

**As Reported by the House Education Committee**

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**H. B. No. 113**

**Representatives Antonio, Henne**

**Cosponsors: Representatives Ramos, Brenner, Hood, Driehaus, Hagan, R.,**

**Letson, Stinziano, Milkovich, Boyce, Hackett, Rogers, Cera**

**—**

**A B I L L**

To amend section 3313.603 of the Revised Code to 1  
specify that school districts and chartered 2  
nonpublic schools may excuse from high school 3  
physical education students who participate in a 4  
school-sponsored athletic club. 5

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

**Section 1.** That section 3313.603 of the Revised Code be 6  
enacted to read as follows: 7

**Sec. 3313.603.** (A) As used in this section: 8

(1) "One unit" means a minimum of one hundred twenty hours of 9  
course instruction, except that for a laboratory course, "one 10  
unit" means a minimum of one hundred fifty hours of course 11  
instruction. 12

(2) "One-half unit" means a minimum of sixty hours of course 13  
instruction, except that for physical education courses, "one-half 14  
unit" means a minimum of one hundred twenty hours of course 15  
instruction. 16

(B) Beginning September 15, 2001, except as required in 17

division (C) of this section and division (C) of section 3313.614	18
of the Revised Code, the requirements for graduation from every	19
high school shall include twenty units earned in grades nine	20
through twelve and shall be distributed as follows:	21
(1) English language arts, four units;	22
(2) Health, one-half unit;	23
(3) Mathematics, three units;	24
(4) Physical education, one-half unit;	25
(5) Science, two units until September 15, 2003, and three	26
units thereafter, which at all times shall include both of the	27
following:	28
(a) Biological sciences, one unit;	29
(b) Physical sciences, one unit.	30
(6) History and government, one unit, which shall comply with	31
division (M) of this section and shall include both of the	32
following:	33
(a) American history, one-half unit;	34
(b) American government, one-half unit.	35
(7) Social studies, two units.	36
(8) Elective units, seven units until September 15, 2003, and	37
six units thereafter.	38
Each student's electives shall include at least one unit, or	39
two half units, chosen from among the areas of	40
business/technology, fine arts, and/or foreign language.	41
(C) Beginning with students who enter ninth grade for the	42
first time on or after July 1, 2010, except as provided in	43
divisions (D) to (F) of this section, the requirements for	44
graduation from every public and chartered nonpublic high school	45
shall include twenty units that are designed to prepare students	46

for the workforce and college. The units shall be distributed as	47
follows:	48
(1) English language arts, four units;	49
(2) Health, one-half unit, which shall include instruction in	50
nutrition and the benefits of nutritious foods and physical	51
activity for overall health;	52
(3) Mathematics, four units, which shall include one unit of	53
algebra II or the equivalent of algebra II;	54
(4) Physical education, one-half unit;	55
(5) Science, three units with inquiry-based laboratory	56
experience that engages students in asking valid scientific	57
questions and gathering and analyzing information, which shall	58
include the following, or their equivalent:	59
(a) Physical sciences, one unit;	60
(b) Life sciences, one unit;	61
(c) Advanced study in one or more of the following sciences,	62
one unit:	63
(i) Chemistry, physics, or other physical science;	64
(ii) Advanced biology or other life science;	65
(iii) Astronomy, physical geology, or other earth or space	66
science.	67
(6) History and government, one unit, which shall comply with	68
division (M) of this section and shall include both of the	69
following:	70
(a) American history, one-half unit;	71
(b) American government, one-half unit.	72
(7) Social studies, two units.	73
Each school shall integrate the study of economics and	74

financial literacy, as expressed in the social studies academic 75  
content standards adopted by the state board of education under 76  
division (A)(1) of section 3301.079 of the Revised Code and the 77  
academic content standards for financial literacy and 78  
entrepreneurship adopted under division (A)(2) of that section, 79  
into one or more existing social studies credits required under 80  
division (C)(7) of this section, or into the content of another 81  
class, so that every high school student receives instruction in 82  
those concepts. In developing the curriculum required by this 83  
paragraph, schools shall use available public-private partnerships 84  
and resources and materials that exist in business, industry, and 85  
through the centers for economics education at institutions of 86  
higher education in the state. 87

