

**As Reported by the House Education Committee**

**129th General Assembly**

**Regular Session**

**2011-2012**

**Sub. S. B. No. 165**

**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**

—

**A B I L L**

To amend sections 3301.079, 3301.0712, 3313.60, and 1  
3313.603 and to enact section 3319.23 of the 2  
Revised Code to include content on specified 3  
historical documents in the state academic 4  
standards and in the high school American history 5  
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, and 7  
3313.603 be amended and section 3319.23 of the Revised Code be 8  
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 expected to know and be able to do at each grade level that will allow each student to be prepared for postsecondary instruction and the workplace for success in the twenty-first century;

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

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

(b) Not later than July 1, 2012, the state board shall incorporate into the social studies standards for grades four to twelve academic content regarding the original texts of the Declaration of Independence, the Northwest Ordinance, the Constitution of the United States with emphasis on the Bill of Rights, and the Ohio Constitution, and their original context. The state board shall revise the model curricula and achievement assessments adopted under division (C) of this section as necessary to reflect the additional American history and American government content.

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

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

The department shall employ a full-time physical education

coordinator to provide guidance and technical assistance to 47  
districts, community schools, and STEM schools in implementing the 48  
physical education standards adopted under this division. The 49  
superintendent of public instruction shall determine that the 50  
person employed as coordinator is qualified for the position, as 51  
demonstrated by possessing an adequate combination of education, 52  
license, and experience. 53

(4) When academic standards have been completed for any 54  
subject area required by this section, the state board shall 55  
inform all school districts, all community schools established 56  
under Chapter 3314. of the Revised Code, all STEM schools 57  
established under Chapter 3326. of the Revised Code, and all 58  
nonpublic schools required to administer the assessments 59  
prescribed by sections 3301.0710 and 3301.0712 of the Revised Code 60  
of the content of those standards. 61

(B) Not later than March 31, 2011, the state board shall 62  
adopt a model curriculum for instruction in each subject area for 63  
which updated academic standards are required by division (A)(1) 64  
of this section and for each of grades kindergarten through twelve 65  
that is sufficient to meet the needs of students in every 66  
community. The model curriculum shall be aligned with the 67  
standards, to ensure that the academic content and skills 68  
specified for each grade level are taught to students, and shall 69  
demonstrate vertical articulation and emphasize coherence, focus, 70  
and rigor. When any model curriculum has been completed, the state 71  
board shall inform all school districts, community schools, and 72  
STEM schools of the content of that model curriculum. 73

All school districts, community schools, and STEM schools may 74  
utilize the state standards and the model curriculum established 75  
by the state board, together with other relevant resources, 76  
examples, or models to ensure that students have the opportunity 77  
to attain the academic standards. Upon request, the department of 78

education shall provide technical assistance to any district, 79  
community school, or STEM school in implementing the model 80  
curriculum. 81

Nothing in this section requires any school district to 82  
utilize all or any part of a model curriculum developed under this 83  
division. 84

(C) The state board shall develop achievement assessments 85  
aligned with the academic standards and model curriculum for each 86  
of the subject areas and grade levels required by divisions (A)(1) 87  
and (B)(1) of section 3301.0710 of the Revised Code. 88

When any achievement assessment has been completed, the state 89  
board shall inform all school districts, community schools, STEM 90  
schools, and nonpublic schools required to administer the 91  
assessment of its completion, and the department of education 92  
shall make the achievement assessment available to the districts 93  
and schools. 94

(D)(1) The state board shall adopt a diagnostic assessment 95  
aligned with the academic standards and model curriculum for each 96  
of grades kindergarten through two in English language arts and 97  
mathematics and for grade three in English language arts. The 98  
diagnostic assessment shall be designed to measure student 99  
comprehension of academic content and mastery of related skills 100  
for the relevant subject area and grade level. Any diagnostic 101  
assessment shall not include components to identify gifted 102  
students. Blank copies of diagnostic assessments shall be public 103  
records. 104

(2) When each diagnostic assessment has been completed, the 105  
state board shall inform all school districts of its completion 106  
and the department of education shall make the diagnostic 107  
assessment available to the districts at no cost to the district. 108  
School districts shall administer the diagnostic assessment 109

pursuant to section 3301.0715 of the Revised Code beginning the 110  
first school year following the development of the assessment. 111

