

As Introduced

**128th General Assembly
Regular Session
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H. B. No. 494

Representatives Stebelton, Maag

Cosponsors: Representatives Huffman, Lehner, Gardner

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A B I L L

To amend sections 3301.079, 3301.0712, and 3313.603 1
of the Revised Code to allow more time for the 2
adoption of standards and model curricula for 3
science, social studies, and financial literacy 4
and entrepreneurship. 5

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

Section 1. That sections 3301.079, 3301.0712, and 3313.603 of 6
the Revised Code be amended to read as follows: 7

Sec. 3301.079. (A)(1) ~~Not later than June 30, 2010, and at 8
least once every five years thereafter, the~~ The state board of 9
education shall adopt statewide academic standards with emphasis 10
on coherence, focus, and rigor for each of grades kindergarten 11
through twelve in English language arts, mathematics, science, and 12
social studies. The state board shall adopt the standards in 13
English language arts and mathematics not later than June 30, 14
2010, and at least once every five years thereafter. The state 15
board shall adopt the standards in social studies and science not 16
later than June 30, 2011, and at least once every five years 17
thereafter. 18

(2) The standards adopted under division (A)(1) of this 19

section shall specify the following: 20

(a) The core academic content and skills that students are 21
expected to know and be able to do at each grade level that will 22
allow each student to be prepared for postsecondary instruction 23
and the workplace for success in the twenty-first century; 24

(b) The development of skill sets as they relate to 25
creativity and innovation, critical thinking and problem solving, 26
and communication and collaboration; 27

(c) The development of skill sets that promote information, 28
media, and technological literacy; 29

(d) The development of skill sets that promote personal 30
management, productivity and accountability, and leadership and 31
responsibility; 32

(e) Interdisciplinary, project-based, real-world learning 33
opportunities. 34

~~(2)~~(3) After completing the standards required by division 35
(A)(1) of this section for English language arts and mathematics, 36
the state board shall adopt standards and model curricula for 37
instruction in computer literacy, ~~financial literacy and~~ 38
~~entrepreneurship,~~ fine arts, and foreign language for grades 39
kindergarten through twelve. After completing the standards 40
required by division (A)(1) of this section for social studies, 41
the state board shall adopt standards and model curricula for 42
instruction in financial literacy and entrepreneurship for grades 43
kindergarten through twelve. The standards adopted under division 44
(A)(3) of this section shall meet the same requirements prescribed 45
in divisions (A)~~(1)~~(2)(a) to (e) of this section. 46

~~(3)~~(4) The state board shall adopt the most recent standards 47
developed by the national association for sport and physical 48
education for physical education in grades kindergarten through 49
twelve or shall adopt its own standards for physical education in 50

those grades and revise and update them periodically. 51

The department of education shall employ a full-time physical 52
education coordinator to provide guidance and technical assistance 53
to districts, community schools, and STEM schools in implementing 54
the physical education standards adopted under this division. The 55
superintendent of public instruction shall determine that the 56
person employed as coordinator is qualified for the position, as 57
demonstrated by possessing an adequate combination of education, 58
license, and experience. 59

~~(4)~~(5) When academic standards have been completed for any 60
subject area required by this section, the state board shall 61
inform all school districts, all community schools established 62
under Chapter 3314. of the Revised Code, all STEM schools 63
established under Chapter 3326. of the Revised Code, and all 64
nonpublic schools required to administer the assessments 65
prescribed by sections 3301.0710 and 3301.0712 of the Revised Code 66
of the content of those standards. 67

(B) Not later than March 31, 2011, the state board shall 68
adopt a model curriculum for instruction in ~~each subject area for~~ 69
~~which updated academic standards are required by division (A)(1)~~ 70
~~of this section and~~ English language arts and mathematics for each 71
of grades kindergarten through twelve that is sufficient to meet 72
the needs of students in every community. ~~The~~ Not later than March 73
31, 2012, the state board shall adopt a model curriculum for 74
instruction in social studies and science for each of grades 75
kindergarten through twelve that is sufficient to meet the needs 76
of students in every community. Each model curriculum shall be 77
aligned with the standards adopted under division (A)(1) of this 78
section, to ensure that the academic content and skills specified 79
for each grade level are taught to students, and shall demonstrate 80
vertical articulation and emphasize coherence, focus, and rigor. 81
When any model curriculum has been completed, the state board 82

shall inform all school districts, community schools, and STEM 83
schools of the content of that model curriculum. 84

