

As Reported by the Committee of Conference

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Senators Obhof, Grendell

**Cosponsors: Senators Faber, Hughes, Jones, Jordan, Schaffer, Seitz,
Sawyer, Hite, Bacon, Beagle, Brown, Coley, Daniels, LaRose, Lehner,
Manning, Niehaus, Oelslager, Patton, Wagoner, Widener, Wilson
Representatives Baker, Roegner, Butler, Hayes, Adams, J., Anielski, Boose,
Brenner, Bubp, Dovilla, Hackett, Henne, Hill, Maag, Martin, Newbold, Ruhl,
Slaby, Stebelton, Terhar, Thompson, Young**

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A B I L L

To amend sections 3301.079, 3301.0712, 3313.60, 1
3313.603, 3313.61, and 3313.612 and to enact 2
section 3319.23 of the Revised Code to include 3
content on specified historical documents in the 4
state academic standards and in the high school 5
American history and government curriculum. 6

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

Section 1. That sections 3301.079, 3301.0712, 3313.60, 7
3313.603, 3313.61, and 3313.612 be amended and section 3319.23 of 8
the Revised Code be enacted to read as follows: 9

Sec. 3301.079. (A)(1) Not later than June 30, 2010, and 10
periodically thereafter, the state board of education shall adopt 11
statewide academic standards with emphasis on coherence, focus, 12
and rigor for each of grades kindergarten through twelve in 13
English language arts, mathematics, science, and social studies. 14

(a) The standards shall specify the following: 15

~~(a)~~(i) The core academic content and skills that students are 16
expected to know and be able to do at each grade level that will 17
allow each student to be prepared for postsecondary instruction 18
and the workplace for success in the twenty-first century; 19

~~(b)~~(ii) The development of skill sets that promote 20
information, media, and technological literacy; 21

~~(c)~~(iii) Interdisciplinary, project-based, real-world 22
learning opportunities. 23

(b) Not later than July 1, 2012, the state board shall 24
incorporate into the social studies standards for grades four to 25
twelve academic content regarding the original texts of the 26
Declaration of Independence, the Northwest Ordinance, the 27
Constitution of the United States and its amendments, with 28
emphasis on the Bill of Rights, and the Ohio Constitution, and 29
their original context. The state board shall revise the model 30
curricula and achievement assessments adopted under divisions (B) 31
and (C) of this section as necessary to reflect the additional 32
American history and American government content. The state board 33
shall make available a list of suggested grade-appropriate 34
supplemental readings that place the documents prescribed by this 35
division in their historical context, which teachers may use as a 36
resource to assist students in reading the documents within that 37
context. 38

(2) After completing the standards required by division 39
(A)(1) of this section, the state board shall adopt standards and 40
model curricula for instruction in technology, financial literacy 41
and entrepreneurship, fine arts, and foreign language for grades 42
kindergarten through twelve. The standards shall meet the same 43
requirements prescribed in ~~divisions~~ division (A)(1)(a) ~~to~~ ~~(c)~~ of 44
this section. 45

(3) The state board shall adopt the most recent standards 46
developed by the national association for sport and physical 47
education for physical education in grades kindergarten through 48
twelve or shall adopt its own standards for physical education in 49
those grades and revise and update them periodically. 50

The department shall employ a full-time physical education 51
coordinator to provide guidance and technical assistance to 52
districts, community schools, and STEM schools in implementing the 53
physical education standards adopted under this division. The 54
superintendent of public instruction shall determine that the 55
person employed as coordinator is qualified for the position, as 56
demonstrated by possessing an adequate combination of education, 57
license, and experience. 58

(4) When academic standards have been completed for any 59
subject area required by this section, the state board shall 60
inform all school districts, all community schools established 61
under Chapter 3314. of the Revised Code, all STEM schools 62
established under Chapter 3326. of the Revised Code, and all 63
nonpublic schools required to administer the assessments 64
prescribed by sections 3301.0710 and 3301.0712 of the Revised Code 65
of the content of those standards. 66

(B) Not later than March 31, 2011, the state board shall 67
adopt a model curriculum for instruction in each subject area for 68
which updated academic standards are required by division (A)(1) 69
of this section and for each of grades kindergarten through twelve 70
that is sufficient to meet the needs of students in every 71
community. The model curriculum shall be aligned with the 72
standards, to ensure that the academic content and skills 73
specified for each grade level are taught to students, and shall 74
demonstrate vertical articulation and emphasize coherence, focus, 75
and rigor. When any model curriculum has been completed, the state 76
board shall inform all school districts, community schools, and 77

STEM schools of the content of that model curriculum. 78

All school districts, community schools, and STEM schools may 79
utilize the state standards and the model curriculum established 80
by the state board, together with other relevant resources, 81
examples, or models to ensure that students have the opportunity 82
to attain the academic standards. Upon request, the department of 83
education shall provide technical assistance to any district, 84
community school, or STEM school in implementing the model 85
curriculum. 86

Nothing in this section requires any school district to 87
utilize all or any part of a model curriculum developed under this 88
division. 89

(C) The state board shall develop achievement assessments 90
aligned with the academic standards and model curriculum for each 91
of the subject areas and grade levels required by divisions (A)(1) 92
and (B)(1) of section 3301.0710 of the Revised Code. 93

When any achievement assessment has been completed, the state 94
board shall inform all school districts, community schools, STEM 95
schools, and nonpublic schools required to administer the 96
assessment of its completion, and the department of education 97
shall make the achievement assessment available to the districts 98
and schools. 99

