

As Introduced

**129th General Assembly
Regular Session
2011-2012**

S. B. No. 165

Senators Obhof, Grendell

Cosponsors: Senators Faber, Hughes, Jones, Jordan, Schaffer, Seitz

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A B I L L

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historical documents in the state academic 3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

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

Section 1. That sections 3301.079, 3313.60, 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 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. 13

(a) The standards shall specify the following: 14

~~(a)~~(i) The core academic content and skills that students are 15
expected to know and be able to do at each grade level that will 16
allow each student to be prepared for postsecondary instruction 17
and the workplace for success in the twenty-first century; 18

~~(b)(ii)~~ The development of skill sets as they relate to 19
creativity and innovation, critical thinking and problem solving, 20
and communication and collaboration; 21

~~(e)(iii)~~ The development of skill sets that promote 22
information, media, and technological literacy; 23

~~(d)(iv)~~ The development of skill sets that promote personal 24
management, productivity and accountability, and leadership and 25
responsibility; 26

~~(e)(v)~~ Interdisciplinary, project-based, real-world learning 27
opportunities. 28

(b) Not later than July 1, 2012, the state board shall 29
incorporate into the social studies standards academic content 30
regarding the original texts of the Declaration of Independence, 31
the Northwest Ordinance, the Constitution of the United States 32
with emphasis on the Bill of Rights, and the Ohio Constitution, 33
and their historical context. The state board shall revise the 34
model curricula and achievement assessments adopted under 35
divisions (B) and (C) of this section as necessary to reflect the 36
additional academic content. 37

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

(3) The state board shall adopt the most recent standards 45
developed by the national association for sport and physical 46
education for physical education in grades kindergarten through 47
twelve or shall adopt its own standards for physical education in 48
those grades and revise and update them periodically. 49

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

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

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

All school districts, community schools, and STEM schools may utilize the state standards and the model curriculum established by the state board, together with other relevant resources, examples, or models to ensure that students have the opportunity

to attain the academic standards. Upon request, the department of 82
education shall provide technical assistance to any district, 83
community school, or STEM school in implementing the model 84
curriculum. 85

Nothing in this section requires any school district to 86
utilize all or any part of a model curriculum developed under this 87
division. 88

(C) The state board shall develop achievement assessments 89
aligned with the academic standards and model curriculum for each 90
of the subject areas and grade levels required by divisions (A)(1) 91
and (B)(1) of section 3301.0710 of the Revised Code. 92

When any achievement assessment has been completed, the state 93
board shall inform all school districts, community schools, STEM 94
schools, and nonpublic schools required to administer the 95
assessment of its completion, and the department of education 96
shall make the achievement assessment available to the districts 97
and schools. 98

(D)(1) The state board shall adopt a diagnostic assessment 99
aligned with the academic standards and model curriculum for each 100
of grades kindergarten through two in English language arts and 101
mathematics and for grade three in English language arts. The 102
diagnostic assessment shall be designed to measure student 103
comprehension of academic content and mastery of related skills 104
for the relevant subject area and grade level. Any diagnostic 105
assessment shall not include components to identify gifted 106
students. Blank copies of diagnostic assessments shall be public 107
records. 108

(2) When each diagnostic assessment has been completed, the 109
state board shall inform all school districts of its completion 110
and the department of education shall make the diagnostic 111
assessment available to the districts at no cost to the district. 112

School districts shall administer the diagnostic assessment 113
pursuant to section 3301.0715 of the Revised Code beginning the 114
first school year following the development of the assessment. 115

(E) The state board shall not adopt a diagnostic or 116
achievement assessment for any grade level or subject area other 117
than those specified in this section. 118

(F) Whenever the state board or the department of education 119
consults with persons for the purpose of drafting or reviewing any 120
standards, diagnostic assessments, achievement assessments, or 121
model curriculum required under this section, the state board or 122
the department shall first consult with parents of students in 123
kindergarten through twelfth grade and with active Ohio classroom 124
teachers, other school personnel, and administrators with 125
expertise in the appropriate subject area. Whenever practicable, 126
the state board and department shall consult with teachers 127
recognized as outstanding in their fields. 128

If the department contracts with more than one outside entity 129
for the development of the achievement assessments required by 130
this section, the department shall ensure the interchangeability 131
of those assessments. 132

(G) The fairness sensitivity review committee, established by 133
rule of the state board of education, shall not allow any question 134
on any achievement or diagnostic assessment developed under this 135
section or any proficiency test prescribed by former section 136
3301.0710 of the Revised Code, as it existed prior to September 137
11, 2001, to include, be written to promote, or inquire as to 138
individual moral or social values or beliefs. The decision of the 139
committee shall be final. This section does not create a private 140
cause of action. 141