All school districts, community schools, and STEM schools may 85
utilize the state standards and the model curriculum established 86
by the state board, together with other relevant resources, 87
examples, or models to ensure that students have the opportunity 88
to attain the academic standards. Upon request, the department of 89
~~education~~ shall provide technical assistance to any district, 90
community school, or STEM school in implementing the model 91
curriculum. 92

Nothing in this section requires any school district to 93
utilize all or any part of a model curriculum developed under this 94
division. 95

(C) The state board shall develop achievement assessments 96
aligned with the academic standards and model curriculum for each 97
of the subject areas and grade levels required by divisions (A)(1) 98
and (B)(1) of section 3301.0710 of the Revised Code. 99

When any achievement assessment has been completed, the state 100
board shall inform all school districts, community schools, STEM 101
schools, and nonpublic schools required to administer the 102
assessment of its completion, and the department of ~~education~~ 103
shall make the achievement assessment available to the districts 104
and schools. 105

(D)(1) The state board shall adopt a diagnostic assessment 106
aligned with the academic standards and model curriculum for each 107
of grades kindergarten through two in English language arts and 108
mathematics and for grade three in English language arts. The 109
diagnostic assessment shall be designed to measure student 110
comprehension of academic content and mastery of related skills 111
for the relevant subject area and grade level. Any diagnostic 112
assessment shall not include components to identify gifted 113

students. Blank copies of diagnostic assessments shall be public 114
records. 115

(2) When each diagnostic assessment has been completed, the 116
state board shall inform all school districts of its completion 117
and the department ~~of education~~ shall make the diagnostic 118
assessment available to the districts at no cost to the district. 119
School districts shall administer the diagnostic assessment 120
pursuant to section 3301.0715 of the Revised Code beginning the 121
first school year following the development of the assessment. 122

(E) The state board shall not adopt a diagnostic or 123
achievement assessment for any grade level or subject area other 124
than those specified in this section. 125

(F) Whenever the state board or the department ~~of education~~ 126
consults with persons for the purpose of drafting or reviewing any 127
standards, diagnostic assessments, achievement assessments, or 128
model curriculum required under this section, the state board or 129
the department shall first consult with parents of students in 130
kindergarten through twelfth grade and with active Ohio classroom 131
teachers, other school personnel, and administrators with 132
expertise in the appropriate subject area. Whenever practicable, 133
the state board and department shall consult with teachers 134
recognized as outstanding in their fields. 135

If the department contracts with more than one outside entity 136
for the development of the achievement assessments required by 137
this section, the department shall ensure the interchangeability 138
of those assessments. 139

(G) The fairness sensitivity review committee, established by 140
rule of the state board ~~of education~~, shall not allow any question 141
on any achievement or diagnostic assessment developed under this 142
section or any proficiency test prescribed by former section 143
3301.0710 of the Revised Code, as it existed prior to September 144

11, 2001, to include, be written to promote, or inquire as to 145
individual moral or social values or beliefs. The decision of the 146
committee shall be final. This section does not create a private 147
cause of action. 148

(H) Not later than forty-five days prior to the initial 149
~~deadline~~ deadlines established under division (A)(1) of this 150
section and the ~~deadline~~ deadlines established under division (B) 151
of this section, the superintendent of public instruction shall 152
present the academic standards or model curricula, as applicable, 153
to the respective committees of the house of representatives and 154
senate that consider education legislation. 155

(I) As used in this section: 156

(1) "Coherence" means a reflection of the structure of the 157
discipline being taught. 158

(2) "Focus" means limiting the number of items included in a 159
curriculum to allow for deeper exploration of the subject matter. 160

(3) "Rigor" means more challenging and demanding when 161
compared to international standards. 162

(4) "Vertical articulation" means key academic concepts and 163
skills associated with mastery in particular content areas should 164
be articulated and reinforced in a developmentally appropriate 165
manner at each grade level so that over time students acquire a 166
depth of knowledge and understanding in the core academic 167
disciplines. 168

Sec. 3301.0712. (A) The state board of education, the 169
superintendent of public instruction, and the chancellor of the 170
Ohio board of regents shall develop a system of college and work 171
ready assessments as described in divisions (B)(1) to (3) of this 172
section to assess whether each student upon graduating from high 173
school is ready to enter college or the workforce. The system 174

shall replace the Ohio graduation tests prescribed in division 175
(B)(1) of section 3301.0710 of the Revised Code as a measure of 176
student academic performance and a prerequisite for eligibility 177
for a high school diploma in the manner prescribed by rule of the 178
state board adopted under division (E) of this section. 179