(D)(1) The state board shall adopt a diagnostic assessment 100
aligned with the academic standards and model curriculum for each 101
of grades kindergarten through two in English language arts and 102
mathematics and for grade three in English language arts. The 103
diagnostic assessment shall be designed to measure student 104
comprehension of academic content and mastery of related skills 105
for the relevant subject area and grade level. Any diagnostic 106
assessment shall not include components to identify gifted 107
students. Blank copies of diagnostic assessments shall be public 108

records. 109

(2) When each diagnostic assessment has been completed, the 110
state board shall inform all school districts of its completion 111
and the department of education shall make the diagnostic 112
assessment available to the districts at no cost to the district. 113
School districts shall administer the diagnostic assessment 114
pursuant to section 3301.0715 of the Revised Code beginning the 115
first school year following the development of the assessment. 116

(E) The state board shall not adopt a diagnostic or 117
achievement assessment for any grade level or subject area other 118
than those specified in this section. 119

(F) Whenever the state board or the department of education 120
consults with persons for the purpose of drafting or reviewing any 121
standards, diagnostic assessments, achievement assessments, or 122
model curriculum required under this section, the state board or 123
the department shall first consult with parents of students in 124
kindergarten through twelfth grade and with active Ohio classroom 125
teachers, other school personnel, and administrators with 126
expertise in the appropriate subject area. Whenever practicable, 127
the state board and department shall consult with teachers 128
recognized as outstanding in their fields. 129

If the department contracts with more than one outside entity 130
for the development of the achievement assessments required by 131
this section, the department shall ensure the interchangeability 132
of those assessments. 133

(G) The fairness sensitivity review committee, established by 134
rule of the state board of education, shall not allow any question 135
on any achievement or diagnostic assessment developed under this 136
section or any proficiency test prescribed by former section 137
3301.0710 of the Revised Code, as it existed prior to September 138
11, 2001, to include, be written to promote, or inquire as to 139

individual moral or social values or beliefs. The decision of the 140
committee shall be final. This section does not create a private 141
cause of action. 142

(H) Not later than forty-five days prior to the initial 143
deadline established under division (A)(1) of this section and the 144
deadline established under division (B) of this section, the 145
superintendent of public instruction shall present the academic 146
standards or model curricula, as applicable, to the respective 147
committees of the house of representatives and senate that 148
consider education legislation. 149

(I) As used in this section: 150

(1) "Coherence" means a reflection of the structure of the 151
discipline being taught. 152

(2) "Focus" means limiting the number of items included in a 153
curriculum to allow for deeper exploration of the subject matter. 154

(3) "Rigor" means more challenging and demanding when 155
compared to international standards. 156

(4) "Vertical articulation" means key academic concepts and 157
skills associated with mastery in particular content areas should 158
be articulated and reinforced in a developmentally appropriate 159
manner at each grade level so that over time students acquire a 160
depth of knowledge and understanding in the core academic 161
disciplines. 162

Sec. 3301.0712. (A) The state board of education, the 163
superintendent of public instruction, and the chancellor of the 164
Ohio board of regents shall develop a system of college and work 165
ready assessments as described in divisions (B)(1) and (2) of this 166
section to assess whether each student upon graduating from high 167
school is ready to enter college or the workforce. The system 168
shall replace the Ohio graduation tests prescribed in division 169

(B)(1) of section 3301.0710 of the Revised Code as a measure of 170
student academic performance and a prerequisite for eligibility 171
for a high school diploma in the manner prescribed by rule of the 172
state board adopted under division (D) of this section. 173

(B) The college and work ready assessment system shall 174
consist of the following: 175

(1) A nationally standardized assessment that measures 176
college and career readiness selected jointly by the state 177
superintendent and the chancellor. 178

(2) A series of end-of-course examinations in the areas of 179
science, mathematics, English language arts, American history, and 180
~~social studies~~ American government selected jointly by the state 181
superintendent and the chancellor in consultation with faculty in 182
the appropriate subject areas at institutions of higher education 183
of the university system of Ohio. For each subject area, the state 184
superintendent and chancellor shall select multiple assessments 185
that school districts, public schools, and chartered nonpublic 186
schools may use as end-of-course examinations. ~~These~~ Subject to
division (B)(3)(b) of this section, those assessments shall 187
include nationally recognized subject area assessments, such as 188
advanced placement examinations, SAT subject tests, international 189
baccalaureate examinations, and other assessments of college and 190
work readiness. 191
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(3)(a) Not later than July 1, 2013, each school district 193
board of education shall adopt interim end-of-course examinations 194
that comply with the requirements of divisions (B)(3)(b)(i) and 195
(ii) of this section to assess mastery of American history and 196
American government standards adopted under division (A)(1)(b) of 197
section 3301.079 of the Revised Code and the topics required under 198
division (M) of section 3313.603 of the Revised Code. Each high 199
school of the district shall use the interim examinations until 200