(H) Not later than forty-five days prior to the initial 142
deadline established under division (A)(1) of this section and the 143

deadline established under division (B) of this section, the 144
superintendent of public instruction shall present the academic 145
standards or model curricula, as applicable, to the respective 146
committees of the house of representatives and senate that 147
consider education legislation. 148

(I) As used in this section: 149

(1) "Coherence" means a reflection of the structure of the 150
discipline being taught. 151

(2) "Focus" means limiting the number of items included in a 152
curriculum to allow for deeper exploration of the subject matter. 153

(3) "Rigor" means more challenging and demanding when 154
compared to international standards. 155

(4) "Vertical articulation" means key academic concepts and 156
skills associated with mastery in particular content areas should 157
be articulated and reinforced in a developmentally appropriate 158
manner at each grade level so that over time students acquire a 159
depth of knowledge and understanding in the core academic 160
disciplines. 161

Sec. 3313.60. Notwithstanding division (D) of section 3311.52 162
of the Revised Code, divisions (A) to (E) of this section do not 163
apply to any cooperative education school district established 164
pursuant to divisions (A) to (C) of section 3311.52 of the Revised 165
Code. 166

(A) The board of education of each city and exempted village 167
school district, the governing board of each educational service 168
center, and the board of each cooperative education school 169
district established pursuant to section 3311.521 of the Revised 170
Code shall prescribe a curriculum for all schools under their 171
control. Except as provided in division (E) of this section, in 172
any such curriculum there shall be included the study of the 173

following subjects:	174
(1) The language arts, including reading, writing, spelling, oral and written English, and literature;	175 176
(2) Geography, the history of the United States and of Ohio, and national, state, and local government in the United States, including a balanced presentation of the relevant contributions to society of men and women of African, Mexican, Puerto Rican, and American Indian descent as well as other ethnic and racial groups in Ohio and the United States;	177 178 179 180 181 182
(3) Mathematics;	183
(4) Natural science, including instruction in the conservation of natural resources;	184 185
(5) Health education, which shall include instruction in:	186
(a) The nutritive value of foods, including natural and organically produced foods, the relation of nutrition to health, and the use and effects of food additives;	187 188 189
(b) The harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco;	190 191
(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;	192 193 194
(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;	195 196 197 198 199
(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.	200 201 202 203

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.

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.

(6) Physical education;

(7) The fine arts, including music;

(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 cardiopulmonary resuscitation.

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

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

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

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

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

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

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

(2) Any textbook, workbook, software, video, or other

instructional materials being used by the district in connection 266
with the instruction of the child; 267

(3) Any completed and graded test taken or survey or 268
questionnaire filled out by the child; 269

(4) Copies of the statewide academic standards and each model 270
curriculum developed pursuant to section 3301.079 of the Revised 271
Code, which copies shall be available at all times during school 272
hours in each district school building. 273

Sec. 3313.603. (A) As used in this section: 274

(1) "One unit" means a minimum of one hundred twenty hours of 275
course instruction, except that for a laboratory course, "one 276
unit" means a minimum of one hundred fifty hours of course 277
instruction. 278

(2) "One-half unit" means a minimum of sixty hours of course 279
instruction, except that for physical education courses, "one-half 280
unit" means a minimum of one hundred twenty hours of course 281
instruction. 282

(B) Beginning September 15, 2001, except as required in 283
division (C) of this section and division (C) of section 3313.614 284
of the Revised Code, the requirements for graduation from every 285
high school shall include twenty units earned in grades nine 286
through twelve and shall be distributed as follows: 287

(1) English language arts, four units; 288

(2) Health, one-half unit; 289

(3) Mathematics, three units; 290

(4) Physical education, one-half unit; 291

(5) Science, two units until September 15, 2003, and three 292
units thereafter, which at all times shall include both of the 293
following: 294

