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Representatives Bubp, Pryor

**Cosponsors: Representatives Adams, J., Adams, R., Balderson, Blair,
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Brown, Carney, Combs, DeBose, Dyer, Goyal, Harwood, Mandel, McClain,
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A B I L L

To amend sections 3313.603 and 3314.35 of the Revised Code to include Junior ROTC as a permitted elective within the Ohio Core curriculum, to permit schools to excuse Junior ROTC students from high school physical education, to clarify the conditions under which a community school must close for poor academic performance, to extend the deadline for certain school districts to secure voter approval of bonds and tax levies for the districts' shares of state-assisted classroom facilities projects, and to declare an emergency. 1
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3313.603 and 3314.35 of the Revised Code be amended to read as follows: 12
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Sec. 3313.603. (A) As used in this section:	14
(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.	15 16 17 18
(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.	19 20 21 22
(B) Beginning September 15, 2001, except as required in division (C) of this section and division (C) of section 3313.614 of the Revised Code, the requirements for graduation from every high school shall include twenty units earned in grades nine through twelve and shall be distributed as follows:	23 24 25 26 27
(1) English language arts, four units;	28
(2) Health, one-half unit;	29
(3) Mathematics, three units;	30
(4) Physical education, one-half unit;	31
(5) Science, two units until September 15, 2003, and three units thereafter, which at all times shall include both of the following:	32 33 34
(a) Biological sciences, one unit;	35
(b) Physical sciences, one unit.	36
(6) Social studies, three units, which shall include both of the following:	37 38
(a) American history, one-half unit;	39
(b) American government, one-half unit.	40
(7) Elective units, seven units until September 15, 2003, and	41

six units thereafter. 42

Each student's electives shall include at least one unit, or 43
two half units, chosen from among the areas of 44
business/technology, fine arts, and/or foreign language. 45

(C) Beginning with students who enter ninth grade for the 46
first time on or after July 1, 2010, except as provided in 47
divisions (D) to (F) of this section, the requirements for 48
graduation from every public and chartered nonpublic high school 49
shall include twenty units that are designed to prepare students 50
for the workforce and college. The units shall be distributed as 51
follows: 52

(1) English language arts, four units; 53

(2) Health, one-half unit; 54

(3) Mathematics, four units, which shall include one unit of 55
algebra II or the equivalent of algebra II; 56

(4) Physical education, one-half unit; 57

(5) Science, three units with inquiry-based laboratory 58
experience that engages students in asking valid scientific 59
questions and gathering and analyzing information, which shall 60
include the following, or their equivalent: 61

(a) Physical sciences, one unit; 62

(b) Life sciences, one unit; 63

(c) Advanced study in one or more of the following sciences, 64
one unit: 65

(i) Chemistry, physics, or other physical science; 66

(ii) Advanced biology or other life science; 67

(iii) Astronomy, physical geology, or other earth or space 68
science. 69

(6) Social studies, three units, which shall include both of 70

the following: 71

(a) American history, one-half unit; 72

(b) American government, one-half unit. 73

Each school shall integrate the study of economics and 74
financial literacy, as expressed in the social studies academic 75
content standards adopted by the state board of education under 76
division (A)(1) of section 3301.079 of the Revised Code and the 77
academic content standards for financial literacy and 78
entrepreneurship adopted under division (A)(2) of that section, 79
into one or more existing social studies credits required under 80
division (C)(6) of this section, or into the content of another 81
class, so that every high school student receives instruction in 82
those concepts. In developing the curriculum required by this 83
paragraph, schools shall use available public-private partnerships 84
and resources and materials that exist in business, industry, and 85
through the centers for economics education at institutions of 86
higher education in the state. 87

(7) Five units consisting of one or any combination of 88
foreign language, fine arts, business, career-technical education, 89
family and consumer sciences, technology, agricultural education, 90
a junior reserve officer training corps (JROTC) program approved 91
by the congress of the United States under title 10 of the United 92
States Code, or English language arts, mathematics, science, or 93
social studies courses not otherwise required under division (C) 94
of this section. 95

Ohioans must be prepared to apply increased knowledge and 96
skills in the workplace and to adapt their knowledge and skills 97
quickly to meet the rapidly changing conditions of the 98
twenty-first century. National studies indicate that all high 99
school graduates need the same academic foundation, regardless of 100
the opportunities they pursue after graduation. The goal of Ohio's 101

system of elementary and secondary education is to prepare all 102
students for and seamlessly connect all students to success in 103
life beyond high school graduation, regardless of whether the next 104
step is entering the workforce, beginning an apprenticeship, 105
engaging in post-secondary training, serving in the military, or 106
pursuing a college degree. 107