(B) The college and work ready assessment system shall 180
consist of the following: 181

(1) A nationally standardized assessment that measures 182
competencies in science, mathematics, and English language arts 183
selected jointly by the state superintendent and the chancellor. 184

(2) A series of end-of-course examinations in the areas of 185
science, mathematics, English language arts, and social studies 186
selected jointly by the state superintendent and the chancellor in 187
consultation with faculty in the appropriate subject areas at 188
institutions of higher education of the university system of Ohio. 189

(3) A senior project completed by a student or a group of 190
students. The purpose of the senior project is to assess the 191
student's: 192

(a) Mastery of core knowledge in a subject area chosen by the 193
student; 194

(b) Written and verbal communication skills; 195

(c) Critical thinking and problem-solving skills; 196

(d) Real-world and interdisciplinary learning; 197

(e) Creative and innovative thinking; 198

(f) Acquired technology, information, and media skills; 199

(g) Personal management skills such as self-direction, time 200
management, work ethic, enthusiasm, and the desire to produce a 201
high quality product. 202

The state superintendent and the chancellor jointly shall 203

develop standards for the senior project for students 204
participating in dual enrollment programs. 205

(C)(1) The state superintendent and the chancellor jointly 206
shall designate the scoring rubrics and the required overall 207
composite score for the assessment system to assess whether each 208
student is college or work ready. 209

(2) Each senior project shall be judged by the student's high 210
school in accordance with rubrics designated by the state 211
superintendent and the chancellor. 212

(D) Not later than thirty days after the state board adopts 213
the model curricula for social studies and science required by 214
division (B) of section 3301.079 of the Revised Code, the state 215
board shall convene a group of national experts, state experts, 216
and local practitioners to provide advice, guidance, and 217
recommendations for the alignment of standards and model curricula 218
to the assessments and in the design of the end-of-course 219
examinations and scoring rubrics prescribed by this section. 220

(E) Upon completion of the development of the assessment 221
system, the state board shall adopt rules prescribing all of the 222
following: 223

(1) A timeline and plan for implementation of the assessment 224
system, including a phased implementation if the state board 225
determines such a phase-in is warranted; 226

(2) The date after which a person entering ninth grade shall 227
attain at least the composite score for the entire assessment 228
system as a prerequisite for a high school diploma under ~~sections~~ 229
section 3313.61, 3313.612, or 3325.08 of the Revised Code; 230

(3) The date after which a person shall attain at least the 231
composite score for the entire assessment system as a prerequisite 232
for a diploma of adult education under section 3313.611 of the 233
Revised Code; 234

(4) Whether and the extent to which a person may be excused 235
from a social studies end-of-course examination under division (H) 236
of section 3313.61 and division (B)(2) of section 3313.612 of the 237
Revised Code; 238

(5) The date after which a person who has fulfilled the 239
curriculum requirement for a diploma but has not passed one or 240
more of the required assessments at the time the person fulfilled 241
the curriculum requirement shall attain at least the composite 242
score for the entire assessment system as a prerequisite for a 243
high school diploma under division (B) of section 3313.614 of the 244
Revised Code; 245

(6) The extent to which the assessment system applies to 246
students enrolled in a dropout recovery and prevention program for 247
purposes of division (F) of section 3313.603 and section 3314.36 248
of the Revised Code. 249

No rule adopted under this division shall be effective 250
earlier than one year after the date the rule is filed in final 251
form pursuant to Chapter 119. of the Revised Code. 252

(F) Not later than forty-five days prior to the state board's 253
adoption of a resolution directing the department of education to 254
file the rules prescribed by division (E) of this section in final 255
form under section 119.04 of the Revised Code, the superintendent 256
of public instruction shall present the assessment system 257
developed under this section to the respective committees of the 258
house of representatives and senate that consider education 259
legislation. 260