(E) The state board shall not adopt a diagnostic or 112  
achievement assessment for any grade level or subject area other 113  
than those specified in this section. 114

(F) Whenever the state board or the department of education 115  
consults with persons for the purpose of drafting or reviewing any 116  
standards, diagnostic assessments, achievement assessments, or 117  
model curriculum required under this section, the state board or 118  
the department shall first consult with parents of students in 119  
kindergarten through twelfth grade and with active Ohio classroom 120  
teachers, other school personnel, and administrators with 121  
expertise in the appropriate subject area. Whenever practicable, 122  
the state board and department shall consult with teachers 123  
recognized as outstanding in their fields. 124

If the department contracts with more than one outside entity 125  
for the development of the achievement assessments required by 126  
this section, the department shall ensure the interchangeability 127  
of those assessments. 128

(G) The fairness sensitivity review committee, established by 129  
rule of the state board of education, shall not allow any question 130  
on any achievement or diagnostic assessment developed under this 131  
section or any proficiency test prescribed by former section 132  
3301.0710 of the Revised Code, as it existed prior to September 133  
11, 2001, to include, be written to promote, or inquire as to 134  
individual moral or social values or beliefs. The decision of the 135  
committee shall be final. This section does not create a private 136  
cause of action. 137

(H) Not later than forty-five days prior to the initial 138  
deadline established under division (A)(1) of this section and the 139  
deadline established under division (B) of this section, the 140

superintendent of public instruction shall present the academic 141  
standards or model curricula, as applicable, to the respective 142  
committees of the house of representatives and senate that 143  
consider education legislation. 144

(I) As used in this section: 145

(1) "Coherence" means a reflection of the structure of the 146  
discipline being taught. 147

(2) "Focus" means limiting the number of items included in a 148  
curriculum to allow for deeper exploration of the subject matter. 149

(3) "Rigor" means more challenging and demanding when 150  
compared to international standards. 151

(4) "Vertical articulation" means key academic concepts and 152  
skills associated with mastery in particular content areas should 153  
be articulated and reinforced in a developmentally appropriate 154  
manner at each grade level so that over time students acquire a 155  
depth of knowledge and understanding in the core academic 156  
disciplines. 157

**Sec. 3301.0712.** (A) The state board of education, the 158  
superintendent of public instruction, and the chancellor of the 159  
Ohio board of regents shall develop a system of college and work 160  
ready assessments as described in divisions (B)(1) and (2) of this 161  
section to assess whether each student upon graduating from high 162  
school is ready to enter college or the workforce. The system 163  
shall replace the Ohio graduation tests prescribed in division 164  
(B)(1) of section 3301.0710 of the Revised Code as a measure of 165  
student academic performance and a prerequisite for eligibility 166  
for a high school diploma in the manner prescribed by rule of the 167  
state board adopted under division (D) of this section. 168

(B) The college and work ready assessment system shall 169  
consist of the following: 170

(1) A nationally standardized assessment that measures 171  
college and career readiness selected jointly by the state 172  
superintendent and the chancellor. 173

(2) A series of end-of-course examinations in the areas of 174  
science, mathematics, English language arts, history and 175  
government, and social studies selected jointly by the state 176  
superintendent and the chancellor in consultation with faculty in 177  
the appropriate subject areas at institutions of higher education 178  
of the university system of Ohio. For each subject area, the state 179  
superintendent and chancellor shall select multiple assessments 180  
that school districts, public schools, and chartered nonpublic 181  
schools may use as end-of-course examinations. Those Subject to 182  
division (B)(3)(b) of this section, those assessments shall 183  
include nationally recognized subject area assessments, such as 184  
advanced placement examinations, SAT subject tests, international 185  
baccalaureate examinations, and other assessments of college and 186  
work readiness. 187

(3)(a) Not later than July 1, 2013, each school district 188  
board of education shall adopt an interim end-of-course 189  
examination that complies with the requirements of divisions 190  
(B)(3)(b)(i) and (ii) of this section to assess mastery of 191  
American history and government standards adopted under division 192  
(A)(1)(b) of section 3301.079 of the Revised Code and the topics 193  
required under division (M) of section 3313.603 of the Revised 194  
Code. Each high school of the district shall use the interim 195  
examination until the state superintendent and chancellor select 196  
an end-of-course examination in history and government under 197  
division (B)(2) of this section. 198