(a) Biological sciences, one unit;	295
(b) Physical sciences, one unit.	296
(6) Social studies, three units <u>History and government, one</u>	297
<u>unit</u> , which shall <u>comply with division (M) of this section and</u>	298
<u>shall</u> include both of the following:	299
(a) American history, one-half unit;	300
(b) American government, one-half unit.	301
(7) <u>Social studies, two units.</u>	302
(8) <u>Elective units, seven units until September 15, 2003, and</u>	303
<u>six units thereafter.</u>	304
Each student's electives shall include at least one unit, or	305
two half units, chosen from among the areas of	306
business/technology, fine arts, and/or foreign language.	307
(C) Beginning with students who enter ninth grade for the	308
first time on or after July 1, 2010, except as provided in	309
divisions (D) to (F) of this section, the requirements for	310
graduation from every public and chartered nonpublic high school	311
shall include twenty units that are designed to prepare students	312
for the workforce and college. The units shall be distributed as	313
follows:	314
(1) English language arts, four units;	315
(2) Health, one-half unit, which shall include instruction in	316
nutrition and the benefits of nutritious foods and physical	317
activity for overall health;	318
(3) Mathematics, four units, which shall include one unit of	319
algebra II or the equivalent of algebra II;	320
(4) Physical education, one-half unit;	321
(5) Science, three units with inquiry-based laboratory	322
experience that engages students in asking valid scientific	323

questions and gathering and analyzing information, which shall	324
include the following, or their equivalent:	325
(a) Physical sciences, one unit;	326
(b) Life sciences, one unit;	327
(c) Advanced study in one or more of the following sciences, one unit:	328 329
(i) Chemistry, physics, or other physical science;	330
(ii) Advanced biology or other life science;	331
(iii) Astronomy, physical geology, or other earth or space science.	332 333
(6) Social studies, three units <u>History and government, one</u> <u>unit</u> , which shall <u>comply with division (M) of this section and</u> <u>shall</u> include both of the following:	334 335 336
(a) American history, one-half unit;	337
(b) American government, one-half unit.	338
<u>(7) Social studies, two units.</u>	339
Each school shall integrate the study of economics and	340
financial literacy, as expressed in the social studies academic	341
content standards adopted by the state board of education under	342
division (A)(1) of section 3301.079 of the Revised Code and the	343
academic content standards for financial literacy and	344
entrepreneurship adopted under division (A)(2) of that section,	345
into one or more existing social studies credits required under	346
division (C) (6) <u>(7)</u> of this section, or into the content of another	347
class, so that every high school student receives instruction in	348
those concepts. In developing the curriculum required by this	349
paragraph, schools shall use available public-private partnerships	350
and resources and materials that exist in business, industry, and	351
through the centers for economics education at institutions of	352
higher education in the state.	353

~~(7)~~(8) Five units consisting of one or any combination of 354
foreign language, fine arts, business, career-technical education, 355
family and consumer sciences, technology, agricultural education, 356
a junior reserve officer training corps (JROTC) program approved 357
by the congress of the United States under title 10 of the United 358
States Code, or English language arts, mathematics, science, or 359
social studies courses not otherwise required under division (C) 360
of this section. 361

Ohioans must be prepared to apply increased knowledge and 362
skills in the workplace and to adapt their knowledge and skills 363
quickly to meet the rapidly changing conditions of the 364
twenty-first century. National studies indicate that all high 365
school graduates need the same academic foundation, regardless of 366
the opportunities they pursue after graduation. The goal of Ohio's 367
system of elementary and secondary education is to prepare all 368
students for and seamlessly connect all students to success in 369
life beyond high school graduation, regardless of whether the next 370
step is entering the workforce, beginning an apprenticeship, 371
engaging in post-secondary training, serving in the military, or 372
pursuing a college degree. 373

The Ohio core curriculum is the standard expectation for all 374
students entering ninth grade for the first time at a public or 375
chartered nonpublic high school on or after July 1, 2010. A 376
student may satisfy this expectation through a variety of methods, 377
including, but not limited to, integrated, applied, 378
career-technical, and traditional coursework. 379

Whereas teacher quality is essential for student success in 380
completing the Ohio core curriculum, the general assembly shall 381
appropriate funds for strategic initiatives designed to strengthen 382
schools' capacities to hire and retain highly qualified teachers 383
in the subject areas required by the curriculum. Such initiatives 384
are expected to require an investment of \$120,000,000 over five 385

years. 386

Stronger coordination between high schools and institutions 387
of higher education is necessary to prepare students for more 388
challenging academic endeavors and to lessen the need for academic 389
remediation in college, thereby reducing the costs of higher 390
education for Ohio's students, families, and the state. The state 391
board and the chancellor of the Ohio board of regents shall 392
develop policies to ensure that only in rare instances will 393
students who complete the Ohio core curriculum require academic 394
remediation after high school. 395