the state superintendent and chancellor select end-of-course examinations in American history and American government under division (B)(2) of this section. 201
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(b) Not later than July 1, 2014, the state superintendent and the chancellor shall select the end-of-course examinations in American history and American government. 204
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(i) The end-of-course examinations in American history and American government shall require demonstration of mastery of the American history and American government content for social studies standards adopted under division (A)(1)(b) of section 3301.079 of the Revised Code and the topics required under division (M) of section 3313.603 of the Revised Code. 207
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(ii) At least twenty per cent of the end-of-course examination in American government shall address the topics on American history and American government described in division (M) of section 3313.603 of the Revised Code. 213
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(C) Not later than thirty days after the state board adopts the model curricula required by division (B) of section 3301.079 of the Revised Code, the state board shall convene a group of national experts, state experts, and local practitioners to provide advice, guidance, and recommendations for the alignment of standards and model curricula to the assessments and in the design of the end-of-course examinations prescribed by this section. 217
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(D) Upon completion of the development of the assessment system, the state board shall adopt rules prescribing all of the following: 224
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(1) A timeline and plan for implementation of the assessment system, including a phased implementation if the state board determines such a phase-in is warranted; 227
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(2) The date after which a person entering ninth grade shall meet the requirements of the entire assessment system as a 230
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prerequisite for a high school diploma under section 3313.61,	232
3313.612, or 3325.08 of the Revised Code;	233
(3) The date after which a person shall meet the requirements	234
of the entire assessment system as a prerequisite for a diploma of	235
adult education under section 3313.611 of the Revised Code;	236
(4) Whether and the extent to which a person may be excused	237
from a social studies <u>an American history</u> end-of-course	238
examination <u>and an American government end-of-course examination</u>	239
under division (H) of section 3313.61 and division (B)(2) of	240
section 3313.612 of the Revised Code;	241
(5) The date after which a person who has fulfilled the	242
curriculum requirement for a diploma but has not passed one or	243
more of the required assessments at the time the person fulfilled	244
the curriculum requirement shall meet the requirements of the	245
entire assessment system as a prerequisite for a high school	246
diploma under division (B) of section 3313.614 of the Revised	247
Code;	248
(6) The extent to which the assessment system applies to	249
students enrolled in a dropout recovery and prevention program for	250
purposes of division (F) of section 3313.603 and section 3314.36	251
of the Revised Code.	252
No rule adopted under this division shall be effective	253
earlier than one year after the date the rule is filed in final	254
form pursuant to Chapter 119. of the Revised Code.	255
(E) Not later than forty-five days prior to the state board's	256
adoption of a resolution directing the department of education to	257
file the rules prescribed by division (D) of this section in final	258
form under section 119.04 of the Revised Code, the superintendent	259
of public instruction shall present the assessment system	260
developed under this section to the respective committees of the	261
house of representatives and senate that consider education	262

legislation. 263

Sec. 3313.60. Notwithstanding division (D) of section 3311.52 264
of the Revised Code, divisions (A) to (E) of this section do not 265
apply to any cooperative education school district established 266
pursuant to divisions (A) to (C) of section 3311.52 of the Revised 267
Code. 268

(A) The board of education of each city and exempted village 269
school district, the governing board of each educational service 270
center, and the board of each cooperative education school 271
district established pursuant to section 3311.521 of the Revised 272
Code shall prescribe a curriculum for all schools under their 273
control. Except as provided in division (E) of this section, in 274
any such curriculum there shall be included the study of the 275
following subjects: 276

(1) The language arts, including reading, writing, spelling, 277
oral and written English, and literature; 278

(2) Geography, the history of the United States and of Ohio, 279
and national, state, and local government in the United States, 280
including a balanced presentation of the relevant contributions to 281
society of men and women of African, Mexican, Puerto Rican, and 282
American Indian descent as well as other ethnic and racial groups 283
in Ohio and the United States; 284

(3) Mathematics; 285

(4) Natural science, including instruction in the 286
conservation of natural resources; 287

(5) Health education, which shall include instruction in: 288

(a) The nutritive value of foods, including natural and 289
organically produced foods, the relation of nutrition to health, 290
and the use and effects of food additives; 291

(b) The harmful effects of and legal restrictions against the 292

use of drugs of abuse, alcoholic beverages, and tobacco;	293
(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;	294 295 296
(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;	297 298 299 300 301
(e) In grades seven through twelve, age-appropriate instruction in dating violence prevention education, which shall include instruction in recognizing dating violence warning signs and characteristics of healthy relationships.	302 303 304 305
In order to assist school districts in developing a dating violence prevention education curriculum, the department of education shall provide on its web site links to free curricula addressing dating violence prevention.	306 307 308 309
If the parent or legal guardian of a student less than eighteen years of age submits to the principal of the student's school a written request to examine the dating violence prevention instruction materials used at that school, the principal, within a reasonable period of time after the request is made, shall allow the parent or guardian to examine those materials at that school.	310 311 312 313 314 315 316
(6) Physical education;	317
(7) The fine arts, including music;	318
(8) First aid, including a training program in cardiopulmonary resuscitation, safety, and fire prevention, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in	319 320 321 322

cardiopulmonary resuscitation. 323

(B) Except as provided in division (E) of this section, every 324
school or school district shall include in the requirements for 325
promotion from the eighth grade to the ninth grade one year's 326
course of study of American history. A board may waive this 327
requirement for academically accelerated students who, in 328
accordance with procedures adopted by the board, are able to 329
demonstrate mastery of essential concepts and skills of the eighth 330
grade American history course of study. 331

(C) ~~Except as specified in divisions (B)(6) and (C)(6) of~~ 332
~~section 3313.603 of the Revised Code, except~~ as provided in 333
division (E) of this section, every high school shall include in 334
the requirements for graduation from any curriculum ~~one~~ one-half 335
unit each of American history and government, ~~including a study of~~ 336
~~the constitutions of the United States and of Ohio.~~ 337

(D) Except as provided in division (E) of this section, basic 338
instruction or demonstrated mastery in geography, United States 339
history, the government of the United States, the government of 340
the state of Ohio, local government in Ohio, the Declaration of 341
Independence, the United States Constitution, and the Constitution 342
of the state of Ohio shall be required before pupils may 343
participate in courses involving the study of social problems, 344
economics, foreign affairs, United Nations, world government, 345
socialism and communism. 346

(E) For each cooperative education school district 347
established pursuant to section 3311.521 of the Revised Code and 348
each city, exempted village, and local school district that has 349
territory within such a cooperative district, the curriculum 350
adopted pursuant to divisions (A) to (D) of this section shall 351
only include the study of the subjects that apply to the grades 352
operated by each such school district. The curriculums for such 353
schools, when combined, shall provide to each student of these 354

districts all of the subjects required under divisions (A) to (D) 355
of this section. 356