Sec. 3313.603. (A) As used in this section: 261

(1) "One unit" means a minimum of one hundred twenty hours of 262
course instruction, except that for a laboratory course, "one 263
unit" means a minimum of one hundred fifty hours of course 264

instruction.	265
(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.	266 267 268 269
(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:	270 271 272 273 274
(1) English language arts, four units;	275
(2) Health, one-half unit;	276
(3) Mathematics, three units;	277
(4) Physical education, one-half unit;	278
(5) Science, two units until September 15, 2003, and three units thereafter, which at all times shall include both of the following:	279 280 281
(a) Biological sciences, one unit;	282
(b) Physical sciences, one unit.	283
(6) Social studies, three units, which shall include both of the following:	284 285
(a) American history, one-half unit;	286
(b) American government, one-half unit.	287
(7) Elective units, seven units until September 15, 2003, and six units thereafter.	288 289
Each student's electives shall include at least one unit, or two half units, chosen from among the areas of business/technology, fine arts, and/or foreign language.	290 291 292

(C) Beginning with students who enter ninth grade for the first time on or after July 1, 2010, except as provided in divisions (D) to (F) of this section, the requirements for graduation from every public and chartered nonpublic high school shall include twenty units that are designed to prepare students for the workforce and college. The units shall be distributed as follows:	293 294 295 296 297 298 299
(1) English language arts, four units;	300
(2) Health, one-half unit;	301
(3) Mathematics, four units, which shall include one unit of algebra II or the equivalent of algebra II;	302 303
(4) Physical education, one-half unit;	304
(5) Science, three units with inquiry-based laboratory experience that engages students in asking valid scientific questions and gathering and analyzing information, which shall include the following, or their equivalent:	305 306 307 308
(a) Physical sciences, one unit;	309
(b) Life sciences, one unit;	310
(c) Advanced study in one or more of the following sciences, one unit:	311 312
(i) Chemistry, physics, or other physical science;	313
(ii) Advanced biology or other life science;	314
(iii) Astronomy, physical geology, or other earth or space science.	315 316
(6) Social studies, three units, which shall include both of the following:	317 318
(a) American history, one-half unit;	319
(b) American government, one-half unit.	320

Each school shall integrate the study of economics and 321
financial literacy, as expressed in the social studies academic 322
content standards adopted by the state board of education under 323
division (A)(1) of section 3301.079 of the Revised Code and the 324
academic content standards for financial literacy and 325
entrepreneurship adopted under division (A)~~(2)~~(3) of that section, 326
into one or more existing social studies credits required under 327
division (C)(6) of this section, or into the content of another 328
class, so that every high school student receives instruction in 329
those concepts. In developing the curriculum required by this 330
paragraph, schools shall use available public-private partnerships 331
and resources and materials that exist in business, industry, and 332
through the centers for economics education at institutions of 333
higher education in the state. 334

(7) Five units consisting of one or any combination of 335
foreign language, fine arts, business, career-technical education, 336
family and consumer sciences, technology, agricultural education, 337
a junior reserve officer training corps (JROTC) program approved 338
by the congress of the United States under title 10 of the United 339
States Code, or English language arts, mathematics, science, or 340
social studies courses not otherwise required under division (C) 341
of this section. 342

Ohioans must be prepared to apply increased knowledge and 343
skills in the workplace and to adapt their knowledge and skills 344
quickly to meet the rapidly changing conditions of the 345
twenty-first century. National studies indicate that all high 346
school graduates need the same academic foundation, regardless of 347
the opportunities they pursue after graduation. The goal of Ohio's 348
system of elementary and secondary education is to prepare all 349
students for and seamlessly connect all students to success in 350
life beyond high school graduation, regardless of whether the next 351
step is entering the workforce, beginning an apprenticeship, 352

engaging in post-secondary training, serving in the military, or 353
pursuing a college degree. 354

The Ohio core curriculum is the standard expectation for all 355
students entering ninth grade for the first time at a public or 356
chartered nonpublic high school on or after July 1, 2010. A 357
student may satisfy this expectation through a variety of methods, 358
including, but not limited to, integrated, applied, 359
career-technical, and traditional coursework. 360

Whereas teacher quality is essential for student success in 361
completing the Ohio core curriculum, the general assembly shall 362
appropriate funds for strategic initiatives designed to strengthen 363
schools' capacities to hire and retain highly qualified teachers 364
in the subject areas required by the curriculum. Such initiatives 365
are expected to require an investment of \$120,000,000 over five 366
years. 367

Stronger coordination between high schools and institutions 368
of higher education is necessary to prepare students for more 369
challenging academic endeavors and to lessen the need for academic 370
remediation in college, thereby reducing the costs of higher 371
education for Ohio's students, families, and the state. The state 372
board of ~~education~~ and the chancellor of the Ohio board of regents 373
shall develop policies to ensure that only in rare instances will 374
students who complete the Ohio core curriculum require academic 375
remediation after high school. 376