(b) Not later than July 1, 2014, the state superintendent and 199  
the chancellor shall select the end-of-course examination in 200  
history and government. The end-of-course examination in history 201  
and government shall require both of the following: 202

<u>(i) Demonstration of mastery of the American history and</u>	203
<u>American government content for social studies standards adopted</u>	204
<u>under division (A)(1)(b) of section 3301.079 of the Revised Code</u>	205
<u>and the topics required under division (M) of section 3313.603 of</u>	206
<u>the Revised Code;</u>	207
<u>(ii) That at least thirty per cent of the assessment</u>	208
<u>addresses the topics on American history and American government</u>	209
<u>described in division (M) of section 3313.603 of the Revised Code.</u>	210
(C) Not later than thirty days after the state board adopts	211
the model curricula required by division (B) of section 3301.079	212
of the Revised Code, the state board shall convene a group of	213
national experts, state experts, and local practitioners to	214
provide advice, guidance, and recommendations for the alignment of	215
standards and model curricula to the assessments and in the design	216
of the end-of-course examinations prescribed by this section.	217
(D) Upon completion of the development of the assessment	218
system, the state board shall adopt rules prescribing all of the	219
following:	220
(1) A timeline and plan for implementation of the assessment	221
system, including a phased implementation if the state board	222
determines such a phase-in is warranted;	223
(2) The date after which a person entering ninth grade shall	224
meet the requirements of the entire assessment system as a	225
prerequisite for a high school diploma under section 3313.61,	226
3313.612, or 3325.08 of the Revised Code;	227
(3) The date after which a person shall meet the requirements	228
of the entire assessment system as a prerequisite for a diploma of	229
adult education under section 3313.611 of the Revised Code;	230
(4) Whether and the extent to which a person may be excused	231
from a social studies end-of-course examination under division (H)	232
of section 3313.61 and division (B)(2) of section 3313.612 of the	233



Revised Code;	234
(5) The date after which a person who has fulfilled the curriculum requirement for a diploma but has not passed one or more of the required assessments at the time the person fulfilled the curriculum requirement shall meet the requirements of the entire assessment system as a prerequisite for a high school diploma under division (B) of section 3313.614 of the Revised Code;	235 236 237 238 239 240 241
(6) The extent to which the assessment system applies to students enrolled in a dropout recovery and prevention program for purposes of division (F) of section 3313.603 and section 3314.36 of the Revised Code.	242 243 244 245
No rule adopted under this division shall be effective earlier than one year after the date the rule is filed in final form pursuant to Chapter 119. of the Revised Code.	246 247 248
(E) Not later than forty-five days prior to the state board's adoption of a resolution directing the department of education to file the rules prescribed by division (D) of this section in final form under section 119.04 of the Revised Code, the superintendent of public instruction shall present the assessment system developed under this section to the respective committees of the house of representatives and senate that consider education legislation.	249 250 251 252 253 254 255 256
<b>Sec. 3313.60.</b> Notwithstanding division (D) of section 3311.52 of the Revised Code, divisions (A) to (E) of this section do not apply to any cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code.	257 258 259 260 261
(A) The board of education of each city and exempted village school district, the governing board of each educational service	262 263

center, and the board of each cooperative education school 264  
district established pursuant to section 3311.521 of the Revised 265  
Code shall prescribe a curriculum for all schools under their 266  
control. Except as provided in division (E) of this section, in 267  
any such curriculum there shall be included the study of the 268  
following subjects: 269

(1) The language arts, including reading, writing, spelling, 270  
oral and written English, and literature; 271

(2) Geography, the history of the United States and of Ohio, 272  
and national, state, and local government in the United States, 273  
including a balanced presentation of the relevant contributions to 274  
society of men and women of African, Mexican, Puerto Rican, and 275  
American Indian descent as well as other ethnic and racial groups 276  
in Ohio and the United States; 277

(3) Mathematics; 278

(4) Natural science, including instruction in the 279  
conservation of natural resources; 280