(F) The board of education of any cooperative education 357
school district established pursuant to divisions (A) to (C) of 358
section 3311.52 of the Revised Code shall prescribe a curriculum 359
for the subject areas and grade levels offered in any school under 360
its control. 361

(G) Upon the request of any parent or legal guardian of a 362
student, the board of education of any school district shall 363
permit the parent or guardian to promptly examine, with respect to 364
the parent's or guardian's own child: 365

(1) Any survey or questionnaire, prior to its administration 366
to the child; 367

(2) Any textbook, workbook, software, video, or other 368
instructional materials being used by the district in connection 369
with the instruction of the child; 370

(3) Any completed and graded test taken or survey or 371
questionnaire filled out by the child; 372

(4) Copies of the statewide academic standards and each model 373
curriculum developed pursuant to section 3301.079 of the Revised 374
Code, which copies shall be available at all times during school 375
hours in each district school building. 376

Sec. 3313.603. (A) As used in this section: 377

(1) "One unit" means a minimum of one hundred twenty hours of 378
course instruction, except that for a laboratory course, "one 379
unit" means a minimum of one hundred fifty hours of course 380
instruction. 381

(2) "One-half unit" means a minimum of sixty hours of course 382
instruction, except that for physical education courses, "one-half 383
unit" means a minimum of one hundred twenty hours of course 384

instruction.	385
(B) Beginning September 15, 2001, except as required in	386
division (C) of this section and division (C) of section 3313.614	387
of the Revised Code, the requirements for graduation from every	388
high school shall include twenty units earned in grades nine	389
through twelve and shall be distributed as follows:	390
(1) English language arts, four units;	391
(2) Health, one-half unit;	392
(3) Mathematics, three units;	393
(4) Physical education, one-half unit;	394
(5) Science, two units until September 15, 2003, and three	395
units thereafter, which at all times shall include both of the	396
following:	397
(a) Biological sciences, one unit;	398
(b) Physical sciences, one unit.	399
(6) Social studies, three units <u>History and government, one</u>	400
<u>unit</u> , which shall <u>comply with division (M) of this section and</u>	401
<u>shall</u> include both of the following:	402
(a) American history, one-half unit;	403
(b) American government, one-half unit.	404
(7) <u>Social studies, two units.</u>	405
<u>(8) Elective units, seven units until September 15, 2003, and</u>	406
<u>six units thereafter.</u>	407
Each student's electives shall include at least one unit, or	408
two half units, chosen from among the areas of	409
business/technology, fine arts, and/or foreign language.	410
(C) Beginning with students who enter ninth grade for the	411
first time on or after July 1, 2010, except as provided in	412

divisions (D) to (F) of this section, the requirements for	413
graduation from every public and chartered nonpublic high school	414
shall include twenty units that are designed to prepare students	415
for the workforce and college. The units shall be distributed as	416
follows:	417
(1) English language arts, four units;	418
(2) Health, one-half unit, which shall include instruction in	419
nutrition and the benefits of nutritious foods and physical	420
activity for overall health;	421
(3) Mathematics, four units, which shall include one unit of	422
algebra II or the equivalent of algebra II;	423
(4) Physical education, one-half unit;	424
(5) Science, three units with inquiry-based laboratory	425
experience that engages students in asking valid scientific	426
questions and gathering and analyzing information, which shall	427
include the following, or their equivalent:	428
(a) Physical sciences, one unit;	429
(b) Life sciences, one unit;	430
(c) Advanced study in one or more of the following sciences,	431
one unit:	432
(i) Chemistry, physics, or other physical science;	433
(ii) Advanced biology or other life science;	434
(iii) Astronomy, physical geology, or other earth or space	435
science.	436
(6) Social studies, three units <u>History and government, one</u>	437
<u>unit, which shall comply with division (M) of this section and</u>	438
<u>shall</u> include both of the following:	439
(a) American history, one-half unit;	440
(b) American government, one-half unit.	441

(7) Social studies, two units. 442

Each school shall integrate the study of economics and 443
financial literacy, as expressed in the social studies academic 444
content standards adopted by the state board of education under 445
division (A)(1) of section 3301.079 of the Revised Code and the 446
academic content standards for financial literacy and 447
entrepreneurship adopted under division (A)(2) of that section, 448
into one or more existing social studies credits required under 449
division (C)~~(6)~~(7) of this section, or into the content of another 450
class, so that every high school student receives instruction in 451
those concepts. In developing the curriculum required by this 452
paragraph, schools shall use available public-private partnerships 453
and resources and materials that exist in business, industry, and 454
through the centers for economics education at institutions of 455
higher education in the state. 456

~~(7)~~(8) Five units consisting of one or any combination of 457
foreign language, fine arts, business, career-technical education, 458
family and consumer sciences, technology, agricultural education, 459
a junior reserve officer training corps (JROTC) program approved 460
by the congress of the United States under title 10 of the United 461
States Code, or English language arts, mathematics, science, or 462
social studies courses not otherwise required under division (C) 463
of this section. 464

Ohioans must be prepared to apply increased knowledge and 465
skills in the workplace and to adapt their knowledge and skills 466
quickly to meet the rapidly changing conditions of the 467
twenty-first century. National studies indicate that all high 468
school graduates need the same academic foundation, regardless of 469
the opportunities they pursue after graduation. The goal of Ohio's 470
system of elementary and secondary education is to prepare all 471
students for and seamlessly connect all students to success in 472
life beyond high school graduation, regardless of whether the next 473

step is entering the workforce, beginning an apprenticeship, 474
engaging in post-secondary training, serving in the military, or 475
pursuing a college degree. 476