The Ohio core curriculum is the standard expectation for all 108
students entering ninth grade for the first time at a public or 109
chartered nonpublic high school on or after July 1, 2010. A 110
student may satisfy this expectation through a variety of methods, 111
including, but not limited to, integrated, applied, 112
career-technical, and traditional coursework. 113

Whereas teacher quality is essential for student success in 114
completing the Ohio core curriculum, the general assembly shall 115
appropriate funds for strategic initiatives designed to strengthen 116
schools' capacities to hire and retain highly qualified teachers 117
in the subject areas required by the curriculum. Such initiatives 118
are expected to require an investment of \$120,000,000 over five 119
years. 120

Stronger coordination between high schools and institutions 121
of higher education is necessary to prepare students for more 122
challenging academic endeavors and to lessen the need for academic 123
remediation in college, thereby reducing the costs of higher 124
education for Ohio's students, families, and the state. The state 125
board of education and the chancellor of the Ohio board of regents 126
shall develop policies to ensure that only in rare instances will 127
students who complete the Ohio core curriculum require academic 128
remediation after high school. 129

School districts, community schools, and chartered nonpublic 130
schools shall integrate technology into learning experiences 131
whenever practicable across the curriculum in order to maximize 132
efficiency, enhance learning, and prepare students for success in 133

the technology-driven twenty-first century. Districts and schools 134
may use distance and web-based course delivery as a method of 135
providing or augmenting all instruction required under this 136
division, including laboratory experience in science. Districts 137
and schools shall whenever practicable utilize technology access 138
and electronic learning opportunities provided by the eTech Ohio 139
commission, the Ohio learning network, education technology 140
centers, public television stations, and other public and private 141
providers. 142

(D) Except as provided in division (E) of this section, a 143
student who enters ninth grade on or after July 1, 2010, and 144
before July 1, 2014, may qualify for graduation from a public or 145
chartered nonpublic high school even though the student has not 146
completed the Ohio core curriculum prescribed in division (C) of 147
this section if all of the following conditions are satisfied: 148

(1) After the student has attended high school for two years, 149
as determined by the school, the student and the student's parent, 150
guardian, or custodian sign and file with the school a written 151
statement asserting the parent's, guardian's, or custodian's 152
consent to the student's graduating without completing the Ohio 153
core curriculum and acknowledging that one consequence of not 154
completing the Ohio core curriculum is ineligibility to enroll in 155
most state universities in Ohio without further coursework. 156

(2) The student and parent, guardian, or custodian fulfill 157
any procedural requirements the school stipulates to ensure the 158
student's and parent's, guardian's, or custodian's informed 159
consent and to facilitate orderly filing of statements under 160
division (D)(1) of this section. 161

(3) The student and the student's parent, guardian, or 162
custodian and a representative of the student's high school 163
jointly develop an individual career plan for the student that 164
specifies the student matriculating to a two-year degree program, 165

acquiring a business and industry credential, or entering an apprenticeship. 166
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(4) The student's high school provides counseling and support 168
for the student related to the plan developed under division 169
(D)(3) of this section during the remainder of the student's high 170
school experience. 171

(5) The student successfully completes, at a minimum, the 172
curriculum prescribed in division (B) of this section. 173

The department of education, in collaboration with the ~~the~~ 174
chancellor of the Ohio board of regents, shall analyze student 175
performance data to determine if there are mitigating factors that 176
warrant extending the exception permitted by division (D) of this 177
section to high school classes beyond those entering ninth grade 178
before July 1, 2014. The department shall submit its findings and 179
any recommendations not later than August 1, 2014, to the speaker 180
and minority leader of the house of representatives, the president 181
and minority leader of the senate, the chairpersons and ranking 182
minority members of the standing committees of the house of 183
representatives and the senate that consider education 184
legislation, the state board of education, and the superintendent 185
of public instruction. 186

(E) Each school district and chartered nonpublic school 187
retains the authority to require an even more rigorous minimum 188
curriculum for high school graduation than specified in division 189
(B) or (C) of this section. A school district board of education, 190
through the adoption of a resolution, or the governing authority 191
of a chartered nonpublic school may stipulate any of the 192
following: 193