(5) Health education, which shall include instruction in: 281

(a) The nutritive value of foods, including natural and 282  
organically produced foods, the relation of nutrition to health, 283  
and the use and effects of food additives; 284

(b) The harmful effects of and legal restrictions against the 285  
use of drugs of abuse, alcoholic beverages, and tobacco; 286

(c) Venereal disease education, except that upon written 287  
request of the student's parent or guardian, a student shall be 288  
excused from taking instruction in venereal disease education; 289

(d) In grades kindergarten through six, instruction in 290  
personal safety and assault prevention, except that upon written 291  
request of the student's parent or guardian, a student shall be 292  
excused from taking instruction in personal safety and assault 293

prevention;	294
(e) In grades seven through twelve, age-appropriate	295
instruction in dating violence prevention education, which shall	296
include instruction in recognizing dating violence warning signs	297
and characteristics of healthy relationships.	298
In order to assist school districts in developing a dating	299
violence prevention education curriculum, the department of	300
education shall provide on its web site links to free curricula	301
addressing dating violence prevention.	302
If the parent or legal guardian of a student less than	303
eighteen years of age submits to the principal of the student's	304
school a written request to examine the dating violence prevention	305
instruction materials used at that school, the principal, within a	306
reasonable period of time after the request is made, shall allow	307
the parent or guardian to examine those materials at that school.	308
(6) Physical education;	309
(7) The fine arts, including music;	310
(8) First aid, including a training program in	311
cardiopulmonary resuscitation, safety, and fire prevention, except	312
that upon written request of the student's parent or guardian, a	313
student shall be excused from taking instruction in	314
cardiopulmonary resuscitation.	315
(B) Except as provided in division (E) of this section, every	316
school or school district shall include in the requirements for	317
promotion from the eighth grade to the ninth grade one year's	318
course of study of American history. A board may waive this	319
requirement for academically accelerated students who, in	320
accordance with procedures adopted by the board, are able to	321
demonstrate mastery of essential concepts and skills of the eighth	322
grade American history course of study.	323

(C) ~~Except~~ As specified in divisions (B)(6) and (C)(6) of 324  
section 3313.603 of the Revised Code, except as provided in 325  
division (E) of this section, every high school shall include in 326  
the requirements for graduation from any curriculum ~~one~~ one-half 327  
unit each of American history and government, ~~including a study of~~ 328  
~~the constitutions of the United States and of Ohio.~~ 329

(D) Except as provided in division (E) of this section, basic 330  
instruction or demonstrated mastery in geography, United States 331  
history, the government of the United States, the government of 332  
the state of Ohio, local government in Ohio, the Declaration of 333  
Independence, the United States Constitution, and the Constitution 334  
of the state of Ohio shall be required before pupils may 335  
participate in courses involving the study of social problems, 336  
economics, foreign affairs, United Nations, world government, 337  
socialism and communism. 338

(E) For each cooperative education school district 339  
established pursuant to section 3311.521 of the Revised Code and 340  
each city, exempted village, and local school district that has 341  
territory within such a cooperative district, the curriculum 342  
adopted pursuant to divisions (A) to (D) of this section shall 343  
only include the study of the subjects that apply to the grades 344  
operated by each such school district. The curriculums for such 345  
schools, when combined, shall provide to each student of these 346  
districts all of the subjects required under divisions (A) to (D) 347  
of this section. 348

(F) The board of education of any cooperative education 349  
school district established pursuant to divisions (A) to (C) of 350  
section 3311.52 of the Revised Code shall prescribe a curriculum 351  
for the subject areas and grade levels offered in any school under 352  
its control. 353

(G) Upon the request of any parent or legal guardian of a 354  
student, the board of education of any school district shall 355

permit the parent or guardian to promptly examine, with respect to 356  
the parent's or guardian's own child: 357

(1) Any survey or questionnaire, prior to its administration 358  
to the child; 359

(2) Any textbook, workbook, software, video, or other 360  
instructional materials being used by the district in connection 361  
with the instruction of the child; 362

(3) Any completed and graded test taken or survey or 363  
questionnaire filled out by the child; 364