The Ohio core curriculum is the standard expectation for all 477
students entering ninth grade for the first time at a public or 478
chartered nonpublic high school on or after July 1, 2010. A 479
student may satisfy this expectation through a variety of methods, 480
including, but not limited to, integrated, applied, 481
career-technical, and traditional coursework. 482

Whereas teacher quality is essential for student success in 483
completing the Ohio core curriculum, the general assembly shall 484
appropriate funds for strategic initiatives designed to strengthen 485
schools' capacities to hire and retain highly qualified teachers 486
in the subject areas required by the curriculum. Such initiatives 487
are expected to require an investment of \$120,000,000 over five 488
years. 489

Stronger coordination between high schools and institutions 490
of higher education is necessary to prepare students for more 491
challenging academic endeavors and to lessen the need for academic 492
remediation in college, thereby reducing the costs of higher 493
education for Ohio's students, families, and the state. The state 494
board and the chancellor of the Ohio board of regents shall 495
develop policies to ensure that only in rare instances will 496
students who complete the Ohio core curriculum require academic 497
remediation after high school. 498

School districts, community schools, and chartered nonpublic 499
schools shall integrate technology into learning experiences 500
across the curriculum in order to maximize efficiency, enhance 501
learning, and prepare students for success in the 502
technology-driven twenty-first century. Districts and schools 503
shall use distance and web-based course delivery as a method of 504
providing or augmenting all instruction required under this 505

division, including laboratory experience in science. Districts 506
and schools shall utilize technology access and electronic 507
learning opportunities provided by the eTech Ohio commission, the 508
Ohio learning network, education technology centers, public 509
television stations, and other public and private providers. 510

(D) Except as provided in division (E) of this section, a 511
student who enters ninth grade on or after July 1, 2010, and 512
before July 1, 2014, may qualify for graduation from a public or 513
chartered nonpublic high school even though the student has not 514
completed the Ohio core curriculum prescribed in division (C) of 515
this section if all of the following conditions are satisfied: 516

(1) After the student has attended high school for two years, 517
as determined by the school, the student and the student's parent, 518
guardian, or custodian sign and file with the school a written 519
statement asserting the parent's, guardian's, or custodian's 520
consent to the student's graduating without completing the Ohio 521
core curriculum and acknowledging that one consequence of not 522
completing the Ohio core curriculum is ineligibility to enroll in 523
most state universities in Ohio without further coursework. 524

(2) The student and parent, guardian, or custodian fulfill 525
any procedural requirements the school stipulates to ensure the 526
student's and parent's, guardian's, or custodian's informed 527
consent and to facilitate orderly filing of statements under 528
division (D)(1) of this section. 529

(3) The student and the student's parent, guardian, or 530
custodian and a representative of the student's high school 531
jointly develop an individual career plan for the student that 532
specifies the student matriculating to a two-year degree program, 533
acquiring a business and industry credential, or entering an 534
apprenticeship. 535

(4) The student's high school provides counseling and support 536

for the student related to the plan developed under division 537
(D)(3) of this section during the remainder of the student's high 538
school experience. 539

(5) The student successfully completes, at a minimum, the 540
curriculum prescribed in division (B) of this section. 541

The department of education, in collaboration with the 542
chancellor, shall analyze student performance data to determine if 543
there are mitigating factors that warrant extending the exception 544
permitted by division (D) of this section to high school classes 545
beyond those entering ninth grade before July 1, 2014. The 546
department shall submit its findings and any recommendations not 547
later than August 1, 2014, to the speaker and minority leader of 548
the house of representatives, the president and minority leader of 549
the senate, the chairpersons and ranking minority members of the 550
standing committees of the house of representatives and the senate 551
that consider education legislation, the state board of education, 552
and the superintendent of public instruction. 553

(E) Each school district and chartered nonpublic school 554
retains the authority to require an even more rigorous minimum 555
curriculum for high school graduation than specified in division 556
(B) or (C) of this section. A school district board of education, 557
through the adoption of a resolution, or the governing authority 558
of a chartered nonpublic school may stipulate any of the 559
following: 560

(1) A minimum high school curriculum that requires more than 561
twenty units of academic credit to graduate; 562

(2) An exception to the district's or school's minimum high 563
school curriculum that is comparable to the exception provided in 564
division (D) of this section but with additional requirements, 565
which may include a requirement that the student successfully 566
complete more than the minimum curriculum prescribed in division 567

(B) of this section;	568
(3) That no exception comparable to that provided in division	569
(D) of this section is available.	570
(F) A student enrolled in a dropout prevention and recovery	571
program, which program has received a waiver from the department,	572
may qualify for graduation from high school by successfully	573
completing a competency-based instructional program administered	574
by the dropout prevention and recovery program in lieu of	575
completing the Ohio core curriculum prescribed in division (C) of	576
this section. The department shall grant a waiver to a dropout	577
prevention and recovery program, within sixty days after the	578
program applies for the waiver, if the program meets all of the	579
following conditions:	580
(1) The program serves only students not younger than sixteen	581
years of age and not older than twenty-one years of age.	582
(2) The program enrolls students who, at the time of their	583
initial enrollment, either, or both, are at least one grade level	584
behind their cohort age groups or experience crises that	585
significantly interfere with their academic progress such that	586
they are prevented from continuing their traditional programs.	587
(3) The program requires students to attain at least the	588
applicable score designated for each of the assessments prescribed	589
under division (B)(1) of section 3301.0710 of the Revised Code or,	590
to the extent prescribed by rule of the state board under division	591
(D)(6) of section 3301.0712 of the Revised Code, division (B)(2)	592
of that section.	593
(4) The program develops an individual career plan for the	594
student that specifies the student's matriculating to a two-year	595
degree program, acquiring a business and industry credential, or	596
entering an apprenticeship.	597
(5) The program provides counseling and support for the	598

student related to the plan developed under division (F)(4) of 599
this section during the remainder of the student's high school 600
experience. 601