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

Ohioans must be prepared to apply increased knowledge and 96  
skills in the workplace and to adapt their knowledge and skills 97  
quickly to meet the rapidly changing conditions of the 98  
twenty-first century. National studies indicate that all high 99  
school graduates need the same academic foundation, regardless of 100  
the opportunities they pursue after graduation. The goal of Ohio's 101  
system of elementary and secondary education is to prepare all 102  
students for and seamlessly connect all students to success in 103  
life beyond high school graduation, regardless of whether the next 104  
step is entering the workforce, beginning an apprenticeship, 105  
engaging in post-secondary training, serving in the military, or 106

pursuing a college degree. 107

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

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

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

School districts, community schools, and chartered nonpublic 130  
schools shall integrate technology into learning experiences 131  
across the curriculum in order to maximize efficiency, enhance 132  
learning, and prepare students for success in the 133  
technology-driven twenty-first century. Districts and schools 134  
shall use distance and web-based course delivery as a method of 135  
providing or augmenting all instruction required under this 136  
division, including laboratory experience in science. Districts 137  
and schools shall utilize technology access and electronic 138

learning opportunities provided by the eTech Ohio commission, the 139  
Ohio learning network, education technology centers, public 140  
television stations, and other public and private providers. 141

(D) Except as provided in division (E) of this section, a 142  
student who enters ninth grade on or after July 1, 2010, and 143  
before July 1, 2014, may qualify for graduation from a public or 144  
chartered nonpublic high school even though the student has not 145  
completed the Ohio core curriculum prescribed in division (C) of 146  
this section if all of the following conditions are satisfied: 147

(1) After the student has attended high school for two years, 148  
as determined by the school, the student and the student's parent, 149  
guardian, or custodian sign and file with the school a written 150  
statement asserting the parent's, guardian's, or custodian's 151  
consent to the student's graduating without completing the Ohio 152  
core curriculum and acknowledging that one consequence of not 153  
completing the Ohio core curriculum is ineligibility to enroll in 154  
most state universities in Ohio without further coursework. 155

(2) The student and parent, guardian, or custodian fulfill 156  
any procedural requirements the school stipulates to ensure the 157  
student's and parent's, guardian's, or custodian's informed 158  
consent and to facilitate orderly filing of statements under 159  
division (D)(1) of this section. 160

(3) The student and the student's parent, guardian, or 161  
custodian and a representative of the student's high school 162  
jointly develop an individual career plan for the student that 163  
specifies the student matriculating to a two-year degree program, 164  
acquiring a business and industry credential, or entering an 165  
apprenticeship. 166

(4) The student's high school provides counseling and support 167  
for the student related to the plan developed under division 168  
(D)(3) of this section during the remainder of the student's high 169

school experience. 170

(5) The student successfully completes, at a minimum, the 171  
curriculum prescribed in division (B) of this section. 172

The department of education, in collaboration with the 173  
chancellor, shall analyze student performance data to determine if 174  
there are mitigating factors that warrant extending the exception 175  
permitted by division (D) of this section to high school classes 176  
beyond those entering ninth grade before July 1, 2014. The 177  
department shall submit its findings and any recommendations not 178  
later than August 1, 2014, to the speaker and minority leader of 179  
the house of representatives, the president and minority leader of 180  
the senate, the chairpersons and ranking minority members of the 181  
standing committees of the house of representatives and the senate 182  
that consider education legislation, the state board of education, 183  
and the superintendent of public instruction. 184

(E) Each school district and chartered nonpublic school 185  
retains the authority to require an even more rigorous minimum 186  
curriculum for high school graduation than specified in division 187  
(B) or (C) of this section. A school district board of education, 188  
through the adoption of a resolution, or the governing authority 189  
of a chartered nonpublic school may stipulate any of the 190  
following: 191

(1) A minimum high school curriculum that requires more than 192  
twenty units of academic credit to graduate; 193

(2) An exception to the district's or school's minimum high 194  
school curriculum that is comparable to the exception provided in 195  
division (D) of this section but with additional requirements, 196  
which may include a requirement that the student successfully 197  
complete more than the minimum curriculum prescribed in division 198  
(B) of this section; 199