School districts, community schools, and chartered nonpublic 377
schools shall integrate technology into learning experiences 378
whenever practicable across the curriculum in order to maximize 379
efficiency, enhance learning, and prepare students for success in 380
the technology-driven twenty-first century. Districts and schools 381
may use distance and web-based course delivery as a method of 382
providing or augmenting all instruction required under this 383
division, including laboratory experience in science. Districts 384

and schools shall whenever practicable utilize technology access 385
and electronic learning opportunities provided by the eTech Ohio 386
commission, the Ohio learning network, education technology 387
centers, public television stations, and other public and private 388
providers. 389

(D) Except as provided in division (E) of this section, a 390
student who enters ninth grade on or after July 1, 2010, and 391
before July 1, 2014, may qualify for graduation from a public or 392
chartered nonpublic high school even though the student has not 393
completed the Ohio core curriculum prescribed in division (C) of 394
this section if all of the following conditions are satisfied: 395

(1) After the student has attended high school for two years, 396
as determined by the school, the student and the student's parent, 397
guardian, or custodian sign and file with the school a written 398
statement asserting the parent's, guardian's, or custodian's 399
consent to the student's graduating without completing the Ohio 400
core curriculum and acknowledging that one consequence of not 401
completing the Ohio core curriculum is ineligibility to enroll in 402
most state universities in Ohio without further coursework. 403

(2) The student and parent, guardian, or custodian fulfill 404
any procedural requirements the school stipulates to ensure the 405
student's and parent's, guardian's, or custodian's informed 406
consent and to facilitate orderly filing of statements under 407
division (D)(1) of this section. 408

(3) The student and the student's parent, guardian, or 409
custodian and a representative of the student's high school 410
jointly develop an individual career plan for the student that 411
specifies the student matriculating to a two-year degree program, 412
acquiring a business and industry credential, or entering an 413
apprenticeship. 414

(4) The student's high school provides counseling and support 415

for the student related to the plan developed under division 416
(D)(3) of this section during the remainder of the student's high 417
school experience. 418

(5) The student successfully completes, at a minimum, the 419
curriculum prescribed in division (B) of this section. 420

The department of education, in collaboration with the 421
chancellor ~~of the Ohio board of regents~~, shall analyze student 422
performance data to determine if there are mitigating factors that 423
warrant extending the exception permitted by division (D) of this 424
section to high school classes beyond those entering ninth grade 425
before July 1, 2014. The department shall submit its findings and 426
any recommendations not later than August 1, 2014, to the speaker 427
and minority leader of the house of representatives, the president 428
and minority leader of the senate, the chairpersons and ranking 429
minority members of the standing committees of the house of 430
representatives and the senate that consider education 431
legislation, the state board of education, and the superintendent 432
of public instruction. 433

(E) Each school district and chartered nonpublic school 434
retains the authority to require an even more rigorous minimum 435
curriculum for high school graduation than specified in division 436
(B) or (C) of this section. A school district board of education, 437
through the adoption of a resolution, or the governing authority 438
of a chartered nonpublic school may stipulate any of the 439
following: 440

(1) A minimum high school curriculum that requires more than 441
twenty units of academic credit to graduate; 442

(2) An exception to the district's or school's minimum high 443
school curriculum that is comparable to the exception provided in 444
division (D) of this section but with additional requirements, 445
which may include a requirement that the student successfully 446

complete more than the minimum curriculum prescribed in division 447
(B) of this section; 448

(3) That no exception comparable to that provided in division 449
(D) of this section is available. 450

(F) A student enrolled in a dropout prevention and recovery 451
program, which program has received a waiver from the department 452
~~of education~~, may qualify for graduation from high school by 453
successfully completing a competency-based instructional program 454
administered by the dropout prevention and recovery program in 455
lieu of completing the Ohio core curriculum prescribed in division 456
(C) of this section. The department shall grant a waiver to a 457
dropout prevention and recovery program, within sixty days after 458
the program applies for the waiver, if the program meets all of 459
the following conditions: 460

(1) The program serves only students not younger than sixteen 461
years of age and not older than twenty-one years of age. 462

(2) The program enrolls students who, at the time of their 463
initial enrollment, either, or both, are at least one grade level 464
behind their cohort age groups or experience crises that 465
significantly interfere with their academic progress such that 466
they are prevented from continuing their traditional programs. 467

(3) The program requires students to attain at least the 468
applicable score designated for each of the assessments prescribed 469
under division (B)(1) of section 3301.0710 of the Revised Code or, 470
to the extent prescribed by rule of the state board ~~of education~~ 471
under division (E)(6) of section 3301.0712 of the Revised Code, 472
division (B)(2) of that section. 473

(4) The program develops an individual career plan for the 474
student that specifies the student's matriculating to a two-year 475
degree program, acquiring a business and industry credential, or 476
entering an apprenticeship. 477

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

(6) The program requires the student and the student's parent, guardian, or custodian to sign and file, in accordance with procedural requirements stipulated by the program, 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.