(1) A minimum high school curriculum that requires more than 194
twenty units of academic credit to graduate; 195

(2) An exception to the district's or school's minimum high 196

school curriculum that is comparable to the exception provided in 197
division (D) of this section but with additional requirements, 198
which may include a requirement that the student successfully 199
complete more than the minimum curriculum prescribed in division 200
(B) of this section; 201

(3) That no exception comparable to that provided in division 202
(D) of this section is available. 203

(F) A student enrolled in a dropout prevention and recovery 204
program, which program has received a waiver from the department 205
of education, may qualify for graduation from high school by 206
successfully completing a competency-based instructional program 207
administered by the dropout prevention and recovery program in 208
lieu of completing the Ohio core curriculum prescribed in division 209
(C) of this section. The department shall grant a waiver to a 210
dropout prevention and recovery program, within sixty days after 211
the program applies for the waiver, if the program meets all of 212
the following conditions: 213

(1) The program serves only students not younger than sixteen 214
years of age and not older than twenty-one years of age. 215

(2) The program enrolls students who, at the time of their 216
initial enrollment, either, or both, are at least one grade level 217
behind their cohort age groups or experience crises that 218
significantly interfere with their academic progress such that 219
they are prevented from continuing their traditional programs. 220

(3) The program requires students to attain at least the 221
applicable score designated for each of the assessments prescribed 222
under division (B)(1) of section 3301.0710 of the Revised Code or, 223
to the extent prescribed by rule of the state board of education 224
under division (E)(6) of section 3301.0712 of the Revised Code, 225
division (B)(2) of that section. 226

(4) The program develops an individual career plan for the 227

student that specifies the student's matriculating to a two-year 228
degree program, acquiring a business and industry credential, or 229
entering an apprenticeship. 230

(5) The program provides counseling and support for the 231
student related to the plan developed under division (F)(4) of 232
this section during the remainder of the student's high school 233
experience. 234

(6) The program requires the student and the student's 235
parent, guardian, or custodian to sign and file, in accordance 236
with procedural requirements stipulated by the program, a written 237
statement asserting the parent's, guardian's, or custodian's 238
consent to the student's graduating without completing the Ohio 239
core curriculum and acknowledging that one consequence of not 240
completing the Ohio core curriculum is ineligibility to enroll in 241
most state universities in Ohio without further coursework. 242

(7) Prior to receiving the waiver, the program has submitted 243
to the department an instructional plan that demonstrates how the 244
academic content standards adopted by the state board of education 245
under section 3301.079 of the Revised Code will be taught and 246
assessed. 247

If the department does not act either to grant the waiver or 248
to reject the program application for the waiver within sixty days 249
as required under this section, the waiver shall be considered to 250
be granted. 251

(G) Every high school may permit students below the ninth 252
grade to take advanced work. If a high school so permits, it shall 253
award high school credit for successful completion of the advanced 254
work and shall count such advanced work toward the graduation 255
requirements of division (B) or (C) of this section if the 256
advanced work was both: 257

(1) Taught by a person who possesses a license or certificate 258

issued under section 3301.071, 3319.22, or 3319.222 of the Revised Code that is valid for teaching high school;

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

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

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

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

(J) The state board of education, in consultation with the chancellor of the Ohio board of regents, shall adopt a statewide plan implementing methods for students to earn units of high school credit based on a demonstration of subject area competency, instead of or in combination with completing hours of classroom instruction. The state board shall adopt the plan not later than March 31, 2009, and commence phasing in the plan during the 2009-2010 school year. The plan shall include a standard method

for recording demonstrated proficiency on high school transcripts. 290
Each school district, community school, and chartered nonpublic 291
school shall comply with the state board's plan adopted under this 292
division and award units of high school credit in accordance with 293
the plan. The state board may adopt existing methods for earning 294
high school credit based on a demonstration of subject area 295
competency as necessary prior to the 2009-2010 school year. 296

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(K) This division does not apply to students who qualify for 298
graduation from high school under division (D) or (F) of this 299
section, or to students pursuing a career-technical instructional 300
track as determined by the school district board of education or 301
the chartered nonpublic school's governing authority. 302
Nevertheless, the general assembly encourages such students to 303
consider enrolling in a fine arts course as an elective. 304

