

As Introduced

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Representative Fessler

**Cosponsors: Representatives Wagoner, Huffman, McGregor, R., Adams,
Brinkman, Combs, Stebelton, Bubp**

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A B I L L

To amend sections 3313.60 and 3313.603 of the Revised Code to require the study of specified historical documents be included in the high school American history and government curriculum.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3313.60 and 3313.603 of the Revised Code be amended to read as follows:

Sec. 3313.60. Notwithstanding division (D) of section 3311.52 of the Revised Code, divisions (A) to ~~(E)~~(D) of this section do not apply to any cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code.

(A) The board of education of each city and exempted village school district, the governing board of each educational service center, and the board of each cooperative education school district established pursuant to section 3311.521 of the Revised Code shall prescribe a curriculum for all schools under their control. Except as provided in division ~~(E)~~(D) of this section, in any such curriculum there shall be included the study of the

following subjects:	19
(1) The language arts, including reading, writing, spelling, oral and written English, and literature;	20 21
(2) Geography, the history of the United States and of Ohio, and national, state, and local government in the United States, including a balanced presentation of the relevant contributions to society of men and women of African, Mexican, Puerto Rican, and American Indian descent as well as other ethnic and racial groups in Ohio and the United States;	22 23 24 25 26 27
(3) Mathematics;	28
(4) Natural science, including instruction in the conservation of natural resources;	29 30
(5) Health education, which shall include instruction in:	31
(a) The nutritive value of foods, including natural and organically produced foods, the relation of nutrition to health, the use and effects of food additives;	32 33 34
(b) The harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco;	35 36
(c) Venereal disease education, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in venereal disease education;	37 38 39
(d) In grades kindergarten through six, instruction in personal safety and assault prevention, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in personal safety and assault prevention.	40 41 42 43 44
(6) Physical education;	45
(7) The fine arts, including music;	46
(8) First aid, including a training program in	47

cardiopulmonary resuscitation, safety, and fire prevention, except 48
that upon written request of the student's parent or guardian, a 49
student shall be excused from taking instruction in 50
cardiopulmonary resuscitation. 51

(B) Except as provided in division (E) of this section, every 52
school or school district shall include in the requirements for 53
promotion from the eighth grade to the ninth grade one year's 54
course of study of American history. 55

(C) ~~Except~~ As specified in divisions (B)(6) and (C)(6) of 56
section 3313.603 of the Revised Code, except as provided in 57
division ~~(E)~~(D) of this section, every high school shall include 58
in the requirements for graduation from any curriculum ~~one~~ 59
one-half unit each of American history and government, ~~including a~~ 60
~~study of the constitutions of the United States and of Ohio.~~ 61

~~(D) Except as provided in division (E) of this section, basic~~ 62
~~instruction in geography, United States history, the government of~~ 63
~~the United States, the government of the state of Ohio, local~~ 64
~~government in Ohio, the Declaration of Independence, the United~~ 65
~~States Constitution, and the Constitution of the state of Ohio~~ 66
~~shall be required before pupils may participate in courses~~ 67
~~involving the study of social problems, economics, foreign~~ 68
~~affairs, United Nations, world government, socialism and~~ 69
~~communism.~~ 70

~~(E)~~ For each cooperative education school district 71
established pursuant to section 3311.521 of the Revised Code and 72
each city, exempted village, and local school district that has 73
territory within such a cooperative district, the curriculum 74
adopted pursuant to divisions (A) to ~~(D)~~(C) of this section shall 75
only include the study of the subjects that apply to the grades 76
operated by each such school district. The curriculums for such 77
schools, when combined, shall provide to each student of these 78
districts all of the subjects required under divisions (A) to 79