(4) Copies of the statewide academic standards and each model 365  
curriculum developed pursuant to section 3301.079 of the Revised 366  
Code, which copies shall be available at all times during school 367  
hours in each district school building. 368

**Sec. 3313.603.** (A) As used in this section: 369

(1) "One unit" means a minimum of one hundred twenty hours of 370  
course instruction, except that for a laboratory course, "one 371  
unit" means a minimum of one hundred fifty hours of course 372  
instruction. 373

(2) "One-half unit" means a minimum of sixty hours of course 374  
instruction, except that for physical education courses, "one-half 375  
unit" means a minimum of one hundred twenty hours of course 376  
instruction. 377

(B) Beginning September 15, 2001, except as required in 378  
division (C) of this section and division (C) of section 3313.614 379  
of the Revised Code, the requirements for graduation from every 380  
high school shall include twenty units earned in grades nine 381  
through twelve and shall be distributed as follows: 382

(1) English language arts, four units; 383

(2) Health, one-half unit; 384

(3) Mathematics, three units;	385
(4) Physical education, one-half unit;	386
(5) Science, two units until September 15, 2003, and three units thereafter, which at all times shall include both of the following:	387 388 389
(a) Biological sciences, one unit;	390
(b) Physical sciences, one unit.	391
(6) <del>Social studies, three units</del> <u>History and government, one unit</u> , which shall <u>comply with division (M) of this section and shall</u> include both of the following:	392 393 394
(a) American history, one-half unit;	395
(b) American government, one-half unit.	396
(7) <u>Social studies, two units.</u>	397
<u>(8)</u> Elective units, seven units until September 15, 2003, and six units thereafter.	398 399
Each student's electives shall include at least one unit, or two half units, chosen from among the areas of business/technology, fine arts, and/or foreign language.	400 401 402
(C) Beginning with students who enter ninth grade for the first time on or after July 1, 2010, except as provided in divisions (D) to (F) of this section, the requirements for graduation from every public and chartered nonpublic high school shall include twenty units that are designed to prepare students for the workforce and college. The units shall be distributed as follows:	403 404 405 406 407 408 409
(1) English language arts, four units;	410
(2) Health, one-half unit, which shall include instruction in nutrition and the benefits of nutritious foods and physical activity for overall health;	411 412 413

(3) Mathematics, four units, which shall include one unit of algebra II or the equivalent of algebra II;	414
	415
(4) Physical education, one-half unit;	416
(5) Science, three units with inquiry-based laboratory experience that engages students in asking valid scientific questions and gathering and analyzing information, which shall include the following, or their equivalent:	417
	418
	419
	420
(a) Physical sciences, one unit;	421
(b) Life sciences, one unit;	422
(c) Advanced study in one or more of the following sciences, one unit:	423
	424
(i) Chemistry, physics, or other physical science;	425
(ii) Advanced biology or other life science;	426
(iii) Astronomy, physical geology, or other earth or space science.	427
	428
(6) <del>Social studies, three units</del> <u>History and government, one unit</u> , which shall <u>comply with division (M) of this section and shall</u> include both of the following:	429
	430
	431
(a) American history, one-half unit;	432
(b) American government, one-half unit.	433
<u>(7) Social studies, two units.</u>	434
Each school shall integrate the study of economics and financial literacy, as expressed in the social studies academic content standards adopted by the state board of education under division (A)(1) of section 3301.079 of the Revised Code and the academic content standards for financial literacy and entrepreneurship adopted under division (A)(2) of that section, into one or more existing social studies credits required under division (C) <del>(6)</del> <u>(7)</u> of this section, or into the content of another	435
	436
	437
	438
	439
	440
	441
	442

class, so that every high school student receives instruction in 443  
those concepts. In developing the curriculum required by this 444  
paragraph, schools shall use available public-private partnerships 445  
and resources and materials that exist in business, industry, and 446  
through the centers for economics education at institutions of 447  
higher education in the state. 448

~~(7)~~(8) Five units consisting of one or any combination of 449  
foreign language, fine arts, business, career-technical education, 450  
family and consumer sciences, technology, agricultural education, 451  
a junior reserve officer training corps (JROTC) program approved 452  
by the congress of the United States under title 10 of the United 453  
States Code, or English language arts, mathematics, science, or 454  
social studies courses not otherwise required under division (C) 455  
of this section. 456