(6) The program requires the student and the student's 602
parent, guardian, or custodian to sign and file, in accordance 603
with procedural requirements stipulated by the program, a written 604
statement asserting the parent's, guardian's, or custodian's 605
consent to the student's graduating without completing the Ohio 606
core curriculum and acknowledging that one consequence of not 607
completing the Ohio core curriculum is ineligibility to enroll in 608
most state universities in Ohio without further coursework. 609

(7) Prior to receiving the waiver, the program has submitted 610
to the department an instructional plan that demonstrates how the 611
academic content standards adopted by the state board under 612
section 3301.079 of the Revised Code will be taught and assessed. 613

If the department does not act either to grant the waiver or 614
to reject the program application for the waiver within sixty days 615
as required under this section, the waiver shall be considered to 616
be granted. 617

(G) Every high school may permit students below the ninth 618
grade to take advanced work. If a high school so permits, it shall 619
award high school credit for successful completion of the advanced 620
work and shall count such advanced work toward the graduation 621
requirements of division (B) or (C) of this section if the 622
advanced work was both: 623

(1) Taught by a person who possesses a license or certificate 624
issued under section 3301.071, 3319.22, or 3319.222 of the Revised 625
Code that is valid for teaching high school; 626

(2) Designated by the board of education of the city, local, 627
or exempted village school district, the board of the cooperative 628
education school district, or the governing authority of the 629

chartered nonpublic school as meeting the high school curriculum 630
requirements. 631

Each high school shall record on the student's high school 632
transcript all high school credit awarded under division (G) of 633
this section. In addition, if the student completed a seventh- or 634
eighth-grade fine arts course described in division (K) of this 635
section and the course qualified for high school credit under that 636
division, the high school shall record that course on the 637
student's high school transcript. 638

(H) The department shall make its individual academic career 639
plan available through its Ohio career information system web site 640
for districts and schools to use as a tool for communicating with 641
and providing guidance to students and families in selecting high 642
school courses. 643

(I) Units earned in English language arts, mathematics, 644
science, and social studies that are delivered through integrated 645
academic and career-technical instruction are eligible to meet the 646
graduation requirements of division (B) or (C) of this section. 647

(J) The state board, in consultation with the chancellor, 648
shall adopt a statewide plan implementing methods for students to 649
earn units of high school credit based on a demonstration of 650
subject area competency, instead of or in combination with 651
completing hours of classroom instruction. The state board shall 652
adopt the plan not later than March 31, 2009, and commence phasing 653
in the plan during the 2009-2010 school year. The plan shall 654
include a standard method for recording demonstrated proficiency 655
on high school transcripts. Each school district and community 656
school shall comply with the state board's plan adopted under this 657
division and award units of high school credit in accordance with 658
the plan. The state board may adopt existing methods for earning 659
high school credit based on a demonstration of subject area 660
competency as necessary prior to the 2009-2010 school year. 661

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

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

(L) Notwithstanding anything to the contrary in this section, the board of education of each school district and the governing authority of each chartered nonpublic school may adopt a policy to excuse from the high school physical education requirement each student who, during high school, has participated in interscholastic athletics, marching band, or cheerleading for at least two full seasons or in the junior reserve officer training corps for at least two full school years. If the board or

authority adopts such a policy, the board or authority shall not
require the student to complete any physical education course as a
condition to graduate. However, the student shall be required to
complete one-half unit, consisting of at least sixty hours of
instruction, in another course of study. In the case of a student
who has participated in the junior reserve officer training corps
for at least two full school years, credit received for that
participation may be used to satisfy the requirement to complete
one-half unit in another course of study.

(M) It is important that high school students learn and
understand United States history and the governments of both the
United States and the state of Ohio. Therefore, beginning with
students who enter ninth grade for the first time on or after July
1, 2012, the study of American history and American government
required by divisions (B)(6) and (C)(6) of this section shall
include the study of all of the following documents:

(1) The Declaration of Independence;

(2) The Northwest Ordinance;

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

(4) The Ohio Constitution.

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

The study of American history and government required by
divisions (B)(6) and (C)(6) of this section shall include the
historical evidence of the role of documents such as the
Federalist Papers and the Anti-Federalist Papers to firmly
establish the historical background leading to the establishment
of the provisions of the Constitution and Bill of Rights.

Sec. 3313.61. (A) A diploma shall be granted by the board of 724
education of any city, exempted village, or local school district 725
that operates a high school to any person to whom all of the 726
following apply: 727

(1) The person has successfully completed the curriculum in 728
any high school or the individualized education program developed 729
for the person by any high school pursuant to section 3323.08 of 730
the Revised Code, or has qualified under division (D) or (F) of 731
section 3313.603 of the Revised Code, provided that no school 732
district shall require a student to remain in school for any 733
specific number of semesters or other terms if the student 734
completes the required curriculum early; 735

(2) Subject to section 3313.614 of the Revised Code, the 736
person has met the assessment requirements of division (A)(2)(a) 737
or (b) of this section, as applicable. 738

(a) If the person entered the ninth grade prior to the date 739
prescribed by rule of the state board of education under division 740
(D)(2) of section 3301.0712 of the Revised Code, the person 741
either: 742

(i) Has attained at least the applicable scores designated 743
under division (B)(1) of section 3301.0710 of the Revised Code on 744
all the assessments required by that division unless the person 745
was excused from taking any such assessment pursuant to section 746
3313.532 of the Revised Code or unless division (H) or (L) of this 747
section applies to the person; 748

(ii) Has satisfied the alternative conditions prescribed in 749
section 3313.615 of the Revised Code. 750