(D) <u>(C)</u> of this section.	80
(F) <u>(E)</u> The board of education of any cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code shall prescribe a curriculum for the subject areas and grade levels offered in any school under its control.	81 82 83 84 85
(G) <u>(F)</u> Upon the request of any parent or legal guardian of a student, the board of education of any school district shall permit the parent or guardian to promptly examine, with respect to the parent's or guardian's own child:	86 87 88 89
(1) Any survey or questionnaire, prior to its administration to the child;	90 91
(2) Any textbook, workbook, software, video, or other instructional materials being used by the district in connection with the instruction of the child;	92 93 94
(3) Any completed and graded test taken or survey or questionnaire filled out by the child;	95 96
(4) Copies of the statewide academic standards and each model curriculum developed pursuant to section 3301.079 of the Revised Code, which copies shall be available at all times during school hours in each district school building.	97 98 99 100
Sec. 3313.603. (A) As used in this section:	101
(1) "One unit" means a minimum of one hundred twenty hours of course instruction, except that for a laboratory course, "one unit" means a minimum of one hundred fifty hours of course instruction.	102 103 104 105
(2) "One-half unit" means a minimum of sixty hours of course instruction, except that for physical education courses, "one-half unit" means a minimum of one hundred twenty hours of course instruction.	106 107 108 109

(B) Beginning September 15, 2001, except as required in	110
division (C) of this section and division (C) of section 3313.614	111
of the Revised Code, the requirements for graduation from every	112
high school shall include twenty units earned in grades nine	113
through twelve and shall be distributed as follows:	114
(1) English language arts, four units;	115
(2) Health, one-half unit;	116
(3) Mathematics, three units;	117
(4) Physical education, one-half unit;	118
(5) Science, two units until September 15, 2003, and three	119
units thereafter, which at all times shall include both of the	120
following:	121
(a) Biological sciences, one unit;	122
(b) Physical sciences, one unit.	123
(6) Social studies, three units <u>History and government, one</u>	124
<u>unit</u> , which shall <u>comply with division (M) of this section and</u>	125
<u>shall</u> include both of the following:	126
(a) American history, one-half unit;	127
(b) American government, one-half unit.	128
(7) <u>Social studies, two units in accordance with division (N)</u>	129
<u>of this section.</u>	130
(8) Elective units, seven units until September 15, 2003, and	131
six units thereafter.	132
Each student's electives shall include at least one unit, or	133
two half units, chosen from among the areas of	134
business/technology, fine arts, and/or foreign language.	135
(C) Beginning with students who enter ninth grade for the	136
first time on or after July 1, 2010, except as provided in	137
divisions (D) to (F) of this section, the requirements for	138

graduation from every public and chartered nonpublic high school	139
shall include twenty units that are designed to prepare students	140
for the workforce and college. The units shall be distributed as	141
follows:	142
(1) English language arts, four units;	143
(2) Health, one-half unit;	144
(3) Mathematics, four units, which shall include one unit of	145
algebra II or the equivalent of algebra II;	146
(4) Physical education, one-half unit;	147
(5) Science, three units with inquiry-based laboratory	148
experience that engages students in asking valid scientific	149
questions and gathering and analyzing information, which shall	150
include the following, or their equivalent:	151
(a) Physical sciences, one unit;	152
(b) Life sciences, one unit;	153
(c) Advanced study in one or more of the following sciences,	154
one unit:	155
(i) Chemistry, physics, or other physical science;	156
(ii) Advanced biology or other life science;	157
(iii) Astronomy, physical geology, or other earth or space	158
science.	159
(6) Social studies, three units <u>History and government, one</u>	160
<u>unit</u> , which shall <u>comply with division (M) of this section and</u>	161
<u>shall</u> include both of the following:	162
(a) American history, one-half unit;	163
(b) American government, one-half unit.	164
(7) <u>Social studies, two units in accordance with division (N)</u>	165
<u>of this section.</u>	166

Each school shall integrate the study of economics and 167
financial literacy, as expressed in the social studies academic 168
content standards adopted by the state board of education under 169
section 3301.079 of the Revised Code, into one or more existing 170
social studies credits required under division (C)~~(6)~~(7) of this 171
section, or into the content of another class, so that every high 172
school student receives instruction in those concepts. In 173
developing the curriculum required by this paragraph, schools 174
shall use available public-private partnerships and resources and 175
materials that exist in business, industry, and through the 176
centers for economics education at institutions of higher 177
education in the state. 178

~~(7)~~(8) Five units consisting of one or any combination of 179
foreign language, fine arts, business, career-technical education, 180
family and consumer sciences, technology, agricultural education, 181
or English language arts, mathematics, science, or social studies 182
courses not otherwise required under division (C) of this section. 183