Beginning with students who enter ninth grade for the first 305
time on or after July 1, 2010, each student enrolled in a public 306
or chartered nonpublic high school shall complete two semesters or 307
the equivalent of fine arts to graduate from high school. The 308
coursework may be completed in any of grades seven to twelve. Each 309
student who completes a fine arts course in grade seven or eight 310
may elect to count that course toward the five units of electives 311
required for graduation under division (C)(7) of this section, if 312
the course satisfied the requirements of division (G) of this 313
section. In that case, the high school shall award the student 314
high school credit for the course and count the course toward the 315
five units required under division (C)(7) of this section. If the 316
course in grade seven or eight did not satisfy the requirements of 317
division (G) of this section, the high school shall not award the 318
student high school credit for the course but shall count the 319
course toward the two semesters or the equivalent of fine arts 320
required by this division. 321

(L) Notwithstanding anything to the contrary in this section, 322
the board of education of each school district and the governing 323
authority of each chartered nonpublic school may adopt a policy to 324
excuse from the high school physical education requirement each 325
student who, during high school, has participated in 326
interscholastic athletics, marching band, or cheerleading for at 327
least two full seasons or in the junior reserve officer training 328
corps for at least two full school years. If the board or 329
authority adopts such a policy, the board or authority shall not 330
require the student to complete any physical education course as a 331
condition to graduate. However, the student shall be required to 332
complete one-half unit, consisting of at least sixty hours of 333
instruction, in another course of study. In the case of a student 334
who has participated in the junior reserve officer training corps 335
for at least two full school years, credit received for that 336
participation may be used to satisfy the requirement to complete 337
one-half unit in another course of study. 338

Sec. 3314.35. (A)(1) Except as provided in division (A)(3) of 339
this section, this section applies to any community school that 340
meets one of the following criteria after July 1, 2008, but before 341
July 1, 2009: 342

(a) The school does not offer a grade level higher than three 343
and has been declared to be in a state of academic emergency under 344
section 3302.03 of the Revised Code for four consecutive school 345
years. 346

(b) The school satisfies all of the following conditions: 347

(i) The school offers any of grade levels four to eight but 348
does not offer a grade level higher than nine. 349

(ii) The school has been declared to be in a state of 350
academic emergency under section 3302.03 of the Revised Code for 351
three consecutive school years. 352

(iii) For two of those school years, the school showed less than one standard year of academic growth in either reading or mathematics, as determined by the department of education in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code.

(c) The school satisfies all of the following conditions:

(i) The school offers any of grade levels ten to twelve.

(ii) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for three consecutive school years.

(iii) For two of those school years, the school showed less than two standard years of academic growth in either reading or mathematics, as determined by the department in accordance with rules adopted under division (A) of section 3302.021 of the Revised Code.

(2) Except as provided in division (A)(3) of this section, this section applies to any community school that meets one of the following criteria after July 1, 2009:

(a) The school does not offer a grade level higher than three and has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for three of the four most recent school years.

(b) The school satisfies all of the following conditions:

(i) The school offers any of grade levels four to eight but does not offer a grade level higher than nine.

(ii) The school has been declared to be in a state of academic emergency under section 3302.03 of the Revised Code for two of the three most recent school years.

(iii) In at least two of the three most recent school years, the school showed less than one standard year of academic growth

in either reading or mathematics, as determined by the department 383
in accordance with rules adopted under division (A) of section 384
3302.021 of the Revised Code. 385

(c) The school offers any of grade levels ten to twelve and 386
has been declared to be in a state of academic emergency under 387
section 3302.03 of the Revised Code for three of the four most 388
recent school years. 389

(3) This section does not apply to either of the following: 390

(a) Any community school in which a majority of the students 391
are enrolled in a dropout prevention and recovery program that is 392
operated by the school and that has been granted a waiver under 393
section 3314.36 of the Revised Code; 394

(b) Any community school in which a majority of the enrolled 395
students are children with disabilities receiving special 396
education and related services in accordance with Chapter 3323. of 397
the Revised Code. 398

(B) Any community school to which this section applies shall 399
permanently close at the conclusion of the school year in which 400
the school first becomes subject to this section. The sponsor and 401
governing authority of the school shall comply with all procedures 402
for closing a community school adopted by the department under 403
division (E) of section 3314.015 of the Revised Code. The 404
governing authority of the school shall not enter into a contract 405
with any other sponsor under section 3314.03 of the Revised Code 406
after the school closes. 407