Ohioans must be prepared to apply increased knowledge and 457  
skills in the workplace and to adapt their knowledge and skills 458  
quickly to meet the rapidly changing conditions of the 459  
twenty-first century. National studies indicate that all high 460  
school graduates need the same academic foundation, regardless of 461  
the opportunities they pursue after graduation. The goal of Ohio's 462  
system of elementary and secondary education is to prepare all 463  
students for and seamlessly connect all students to success in 464  
life beyond high school graduation, regardless of whether the next 465  
step is entering the workforce, beginning an apprenticeship, 466  
engaging in post-secondary training, serving in the military, or 467  
pursuing a college degree. 468

The Ohio core curriculum is the standard expectation for all 469  
students entering ninth grade for the first time at a public or 470  
chartered nonpublic high school on or after July 1, 2010. A 471  
student may satisfy this expectation through a variety of methods, 472  
including, but not limited to, integrated, applied, 473  
career-technical, and traditional coursework. 474



Whereas teacher quality is essential for student success in 475  
completing the Ohio core curriculum, the general assembly shall 476  
appropriate funds for strategic initiatives designed to strengthen 477  
schools' capacities to hire and retain highly qualified teachers 478  
in the subject areas required by the curriculum. Such initiatives 479  
are expected to require an investment of \$120,000,000 over five 480  
years. 481

Stronger coordination between high schools and institutions 482  
of higher education is necessary to prepare students for more 483  
challenging academic endeavors and to lessen the need for academic 484  
remediation in college, thereby reducing the costs of higher 485  
education for Ohio's students, families, and the state. The state 486  
board and the chancellor of the Ohio board of regents shall 487  
develop policies to ensure that only in rare instances will 488  
students who complete the Ohio core curriculum require academic 489  
remediation after high school. 490

School districts, community schools, and chartered nonpublic 491  
schools shall integrate technology into learning experiences 492  
across the curriculum in order to maximize efficiency, enhance 493  
learning, and prepare students for success in the 494  
technology-driven twenty-first century. Districts and schools 495  
shall use distance and web-based course delivery as a method of 496  
providing or augmenting all instruction required under this 497  
division, including laboratory experience in science. Districts 498  
and schools shall utilize technology access and electronic 499  
learning opportunities provided by the eTech Ohio commission, the 500  
Ohio learning network, education technology centers, public 501  
television stations, and other public and private providers. 502

(D) Except as provided in division (E) of this section, a 503  
student who enters ninth grade on or after July 1, 2010, and 504  
before July 1, 2014, may qualify for graduation from a public or 505  
chartered nonpublic high school even though the student has not 506

completed the Ohio core curriculum prescribed in division (C) of 507  
this section if all of the following conditions are satisfied: 508

(1) After the student has attended high school for two years, 509  
as determined by the school, the student and the student's parent, 510  
guardian, or custodian sign and file with the school a written 511  
statement asserting the parent's, guardian's, or custodian's 512  
consent to the student's graduating without completing the Ohio 513  
core curriculum and acknowledging that one consequence of not 514  
completing the Ohio core curriculum is ineligibility to enroll in 515  
most state universities in Ohio without further coursework. 516

(2) The student and parent, guardian, or custodian fulfill 517  
any procedural requirements the school stipulates to ensure the 518  
student's and parent's, guardian's, or custodian's informed 519  
consent and to facilitate orderly filing of statements under 520  
division (D)(1) of this section. 521

(3) The student and the student's parent, guardian, or 522  
custodian and a representative of the student's high school 523  
jointly develop an individual career plan for the student that 524  
specifies the student matriculating to a two-year degree program, 525  
acquiring a business and industry credential, or entering an 526  
apprenticeship. 527

(4) The student's high school provides counseling and support 528  
for the student related to the plan developed under division 529  
(D)(3) of this section during the remainder of the student's high 530  
school experience. 531

(5) The student successfully completes, at a minimum, the 532  
curriculum prescribed in division (B) of this section. 533