Ohioans must be prepared to apply increased knowledge and 184
skills in the workplace and to adapt their knowledge and skills 185
quickly to meet the rapidly changing conditions of the 186
twenty-first century. National studies indicate that all high 187
school graduates need the same academic foundation, regardless of 188
the opportunities they pursue after graduation. The goal of Ohio's 189
system of elementary and secondary education is to prepare all 190
students for and seamlessly connect all students to success in 191
life beyond high school graduation, regardless of whether the next 192
step is entering the workforce, beginning an apprenticeship, 193
engaging in post-secondary training, serving in the military, or 194
pursuing a college degree. 195

The Ohio core curriculum is the standard expectation for all 196
students entering ninth grade for the first time at a public or 197
chartered nonpublic high school on or after July 1, 2010. A 198

student may satisfy this expectation through a variety of methods, 199
including, but not limited to, integrated, applied, 200
career-technical, and traditional coursework. 201

Whereas teacher quality is essential for student success in 202
completing the Ohio core curriculum, the general assembly shall 203
appropriate funds for strategic initiatives designed to strengthen 204
schools' capacities to hire and retain highly qualified teachers 205
in the subject areas required by the curriculum. Such initiatives 206
are expected to require an investment of \$120,000,000 over five 207
years. 208

Stronger coordination between high schools and institutions 209
of higher education is necessary to prepare students for more 210
challenging academic endeavors and to lessen the need for academic 211
remediation in college, thereby reducing the costs of higher 212
education for Ohio's students, families, and the state. The state 213
board of education, the Ohio board of regents, and the partnership 214
for continued learning shall develop policies to ensure that only 215
in rare instances will students who complete the Ohio core 216
curriculum require academic remediation after high school. 217

School districts, community schools, and chartered nonpublic 218
schools shall integrate technology into learning experiences 219
whenever practicable across the curriculum in order to maximize 220
efficiency, enhance learning, and prepare students for success in 221
the technology-driven twenty-first century. Districts and schools 222
may use distance and web-based course delivery as a method of 223
providing or augmenting all instruction required under this 224
division, including laboratory experience in science. Districts 225
and schools shall whenever practicable utilize technology access 226
and electronic learning opportunities provided by the eTech Ohio 227
commission, the Ohio learning network, education technology 228
centers, public television stations, and other public and private 229
providers. 230

(D) Except as provided in division (E) of this section, a student who enters ninth grade on or after July 1, 2010, and before July 1, 2014, may qualify for graduation from a public or chartered nonpublic high school even though the student has not completed the Ohio core curriculum prescribed in division (C) of this section if all of the following conditions are satisfied:

(1) After the student has attended high school for two years, as determined by the school, the student and the student's parent, guardian, or custodian sign and file with the school a written statement asserting the parent's, guardian's, or custodian's consent to the student's graduating without completing the Ohio core curriculum and acknowledging that one consequence of not completing the Ohio core curriculum is ineligibility to enroll in most state universities in Ohio without further coursework.

(2) The student and parent, guardian, or custodian fulfill any procedural requirements the school stipulates to ensure the student's and parent's, guardian's, or custodian's informed consent and to facilitate orderly filing of statements under division (D)(1) of this section.

(3) The student and the student's parent, guardian, or custodian and a representative of the student's high school jointly develop an individual career plan for the student that specifies the student matriculating to a two-year degree program, acquiring a business and industry credential, or entering an apprenticeship.

(4) The student's high school provides counseling and support for the student related to the plan developed under division (D)(3) of this section during the remainder of the student's high school experience.

(5) The student successfully completes, at a minimum, the curriculum prescribed in division (B) of this section.

The partnership for continued learning, in collaboration with the department of education and the Ohio board of regents, shall analyze student performance data to determine if there are mitigating factors that warrant extending the exception permitted by division (D) of this section to high school classes beyond those entering ninth grade before July 1, 2014. The partnership shall submit its findings and any recommendations not later than August 1, 2014, to the speaker and minority leader of the house of representatives, the president and minority leader of the senate, the chairpersons and ranking minority members of the standing committees of the house of representatives and the senate that consider education legislation, the state board of education, and the superintendent of public instruction.