(b) If the person entered the ninth grade on or after the 751
date prescribed by rule of the state board under division (D)(2) 752
of section 3301.0712 of the Revised Code, the person has met the 753

requirements of the entire assessment system prescribed under 754
division (B)(2) of section 3301.0710 of the Revised Code, except 755
to the extent that the person is excused from some portion of that 756
assessment system pursuant to section 3313.532 of the Revised Code 757
or division (H) or (L) of this section. 758

(3) The person is not eligible to receive an honors diploma 759
granted pursuant to division (B) of this section. 760

Except as provided in divisions (C), (E), (J), and (L) of 761
this section, no diploma shall be granted under this division to 762
anyone except as provided under this division. 763

(B) In lieu of a diploma granted under division (A) of this 764
section, an honors diploma shall be granted, in accordance with 765
rules of the state board, by any such district board to anyone who 766
accomplishes all of the following: 767

(1) Successfully completes the curriculum in any high school 768
or the individualized education program developed for the person 769
by any high school pursuant to section 3323.08 of the Revised 770
Code; 771

(2) Subject to section 3313.614 of the Revised Code, has met 772
the assessment requirements of division (B)(2)(a) or (b) of this 773
section, as applicable. 774

(a) If the person entered the ninth grade prior to the date 775
prescribed by rule of the state board of education under division 776
(D)(2) of section 3301.0712 of the Revised Code, the person 777
either: 778

(i) Has attained at least the applicable scores designated 779
under division (B)(1) of section 3301.0710 of the Revised Code on 780
all the assessments required by that division; 781

(ii) Has satisfied the alternative conditions prescribed in 782
section 3313.615 of the Revised Code. 783

(b) If the person entered the ninth grade on or after the 784
date prescribed by rule of the state board under division (D)(2) 785
of section 3301.0712 of the Revised Code, the person has met the 786
requirements of the entire assessment system prescribed under 787
division (B)(2) of section 3301.0710 of the Revised Code. 788

(3) Has met additional criteria established by the state 789
board for the granting of such a diploma. 790

An honors diploma shall not be granted to a student who is 791
subject to the Ohio core curriculum prescribed in division (C) of 792
section 3313.603 of the Revised Code but elects the option of 793
division (D) or (F) of that section. Except as provided in 794
divisions (C), (E), and (J) of this section, no honors diploma 795
shall be granted to anyone failing to comply with this division 796
and no more than one honors diploma shall be granted to any 797
student under this division. 798

The state board shall adopt rules prescribing the granting of 799
honors diplomas under this division. These rules may prescribe the 800
granting of honors diplomas that recognize a student's achievement 801
as a whole or that recognize a student's achievement in one or 802
more specific subjects or both. The rules may prescribe the 803
granting of an honors diploma recognizing technical expertise for 804
a career-technical student. In any case, the rules shall designate 805
two or more criteria for the granting of each type of honors 806
diploma the board establishes under this division and the number 807
of such criteria that must be met for the granting of that type of 808
diploma. The number of such criteria for any type of honors 809
diploma shall be at least one less than the total number of 810
criteria designated for that type and no one or more particular 811
criteria shall be required of all persons who are to be granted 812
that type of diploma. 813

(C) Any district board administering any of the assessments 814
required by section 3301.0710 of the Revised Code to any person 815

requesting to take such assessment pursuant to division (B)(8)(b) 816
of section 3301.0711 of the Revised Code shall award a diploma to 817
such person if the person attains at least the applicable scores 818
designated under division (B)(1) of section 3301.0710 of the 819
Revised Code on all the assessments administered and if the person 820
has previously attained the applicable scores on all the other 821
assessments required by division (B)(1) of that section or has 822
been exempted or excused from attaining the applicable score on 823
any such assessment pursuant to division (H) or (L) of this 824
section or from taking any such assessment pursuant to section 825
3313.532 of the Revised Code. 826

(D) Each diploma awarded under this section shall be signed 827
by the president and treasurer of the issuing board, the 828
superintendent of schools, and the principal of the high school. 829
Each diploma shall bear the date of its issue, be in such form as 830
the district board prescribes, and be paid for out of the 831
district's general fund. 832

(E) A person who is a resident of Ohio and is eligible under 833
state board of education minimum standards to receive a high 834
school diploma based in whole or in part on credits earned while 835
an inmate of a correctional institution operated by the state or 836
any political subdivision thereof, shall be granted such diploma 837
by the correctional institution operating the programs in which 838
such credits were earned, and by the board of education of the 839
school district in which the inmate resided immediately prior to 840
the inmate's placement in the institution. The diploma granted by 841
the correctional institution shall be signed by the director of 842
the institution, and by the person serving as principal of the 843
institution's high school and shall bear the date of issue. 844

(F) Persons who are not residents of Ohio but who are inmates 845
of correctional institutions operated by the state or any 846
political subdivision thereof, and who are eligible under state 847

board of education minimum standards to receive a high school 848
diploma based in whole or in part on credits earned while an 849
inmate of the correctional institution, shall be granted a diploma 850
by the correctional institution offering the program in which the 851
credits were earned. The diploma granted by the correctional 852
institution shall be signed by the director of the institution and 853
by the person serving as principal of the institution's high 854
school and shall bear the date of issue. 855

(G) The state board of education shall provide by rule for 856
the administration of the assessments required by section 857
3301.0710 of the Revised Code to inmates of correctional 858
institutions. 859

(H) Any person to whom all of the following apply shall be 860
exempted from attaining the applicable score on the assessment in 861
social studies designated under division (B)(1) of section 862
3301.0710 of the Revised Code, any ~~social studies~~ American history 863
end-of-course examination and any American government 864
end-of-course examination required under division (B)(2) of that 865
section if such an exemption is prescribed by rule of the state 866
board under division (D)(4) of section 3301.0712 of the Revised 867
Code, or the test in citizenship designated under former division 868
(B) of section 3301.0710 of the Revised Code as it existed prior 869
to September 11, 2001: 870