The department of education, in collaboration with the 534  
chancellor, shall analyze student performance data to determine if 535  
there are mitigating factors that warrant extending the exception 536  
permitted by division (D) of this section to high school classes 537

beyond those entering ninth grade before July 1, 2014. The 538  
department shall submit its findings and any recommendations not 539  
later than August 1, 2014, to the speaker and minority leader of 540  
the house of representatives, the president and minority leader of 541  
the senate, the chairpersons and ranking minority members of the 542  
standing committees of the house of representatives and the senate 543  
that consider education legislation, the state board of education, 544  
and the superintendent of public instruction. 545

(E) Each school district and chartered nonpublic school 546  
retains the authority to require an even more rigorous minimum 547  
curriculum for high school graduation than specified in division 548  
(B) or (C) of this section. A school district board of education, 549  
through the adoption of a resolution, or the governing authority 550  
of a chartered nonpublic school may stipulate any of the 551  
following: 552

(1) A minimum high school curriculum that requires more than 553  
twenty units of academic credit to graduate; 554

(2) An exception to the district's or school's minimum high 555  
school curriculum that is comparable to the exception provided in 556  
division (D) of this section but with additional requirements, 557  
which may include a requirement that the student successfully 558  
complete more than the minimum curriculum prescribed in division 559  
(B) of this section; 560

(3) That no exception comparable to that provided in division 561  
(D) of this section is available. 562

(F) A student enrolled in a dropout prevention and recovery 563  
program, which program has received a waiver from the department, 564  
may qualify for graduation from high school by successfully 565  
completing a competency-based instructional program administered 566  
by the dropout prevention and recovery program in lieu of 567  
completing the Ohio core curriculum prescribed in division (C) of 568

this section. The department shall grant a waiver to a dropout 569  
prevention and recovery program, within sixty days after the 570  
program applies for the waiver, if the program meets all of the 571  
following conditions: 572

(1) The program serves only students not younger than sixteen 573  
years of age and not older than twenty-one years of age. 574

(2) The program enrolls students who, at the time of their 575  
initial enrollment, either, or both, are at least one grade level 576  
behind their cohort age groups or experience crises that 577  
significantly interfere with their academic progress such that 578  
they are prevented from continuing their traditional programs. 579

(3) The program requires students to attain at least the 580  
applicable score designated for each of the assessments prescribed 581  
under division (B)(1) of section 3301.0710 of the Revised Code or, 582  
to the extent prescribed by rule of the state board under division 583  
(D)(6) of section 3301.0712 of the Revised Code, division (B)(2) 584  
of that section. 585

(4) The program develops an individual career plan for the 586  
student that specifies the student's matriculating to a two-year 587  
degree program, acquiring a business and industry credential, or 588  
entering an apprenticeship. 589

(5) The program provides counseling and support for the 590  
student related to the plan developed under division (F)(4) of 591  
this section during the remainder of the student's high school 592  
experience. 593

(6) The program requires the student and the student's 594  
parent, guardian, or custodian to sign and file, in accordance 595  
with procedural requirements stipulated by the program, a written 596  
statement asserting the parent's, guardian's, or custodian's 597  
consent to the student's graduating without completing the Ohio 598  
core curriculum and acknowledging that one consequence of not 599

completing the Ohio core curriculum is ineligibility to enroll in 600  
most state universities in Ohio without further coursework. 601

(7) Prior to receiving the waiver, the program has submitted 602  
to the department an instructional plan that demonstrates how the 603  
academic content standards adopted by the state board under 604  
section 3301.079 of the Revised Code will be taught and assessed. 605

If the department does not act either to grant the waiver or 606  
to reject the program application for the waiver within sixty days 607  
as required under this section, the waiver shall be considered to 608  
be granted. 609

(G) Every high school may permit students below the ninth 610  
grade to take advanced work. If a high school so permits, it shall 611  
award high school credit for successful completion of the advanced 612  
work and shall count such advanced work toward the graduation 613  
requirements of division (B) or (C) of this section if the 614  
advanced work was both: 615

(1) Taught by a person who possesses a license or certificate 616  
issued under section 3301.071, 3319.22, or 3319.222 of the Revised 617  
Code that is valid for teaching high school; 618