(C) Not later than July 1, 2008, the department shall 408
determine the feasibility of using the value-added progress 409
dimension, as defined in section 3302.01 of the Revised Code, as a 410
factor in evaluating the academic performance of community schools 411
described in division (A)(1)(c)(i) of this section. 412
Notwithstanding divisions (A)(1)(c)(ii) and (iii) of this section, 413

if the department determines that using the value-added progress 414
dimension to evaluate community schools described in division 415
(A)(1)(c)(i) of this section is not feasible, a community school 416
described in that division shall be required to permanently close 417
under this section only if it has been declared to be in a state 418
of academic emergency under section 3302.03 of the Revised Code 419
for four consecutive school years. 420

(D) In accordance with division (B) of section 3314.012 of 421
the Revised Code, the department shall not consider the 422
performance ratings assigned to a community school for its first 423
two years of operation when determining whether the school meets 424
the criteria prescribed by division (A)(2) of this section. The 425
department shall reevaluate each community school that the 426
department directed to close at the conclusion of the 2009-2010 427
school year to determine if the school still meets the criteria 428
prescribed by division (A)(2) of this section when the school's 429
performance ratings for its first two years of operation are not 430
considered and, if the school no longer meets those criteria, the 431
department shall not require the school to close at the conclusion 432
of that school year. 433

Section 2. That existing sections 3313.603 and 3314.35 of the 434
Revised Code are hereby repealed. 435

Section 3. (A) This section applies to any school district 436
for which the following conditions are satisfied: 437

(1) The Ohio School Facilities Commission has approved the 438
district to issue qualified school construction bonds under 439
Division B, Title I, Subtitle F, Part III, Section 1521 of the 440
American Recovery and Reinvestment Act of 2009, 26 U.S.C. 54F, in 441
the group of districts designated by the Commission as "Pool B." 442

(2) The district is undertaking a classroom facilities 443

project under sections 3318.01 to 3318.20 of the Revised Code, 444
which project was conditionally approved by the Commission between 445
July 1, 2008, and July 31, 2009. 446

(3) The district requested approval for the issuance of bonds 447
and related tax levies to pay the district's portion of the cost 448
of the project described in division (A)(2) of this section in a 449
question submitted to the district's electors at an election held 450
on November 3, 2009, and the electors disapproved the issuance of 451
those bonds and the related tax levies by a margin of less than 452
three per cent of the total votes cast on that question. 453

(B) Notwithstanding anything to the contrary in section 454
3318.05 of the Revised Code, and notwithstanding Section 385.70 of 455
Am. Sub. H.B. 1 of the 128th General Assembly, for each school 456
district to which this section applies and whose project was 457
conditionally approved in July 2008, the conditional approval of 458
the district's project described in division (A)(2) of this 459
section shall lapse and the amount reserved and encumbered for the 460
project shall be released on June 30, 2010, unless the district 461
electors prior to that date approve the issuance of bonds and the 462
related tax levies to pay the district's portion of the cost of 463
the district's project. The Commission and the Controlling Board 464
shall reapprove that project, if the project lapses under Section 465
385.70 of Am. Sub. H.B. 1 of the 128th General Assembly prior to 466
the effective date of this section, and shall treat that project 467
as if it had not lapsed. Thereafter, the project shall be subject 468
to the lapse provision prescribed in this division. 469

(C) Notwithstanding anything to the contrary in section 470
3318.05 of the Revised Code, for each school district to which 471
this section applies and whose project was conditionally approved 472
between August 1, 2008, and July 31, 2009, the conditional 473
approval of the district's project described in division (A)(2) of 474
this section shall lapse and the amount reserved and encumbered 475

for the project shall be released on December 31, 2010, unless the 476
district electors prior to that date approve the issuance of bonds 477
and the related tax levies to pay the district's portion of the 478
cost of the district's project. 479

(D) If the conditional approval for a district's project 480
under sections 3318.01 to 3318.20 of the Revised Code lapses and 481
the amount reserved and encumbered for the project is released on 482
the applicable date prescribed by this section, after that date, 483
the district shall be given first priority for project funding as 484
such funding becomes available in accordance with section 3318.05 485
of the Revised Code. 486

Section 4. This act is hereby declared to be an emergency 487
measure necessary for the immediate preservation of the public 488
peace, health, and safety. The reason for such necessity is to 489
provide school districts using federally qualified school 490
construction bonds additional time to secure voter approval for 491
state-assisted classroom facilities projects without an 492
intervening lapse of project conditional approval. Therefore, this 493
act shall go into immediate effect. 494