(1) The person is not a citizen of the United States; 871

(2) The person is not a permanent resident of the United 872
States; 873

(3) The person indicates no intention to reside in the United 874
States after the completion of high school. 875

(I) Notwithstanding division (D) of section 3311.19 and 876
division (D) of section 3311.52 of the Revised Code, this section 877
and section 3311.611 of the Revised Code do not apply to the board 878

of education of any joint vocational school district or any 879
cooperative education school district established pursuant to 880
divisions (A) to (C) of section 3311.52 of the Revised Code. 881

(J) Upon receipt of a notice under division (D) of section 882
3325.08 ~~of~~ or division (D) of section 3328.25 of the Revised Code 883
that a student has received a diploma under either section, the 884
board of education receiving the notice may grant a high school 885
diploma under this section to the student, except that such board 886
shall grant the student a diploma if the student meets the 887
graduation requirements that the student would otherwise have had 888
to meet to receive a diploma from the district. The diploma 889
granted under this section shall be of the same type the notice 890
indicates the student received under section 3325.08 or 3328.25 of 891
the Revised Code. 892

(K) As used in this division, "limited English proficient 893
student" has the same meaning as in division (C)(3) of section 894
3301.0711 of the Revised Code. 895

Notwithstanding division (C)(3) of section 3301.0711 of the 896
Revised Code, no limited English proficient student who has not 897
either attained the applicable scores designated under division 898
(B)(1) of section 3301.0710 of the Revised Code on all the 899
assessments required by that division, or met the requirements of 900
the assessments required by division (B)(2) of that section, shall 901
be awarded a diploma under this section. 902

(L) Any student described by division (A)(1) of this section 903
may be awarded a diploma without attaining the applicable scores 904
designated on the assessments prescribed under division (B) of 905
section 3301.0710 of the Revised Code provided an individualized 906
education program specifically exempts the student from attaining 907
such scores. This division does not negate the requirement for 908
such a student to take all such assessments or alternate 909
assessments required by division (C)(1) of section 3301.0711 of 910

the Revised Code for the purpose of assessing student progress as 911
required by federal law. 912

Sec. 3313.612. (A) No nonpublic school chartered by the state 913
board of education shall grant a high school diploma to any person 914
unless, subject to section 3313.614 of the Revised Code, the 915
person has met the assessment requirements of division (A)(1) or 916
(2) of this section, as applicable. 917

(1) If the person entered the ninth grade prior to the date 918
prescribed by rule of the state board under division (D)(2) of 919
section 3301.0712 of the Revised Code, the person has attained at 920
least the applicable scores designated under division (B)(1) of 921
section 3301.0710 of the Revised Code on all the assessments 922
required by that division, or has satisfied the alternative 923
conditions prescribed in section 3313.615 of the Revised Code. 924

(2) If the person entered the ninth grade on or after the 925
date prescribed by rule of the state board under division (E)(2) 926
of section 3301.0712 of the Revised Code, the person has met the 927
requirements of the entire assessment system prescribed under 928
division (B)(2) of section 3301.0710 of the Revised Code. 929

(B) This section does not apply to either of the following: 930

(1) Any person with regard to any assessment from which the 931
person was excused pursuant to division (C)(1)(c) of section 932
3301.0711 of the Revised Code; 933

(2) Any person with regard to the social studies assessment 934
under division (B)(1) of section 3301.0710 of the Revised Code, 935
any ~~social studies~~ American history end-of-course examination and 936
any American government end-of-course examination required under 937
division (B)(2) of that section if such an exemption is prescribed 938
by rule of the state board of education under division (D)(4) of 939
section 3301.0712 of the Revised Code, or the citizenship test 940

under former division (B) of section 3301.0710 of the Revised Code 941
as it existed prior to September 11, 2001, if all of the following 942
apply: 943

(a) The person is not a citizen of the United States; 944

(b) The person is not a permanent resident of the United 945
States; 946

(c) The person indicates no intention to reside in the United 947
States after completion of high school. 948

(C) As used in this division, "limited English proficient 949
student" has the same meaning as in division (C)(3) of section 950
3301.0711 of the Revised Code. 951

Notwithstanding division (C)(3) of section 3301.0711 of the 952
Revised Code, no limited English proficient student who has not 953
either attained the applicable scores designated under division 954
(B)(1) of section 3301.0710 of the Revised Code on all the 955
assessments required by that division, or met the requirements of 956
the assessments under division (B)(2) of that section, shall be 957
awarded a diploma under this section. 958

Sec. 3319.23. A valid educator license for teaching social 959
studies in the applicable grade shall be considered sufficient to 960
teach the additional American history and American government 961
content adopted under division (A)(1)(b) of section 3301.079 of 962
the Revised Code. 963

Section 2. That existing sections 3301.079, 3301.0712, 964
3313.60, 3313.603, 3313.61, and 3313.612 of the Revised Code are 965
hereby repealed. 966

Section 3. Not later than July 1, 2012, the State Board of 967
Education shall review the Revised Code and recommend legislation 968
to the General Assembly to make changes necessary to fully 969

implement, and remove any potential impediment to, the additional 970
American history and American government content adopted under 971
division (A)(1)(b) of section 3301.079 of the Revised Code. 972

Section 4. Nothing in this act shall be construed to limit 973
the ability of a school district or public or nonpublic school to 974
offer academic content based on the standards adopted under 975
division (A)(1)(b) of section 3301.079 of the Revised Code and the 976
academic content required under division (M) of section 3313.603 977
of the Revised Code through summer school, online, or any other 978
method of education offered by the district or school. 979