(E) Each school district and chartered nonpublic school retains the authority to require an even more rigorous minimum curriculum for high school graduation than specified in division (B) or (C) of this section. A school district board of education, through the adoption of a resolution, or the governing authority of a chartered nonpublic school may stipulate any of the following:

(1) A minimum high school curriculum that requires more than twenty units of academic credit to graduate;

(2) An exception to the district's or school's minimum high school curriculum that is comparable to the exception provided in division (D) of this section but with additional requirements, which may include a requirement that the student successfully complete more than the minimum curriculum prescribed in division (B) of this section;

(3) That no exception comparable to that provided in division (D) of this section is available.

(F) A student enrolled in a dropout prevention and recovery

program, which program has received a waiver from the department 293
of education, may qualify for graduation from high school by 294
successfully completing a competency-based instructional program 295
administered by the dropout prevention and recovery program in 296
lieu of completing the Ohio core curriculum prescribed in division 297
(C) of this section. The department shall grant a waiver to a 298
dropout prevention and recovery program, within sixty days after 299
the program applies for the waiver, if the program meets all of 300
the following conditions: 301

(1) The program serves only students not younger than sixteen 302
years of age and not older than twenty-one years of age. 303

(2) The program enrolls students who, at the time of their 304
initial enrollment, either, or both, are at least one grade level 305
behind their cohort age groups or experience crises that 306
significantly interfere with their academic progress such that 307
they are prevented from continuing their traditional programs. 308

(3) The program requires students to attain at least the 309
applicable score designated for each of the tests prescribed under 310
division (B) of section 3301.0710 of the Revised Code. 311

(4) The program develops an individual career plan for the 312
student that specifies the student's matriculating to a two-year 313
degree program, acquiring a business and industry credential, or 314
entering an apprenticeship. 315

(5) The program provides counseling and support for the 316
student related to the plan developed under division (F)(4) of 317
this section during the remainder of the student's high school 318
experience. 319

(6) The program requires the student and the student's 320
parent, guardian, or custodian to sign and file, in accordance 321
with procedural requirements stipulated by the program, a written 322
statement asserting the parent's, guardian's, or custodian's 323

consent to the student's graduating without completing the Ohio 324
core curriculum and acknowledging that one consequence of not 325
completing the Ohio core curriculum is ineligibility to enroll in 326
most state universities in Ohio without further coursework. 327

(7) Prior to receiving the waiver, the program has submitted 328
to the department an instructional plan that demonstrates how the 329
academic content standards adopted by the state board of education 330
under section 3301.079 of the Revised Code will be taught and 331
assessed. 332

If the department does not act either to grant the waiver or 333
to reject the program application for the waiver within sixty days 334
as required under this section, the waiver shall be considered to 335
be granted. 336

(G) Every high school may permit students below the ninth 337
grade to take advanced work for high school credit. A high school 338
shall count such advanced work toward the graduation requirements 339
of division (B) or (C) of this section if the advanced work was 340
both: 341

(1) Taught by a person who possesses a license or certificate 342
issued under section 3301.071, 3319.22, or 3319.222 of the Revised 343
Code that is valid for teaching high school; 344

(2) Designated by the board of education of the city, local, 345
or exempted village school district, the board of the cooperative 346
education school district, or the governing authority of the 347
chartered nonpublic school as meeting the high school curriculum 348
requirements. 349

Each high school shall record on the student's high school 350
transcript all high school credit awarded under division (G) of 351
this section. In addition, if the student completed a seventh- or 352
eighth-grade fine arts course described in division (K) of this 353
section and the course qualified for high school credit under that 354

division, the high school shall record that course on the 355
student's high school transcript. 356

(H) The department shall make its individual academic career 357
plan available through its Ohio career information system web site 358
for districts and schools to use as a tool for communicating with 359
and providing guidance to students and families in selecting high 360
school courses. 361

(I) Units earned in English language arts, mathematics, 362
science, and social studies that are delivered through integrated 363
academic and career-technical instruction are eligible to meet the 364
graduation requirements of division (B) or (C) of this section. 365