School districts, community schools, and chartered nonpublic 396
schools shall integrate technology into learning experiences 397
whenever practicable across the curriculum in order to maximize 398
efficiency, enhance learning, and prepare students for success in 399
the technology-driven twenty-first century. Districts and schools 400
may use distance and web-based course delivery as a method of 401
providing or augmenting all instruction required under this 402
division, including laboratory experience in science. Districts 403
and schools shall whenever practicable utilize technology access 404
and electronic learning opportunities provided by the eTech Ohio 405
commission, the Ohio learning network, education technology 406
centers, public television stations, and other public and private 407
providers. 408

(D) Except as provided in division (E) of this section, a 409
student who enters ninth grade on or after July 1, 2010, and 410
before July 1, 2014, may qualify for graduation from a public or 411
chartered nonpublic high school even though the student has not 412
completed the Ohio core curriculum prescribed in division (C) of 413
this section if all of the following conditions are satisfied: 414

(1) After the student has attended high school for two years, 415
as determined by the school, the student and the student's parent, 416
guardian, or custodian sign and file with the school a written 417

statement asserting the parent's, guardian's, or custodian's 418
consent to the student's graduating without completing the Ohio 419
core curriculum and acknowledging that one consequence of not 420
completing the Ohio core curriculum is ineligibility to enroll in 421
most state universities in Ohio without further coursework. 422

(2) The student and parent, guardian, or custodian fulfill 423
any procedural requirements the school stipulates to ensure the 424
student's and parent's, guardian's, or custodian's informed 425
consent and to facilitate orderly filing of statements under 426
division (D)(1) of this section. 427

(3) The student and the student's parent, guardian, or 428
custodian and a representative of the student's high school 429
jointly develop an individual career plan for the student that 430
specifies the student matriculating to a two-year degree program, 431
acquiring a business and industry credential, or entering an 432
apprenticeship. 433

(4) The student's high school provides counseling and support 434
for the student related to the plan developed under division 435
(D)(3) of this section during the remainder of the student's high 436
school experience. 437

(5) The student successfully completes, at a minimum, the 438
curriculum prescribed in division (B) of this section. 439

The department of education, in collaboration with the 440
chancellor, shall analyze student performance data to determine if 441
there are mitigating factors that warrant extending the exception 442
permitted by division (D) of this section to high school classes 443
beyond those entering ninth grade before July 1, 2014. The 444
department shall submit its findings and any recommendations not 445
later than August 1, 2014, to the speaker and minority leader of 446
the house of representatives, the president and minority leader of 447
the senate, the chairpersons and ranking minority members of the 448

standing committees of the house of representatives and the senate 449
that consider education legislation, the state board of education, 450
and the superintendent of public instruction. 451

(E) Each school district and chartered nonpublic school 452
retains the authority to require an even more rigorous minimum 453
curriculum for high school graduation than specified in division 454
(B) or (C) of this section. A school district board of education, 455
through the adoption of a resolution, or the governing authority 456
of a chartered nonpublic school may stipulate any of the 457
following: 458

(1) A minimum high school curriculum that requires more than 459
twenty units of academic credit to graduate; 460

(2) An exception to the district's or school's minimum high 461
school curriculum that is comparable to the exception provided in 462
division (D) of this section but with additional requirements, 463
which may include a requirement that the student successfully 464
complete more than the minimum curriculum prescribed in division 465
(B) of this section; 466

(3) That no exception comparable to that provided in division 467
(D) of this section is available. 468

(F) A student enrolled in a dropout prevention and recovery 469
program, which program has received a waiver from the department, 470
may qualify for graduation from high school by successfully 471
completing a competency-based instructional program administered 472
by the dropout prevention and recovery program in lieu of 473
completing the Ohio core curriculum prescribed in division (C) of 474
this section. The department shall grant a waiver to a dropout 475
prevention and recovery program, within sixty days after the 476
program applies for the waiver, if the program meets all of the 477
following conditions: 478

(1) The program serves only students not younger than sixteen 479

years of age and not older than twenty-one years of age. 480

(2) The program enrolls students who, at the time of their 481
initial enrollment, either, or both, are at least one grade level 482
behind their cohort age groups or experience crises that 483
significantly interfere with their academic progress such that 484
they are prevented from continuing their traditional programs. 485

(3) The program requires students to attain at least the 486
applicable score designated for each of the assessments prescribed 487
under division (B)(1) of section 3301.0710 of the Revised Code or, 488
to the extent prescribed by rule of the state board under division 489
(E)(6) of section 3301.0712 of the Revised Code, division (B)(2) 490
of that section. 491

(4) The program develops an individual career plan for the 492
student that specifies the student's matriculating to a two-year 493
degree program, acquiring a business and industry credential, or 494
entering an apprenticeship. 495