(2) Designated by the board of education of the city, local, 619  
or exempted village school district, the board of the cooperative 620  
education school district, or the governing authority of the 621  
chartered nonpublic school as meeting the high school curriculum 622  
requirements. 623

Each high school shall record on the student's high school 624  
transcript all high school credit awarded under division (G) of 625  
this section. In addition, if the student completed a seventh- or 626  
eighth-grade fine arts course described in division (K) of this 627  
section and the course qualified for high school credit under that 628  
division, the high school shall record that course on the 629  
student's high school transcript. 630

(H) The department shall make its individual academic career 631  
plan available through its Ohio career information system web site 632  
for districts and schools to use as a tool for communicating with 633  
and providing guidance to students and families in selecting high 634  
school courses. 635

(I) Units earned in English language arts, mathematics, 636  
science, and social studies that are delivered through integrated 637  
academic and career-technical instruction are eligible to meet the 638  
graduation requirements of division (B) or (C) of this section. 639

(J) The state board, in consultation with the chancellor, 640  
shall adopt a statewide plan implementing methods for students to 641  
earn units of high school credit based on a demonstration of 642  
subject area competency, instead of or in combination with 643  
completing hours of classroom instruction. The state board shall 644  
adopt the plan not later than March 31, 2009, and commence phasing 645  
in the plan during the 2009-2010 school year. The plan shall 646  
include a standard method for recording demonstrated proficiency 647  
on high school transcripts. Each school district and community 648  
school shall comply with the state board's plan adopted under this 649  
division and award units of high school credit in accordance with 650  
the plan. The state board may adopt existing methods for earning 651  
high school credit based on a demonstration of subject area 652  
competency as necessary prior to the 2009-2010 school year. 653

(K) This division does not apply to students who qualify for 654  
graduation from high school under division (D) or (F) of this 655  
section, or to students pursuing a career-technical instructional 656  
track as determined by the school district board of education or 657  
the chartered nonpublic school's governing authority. 658  
Nevertheless, the general assembly encourages such students to 659  
consider enrolling in a fine arts course as an elective. 660

Beginning with students who enter ninth grade for the first 661  
time on or after July 1, 2010, each student enrolled in a public 662

or chartered nonpublic high school shall complete two semesters or 663  
the equivalent of fine arts to graduate from high school. The 664  
coursework may be completed in any of grades seven to twelve. Each 665  
student who completes a fine arts course in grade seven or eight 666  
may elect to count that course toward the five units of electives 667  
required for graduation under division (C)~~(7)~~(8) of this section, 668  
if the course satisfied the requirements of division (G) of this 669  
section. In that case, the high school shall award the student 670  
high school credit for the course and count the course toward the 671  
five units required under division (C)~~(7)~~(8) of this section. If 672  
the course in grade seven or eight did not satisfy the 673  
requirements of division (G) of this section, the high school 674  
shall not award the student high school credit for the course but 675  
shall count the course toward the two semesters or the equivalent 676  
of fine arts required by this division. 677

(L) Notwithstanding anything to the contrary in this section, 678  
the board of education of each school district and the governing 679  
authority of each chartered nonpublic school may adopt a policy to 680  
excuse from the high school physical education requirement each 681  
student who, during high school, has participated in 682  
interscholastic athletics, marching band, or cheerleading for at 683  
least two full seasons or in the junior reserve officer training 684  
corps for at least two full school years. If the board or 685  
authority adopts such a policy, the board or authority shall not 686  
require the student to complete any physical education course as a 687  
condition to graduate. However, the student shall be required to 688  
complete one-half unit, consisting of at least sixty hours of 689  
instruction, in another course of study. In the case of a student 690  
who has participated in the junior reserve officer training corps 691  
for at least two full school years, credit received for that 692  
participation may be used to satisfy the requirement to complete 693  
one-half unit in another course of study. 694

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

**Section 2.** That existing sections 3301.079, 3301.0712, 3313.60, and 3313.603 of the Revised Code are hereby repealed.

**Section 3.** Not later than July 1, 2012, the State Board of



Education shall review the Revised Code and recommend legislation	724
to the General Assembly to make changes necessary to fully	725
implement, and remove any potential impediment to, the additional	726
American history and American government content adopted under	727
division (A)(1)(b) of section 3301.079 of the Revised Code.	728