and 63 37

In line 64, delete "conduct" and insert: 38

"oral or written instruction, presentation, image, or description of sexual concepts or gender ideology." 39-40

"Sexuality content" does not mean instruction or presentations in venereal disease education, child sexual abuse 41-42

prevention, and sexual violence prevention education provided 43  
under division (A) (5) of section 3313.60 of the Revised Code or 44  
instruction or presentations in venereal disease education 45  
emphasizing abstinence provided under section 3313.6011 of the 46  
Revised Code"; after ". " insert: 47

"(4) "Student's mental, emotional, or physical health or 48  
well-being" includes any of the following: 49

(a) A student's academic performance; 50

(b) Any sickness, physical injury, or psychological trauma 51  
suffered by a student; 52

(c) Any pattern of bullying or harassment by or against a 53  
student in violation of school district policy; 54

(d) Any request by a student to identify as a gender that 55  
does not align with the student's biological sex; 56

(e) Exhibition of suicidal ideation or persistent symptoms 57  
of depression, severe anxiety, or other mental health issues." 58

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 59

**Instruction including sexuality content** 60

**R.C. 3313.473** 61

Specifies that the General Assembly maintains that parents 62  
have a fundamental right to make decisions concerning the 63  
upbringing, education, and care of their children. 64

Replaces references to "sexually explicit content" with	65
"sexuality content."	66
Defines "sexuality content" as any oral or written	67
instruction, presentation, image, or description of sexual	68
concepts or gender ideology.	69
Excludes instruction in venereal disease education,	70
abstinence, child sexual abuse prevention, and sexual violence	71
prevention from the definition of "sexuality content."	72
Requires schools to ensure that any sexuality content is	73
age-appropriate and developmentally appropriate.	74
Removes provisions requiring that that schools allow	75
parents to review sexually-explicit materials and instead	76
requires schools to disclose any instructional materials that	77
include sexuality content to parents and provide parents with	78
the opportunity to request to excuse their child from such	79
instruction and permit the student to take an alternative class.	80
Permits parents whose written concerns are unresolved	81
after 30 days to request a hearing before the school district's	82
board of education.	83
Requires a school district board of education that	84
receives a hearing request to conduct a hearing and make a	85
determination regarding the parent's concern.	86
Specifies that the section does not prescribe all rights	87
of parents or preempt or foreclose claims or remedies in support	88
of parental rights that are available under the constitution,	89
statutes, or common law of Ohio.	90
Defines "student's mental, emotional, or physical health	91
or well-being" to include all of the following:	92

- A student's academic performance;	93
- Any sickness, physical injury, or psychological trauma suffered by a student;	94 95
- Any pattern of bullying or harassment by or against a student in violation of district policy;	96 97
- Any request by a student to identify as a gender that does not align with the student's biological sex; and	98 99
- Exhibition of suicidal ideation or persistent symptoms of depression, severe anxiety, or other mental health issues.	100 101
Defines "biological sex" as the biological indication of male and female, including sex chromosomes, naturally occurring sex hormones, gonads, and unambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen, or subjective experience of gender.	102 103 104 105 106