(J) The state board of education, in consultation with the 366
Ohio board of regents and the partnership for continued learning, 367
shall adopt a statewide plan implementing methods for students to 368
earn units of high school credit based on a demonstration of 369
subject area competency, instead of or in combination with 370
completing hours of classroom instruction. The state board shall 371
adopt the plan not later than March 31, 2009, and commence phasing 372
in the plan during the 2009-2010 school year. The plan shall 373
include a standard method for recording demonstrated proficiency 374
on high school transcripts. Each school district, community 375
school, and chartered nonpublic school shall comply with the state 376
board's plan adopted under this division and award units of high 377
school credit in accordance with the plan. The state board may 378
adopt existing methods for earning high school credit based on a 379
demonstration of subject area competency as necessary prior to the 380
2009-2010 school year. 381

(K) This division does not apply to students who qualify for 382
graduation from high school under division (D) or (F) of this 383
section, or to students pursuing a career-technical instructional 384
track as determined by the school district board of education or 385
the chartered nonpublic school's governing authority. 386

Nevertheless, the general assembly encourages such students to 387
consider enrolling in a fine arts course as an elective. 388

Beginning with students who enter ninth grade for the first 389
time on or after July 1, 2010, each student enrolled in a public 390
or chartered nonpublic high school shall complete two semesters or 391
the equivalent of fine arts to graduate from high school. The 392
coursework may be completed in any of grades seven to twelve. Each 393
student who completes a fine arts course in grade seven or eight 394
may elect to count that course toward the five units of electives 395
required for graduation under division (C)~~(7)~~(8) of this section, 396
if the course satisfied the requirements of division (G) of this 397
section. In that case, the high school shall award the student 398
high school credit for the course and count the course toward the 399
five units required under division (C)~~(7)~~(8) of this section. If 400
the course in grade seven or eight did not satisfy the 401
requirements of division (G) of this section, the high school 402
shall not award the student high school credit for the course but 403
shall count the course toward the two semesters or the equivalent 404
of fine arts required by this division. 405

(L) Notwithstanding anything to the contrary in this section, 406
the board of education of each school district and the governing 407
authority of each chartered nonpublic school may adopt a policy to 408
excuse from the high school physical education requirement each 409
student who, during high school, has participated in 410
interscholastic athletics, marching band, or cheerleading for at 411
least two full seasons. If the board or authority adopts such a 412
policy, the board or authority shall not require the student to 413
complete any physical education course as a condition to graduate. 414
However, the student shall be required to complete one-half unit, 415
consisting of at least sixty hours of instruction, in another 416
course of study. 417

(M) Beginning with students who enter ninth grade for the 418

first time on or after July 1, 2006, the study of American history 419
and American government required by divisions (B)(6) and (C)(6) of 420
this section shall include the study of all of the following 421
documents for a cumulative period of time equivalent to at least 422
one-sixth unit: 423

(1) The Declaration of Independence; 424

(2) The Northwest Ordinance; 425

(3) The Constitution of the United States with emphasis on 426
the Bill of Rights; 427

(4) The Ohio Constitution. 428

The study of each of the documents prescribed in divisions 429
(M)(1) to (4) of this section shall include study of that document 430
in its original eighteenth-century context. 431

The study of American history and government required by 432
divisions (B)(6) and (C)(6) of this section shall include the 433
historical evidence of the role of documents such as the 434
Federalist Papers and the Anti-Federalist Papers to firmly 435
establish the historical background leading to the establishment 436
of the provisions of the Constitution and Bill of Rights by the 437
founding fathers for the purpose of safeguarding our 438
constitutional republic. 439

(N) Before students may participate in courses involving the 440
study of social problems, economics, foreign affairs, the United 441
Nations, world history and government, socialism, and communism, 442
they first shall complete basic instruction in geography, United 443
States history, the government of the United States, the 444
government of the state of Ohio, local government in Ohio, the 445
Declaration of Independence, the United States Constitution, and 446
the Constitution of the state of Ohio. 447

Section 2. That existing sections 3313.60 and 3313.603 of the 448

Revised Code are hereby repealed.

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