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

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

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

(1) Taught by a person who possesses a license or certificate 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 509
education school district, or the governing authority of the 510
chartered nonpublic school as meeting the high school curriculum 511
requirements. 512

Each high school shall record on the student's high school 513
transcript all high school credit awarded under division (G) of 514
this section. In addition, if the student completed a seventh- or 515
eighth-grade fine arts course described in division (K) of this 516
section and the course qualified for high school credit under that 517
division, the high school shall record that course on the 518
student's high school transcript. 519

(H) The department shall make its individual academic career 520
plan available through its Ohio career information system web site 521
for districts and schools to use as a tool for communicating with 522
and providing guidance to students and families in selecting high 523
school courses. 524

(I) Units earned in English language arts, mathematics, 525
science, and social studies that are delivered through integrated 526
academic and career-technical instruction are eligible to meet the 527
graduation requirements of division (B) or (C) of this section. 528

(J) The state board ~~of education~~, in consultation with the 529
chancellor ~~of the Ohio board of regents~~, shall adopt a statewide 530
plan implementing methods for students to earn units of high 531
school credit based on a demonstration of subject area competency, 532
instead of or in combination with completing hours of classroom 533
instruction. The state board shall adopt the plan not later than 534
March 31, 2009, and commence phasing in the plan during the 535
2009-2010 school year. The plan shall include a standard method 536
for recording demonstrated proficiency on high school transcripts. 537
Each school district, community school, and chartered nonpublic 538
school shall comply with the state board's plan adopted under this 539
division and award units of high school credit in accordance with 540

the plan. The state board may adopt existing methods for earning 541
high school credit based on a demonstration of subject area 542
competency as necessary prior to the 2009-2010 school year. 543

(K) This division does not apply to students who qualify for 544
graduation from high school under division (D) or (F) of this 545
section, or to students pursuing a career-technical instructional 546
track as determined by the school district board of education or 547
the chartered nonpublic school's governing authority. 548
Nevertheless, the general assembly encourages such students to 549
consider enrolling in a fine arts course as an elective. 550

Beginning with students who enter ninth grade for the first 551
time on or after July 1, 2010, each student enrolled in a public 552
or chartered nonpublic high school shall complete two semesters or 553
the equivalent of fine arts to graduate from high school. The 554
coursework may be completed in any of grades seven to twelve. Each 555
student who completes a fine arts course in grade seven or eight 556
may elect to count that course toward the five units of electives 557
required for graduation under division (C)(7) of this section, if 558
the course satisfied the requirements of division (G) of this 559
section. In that case, the high school shall award the student 560
high school credit for the course and count the course toward the 561
five units required under division (C)(7) of this section. If the 562
course in grade seven or eight did not satisfy the requirements of 563
division (G) of this section, the high school shall not award the 564
student high school credit for the course but shall count the 565
course toward the two semesters or the equivalent of fine arts 566
required by this division. 567

(L) Notwithstanding anything to the contrary in this section, 568
the board of education of each school district and the governing 569
authority of each chartered nonpublic school may adopt a policy to 570
excuse from the high school physical education requirement each 571
student who, during high school, has participated in 572

interscholastic athletics, marching band, or cheerleading for at 573
least two full seasons or in the junior reserve officer training 574
corps for at least two full school years. If the board or 575
authority adopts such a policy, the board or authority shall not 576
require the student to complete any physical education course as a 577
condition to graduate. However, the student shall be required to 578
complete one-half unit, consisting of at least sixty hours of 579
instruction, in another course of study. In the case of a student 580
who has participated in the junior reserve officer training corps 581
for at least two full school years, credit received for that 582
participation may be used to satisfy the requirement to complete 583
one-half unit in another course of study. 584

Section 2. That existing sections 3301.079, 3301.0712, and 585
3313.603 of the Revised Code are hereby repealed. 586