(5) The program provides counseling and support for the 496
student related to the plan developed under division (F)(4) of 497
this section during the remainder of the student's high school 498
experience. 499

(6) The program requires the student and the student's 500
parent, guardian, or custodian to sign and file, in accordance 501
with procedural requirements stipulated by the program, a written 502
statement asserting the parent's, guardian's, or custodian's 503
consent to the student's graduating without completing the Ohio 504
core curriculum and acknowledging that one consequence of not 505
completing the Ohio core curriculum is ineligibility to enroll in 506
most state universities in Ohio without further coursework. 507

(7) Prior to receiving the waiver, the program has submitted 508
to the department an instructional plan that demonstrates how the 509
academic content standards adopted by the state board under 510

section 3301.079 of the Revised Code will be taught and assessed. 511

If the department does not act either to grant the waiver or 512
to reject the program application for the waiver within sixty days 513
as required under this section, the waiver shall be considered to 514
be granted. 515

(G) Every high school may permit students below the ninth 516
grade to take advanced work. If a high school so permits, it shall 517
award high school credit for successful completion of the advanced 518
work and shall count such advanced work toward the graduation 519
requirements of division (B) or (C) of this section if the 520
advanced work was both: 521

(1) Taught by a person who possesses a license or certificate 522
issued under section 3301.071, 3319.22, or 3319.222 of the Revised 523
Code that is valid for teaching high school; 524

(2) Designated by the board of education of the city, local, 525
or exempted village school district, the board of the cooperative 526
education school district, or the governing authority of the 527
chartered nonpublic school as meeting the high school curriculum 528
requirements. 529

Each high school shall record on the student's high school 530
transcript all high school credit awarded under division (G) of 531
this section. In addition, if the student completed a seventh- or 532
eighth-grade fine arts course described in division (K) of this 533
section and the course qualified for high school credit under that 534
division, the high school shall record that course on the 535
student's high school transcript. 536

(H) The department shall make its individual academic career 537
plan available through its Ohio career information system web site 538
for districts and schools to use as a tool for communicating with 539
and providing guidance to students and families in selecting high 540
school courses. 541

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

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

(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 574
required for graduation under division (C)~~(7)~~(8) of this section, 575
if the course satisfied the requirements of division (G) of this 576
section. In that case, the high school shall award the student 577
high school credit for the course and count the course toward the 578
five units required under division (C)~~(7)~~(8) of this section. If 579
the course in grade seven or eight did not satisfy the 580
requirements of division (G) of this section, the high school 581
shall not award the student high school credit for the course but 582
shall count the course toward the two semesters or the equivalent 583
of fine arts required by this division. 584

(L) Notwithstanding anything to the contrary in this section, 585
the board of education of each school district and the governing 586
authority of each chartered nonpublic school may adopt a policy to 587
excuse from the high school physical education requirement each 588
student who, during high school, has participated in 589
interscholastic athletics, marching band, or cheerleading for at 590
least two full seasons or in the junior reserve officer training 591
corps for at least two full school years. If the board or 592
authority adopts such a policy, the board or authority shall not 593
require the student to complete any physical education course as a 594
condition to graduate. However, the student shall be required to 595
complete one-half unit, consisting of at least sixty hours of 596
instruction, in another course of study. In the case of a student 597
who has participated in the junior reserve officer training corps 598
for at least two full school years, credit received for that 599
participation may be used to satisfy the requirement to complete 600
one-half unit in another course of study. 601

(M) It is important that high school students learn and 602
understand United States history and the governments of both the 603
United States and the state of Ohio. Therefore, beginning with 604
students who enter ninth grade for the first time on or after July 605

1, 2012, the study of American history and American government 606
required by divisions (B)(6) and (C)(6) of this section shall 607
include the study of all of the following documents: 608

(1) The Declaration of Independence; 609

(2) The Northwest Ordinance; 610

(3) The Constitution of the United States with emphasis on 611
the Bill of Rights; 612

(4) The Ohio Constitution. 613

The study of each of the documents prescribed in divisions 614
(M)(1) to (4) of this section shall include study of that document 615
in its historical context. 616

The study of American history and government required by 617
divisions (B)(6) and (C)(6) of this section shall include the 618
historical evidence of the role of documents such as the 619
Federalist Papers and the Anti-Federalist Papers to firmly 620
establish the historical background leading to the establishment 621
of the provisions of the Constitution and Bill of Rights. 622

Section 2. That existing sections 3301.079, 3313.60, and 623
3313.603 of the Revised Code are hereby repealed. 624