(3) That no exception comparable to that provided in division 200

(D) of this section is available.	201
(F) A student enrolled in a dropout prevention and recovery program, which program has received a waiver from the department, may qualify for graduation from high school by successfully completing a competency-based instructional program administered by the dropout prevention and recovery program in lieu of completing the Ohio core curriculum prescribed in division (C) of this section. The department shall grant a waiver to a dropout prevention and recovery program, within sixty days after the program applies for the waiver, if the program meets all of the following conditions:	202 203 204 205 206 207 208 209 210 211
(1) The program serves only students not younger than sixteen years of age and not older than twenty-one years of age.	212 213
(2) The program enrolls students who, at the time of their initial enrollment, either, or both, are at least one grade level behind their cohort age groups or experience crises that significantly interfere with their academic progress such that they are prevented from continuing their traditional programs.	214 215 216 217 218
(3) The program requires students to attain at least the applicable score designated for each of the assessments prescribed under division (B)(1) of section 3301.0710 of the Revised Code or, to the extent prescribed by rule of the state board under division (D)(6) of section 3301.0712 of the Revised Code, division (B)(2) of that section.	219 220 221 222 223 224
(4) The program develops an individual career plan for the student that specifies the student's matriculating to a two-year degree program, acquiring a business and industry credential, or entering an apprenticeship.	225 226 227 228
(5) The program provides counseling and support for the student related to the plan developed under division (F)(4) of this section during the remainder of the student's high school	229 230 231



experience. 232

(6) The program requires the student and the student's 233  
parent, guardian, or custodian to sign and file, in accordance 234  
with procedural requirements stipulated by the program, a written 235  
statement asserting the parent's, guardian's, or custodian's 236  
consent to the student's graduating without completing the Ohio 237  
core curriculum and acknowledging that one consequence of not 238  
completing the Ohio core curriculum is ineligibility to enroll in 239  
most state universities in Ohio without further coursework. 240

(7) Prior to receiving the waiver, the program has submitted 241  
to the department an instructional plan that demonstrates how the 242  
academic content standards adopted by the state board under 243  
section 3301.079 of the Revised Code will be taught and assessed. 244

If the department does not act either to grant the waiver or 245  
to reject the program application for the waiver within sixty days 246  
as required under this section, the waiver shall be considered to 247  
be granted. 248

(G) Every high school may permit students below the ninth 249  
grade to take advanced work. If a high school so permits, it shall 250  
award high school credit for successful completion of the advanced 251  
work and shall count such advanced work toward the graduation 252  
requirements of division (B) or (C) of this section if the 253  
advanced work was both: 254

(1) Taught by a person who possesses a license or certificate 255  
issued under section 3301.071, 3319.22, or 3319.222 of the Revised 256  
Code that is valid for teaching high school; 257

(2) Designated by the board of education of the city, local, 258  
or exempted village school district, the board of the cooperative 259  
education school district, or the governing authority of the 260  
chartered nonpublic school as meeting the high school curriculum 261  
requirements. 262

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

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

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

(J) The state board, 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 and community 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 295  
track as determined by the school district board of education or 296  
the chartered nonpublic school's governing authority. 297  
Nevertheless, the general assembly encourages such students to 298  
consider enrolling in a fine arts course as an elective. 299

Beginning with students who enter ninth grade for the first 300  
time on or after July 1, 2010, each student enrolled in a public 301  
or chartered nonpublic high school shall complete two semesters or 302  
the equivalent of fine arts to graduate from high school. The 303  
coursework may be completed in any of grades seven to twelve. Each 304  
student who completes a fine arts course in grade seven or eight 305  
may elect to count that course toward the five units of electives 306  
required for graduation under division (C)(8) of this section, if 307  
the course satisfied the requirements of division (G) of this 308  
section. In that case, the high school shall award the student 309  
high school credit for the course and count the course toward the 310  
five units required under division (C)(8) of this section. If the 311  
course in grade seven or eight did not satisfy the requirements of 312  
division (G) of this section, the high school shall not award the 313  
student high school credit for the course but shall count the 314  
course toward the two semesters or the equivalent of fine arts 315  
required by this division. 316

(L) Notwithstanding anything to the contrary in this section, 317  
the board of education of each school district and the governing 318  
authority of each chartered nonpublic school may adopt a policy to 319  
excuse from the high school physical education requirement each 320  
student who, during high school, has participated in 321  
interscholastic athletics, marching band, a school-sponsored 322  
athletic club, or cheerleading for at least two full seasons or in 323  
the junior reserve officer training corps for at least two full 324  
school years. If the board or authority adopts such a policy, the 325  
board or authority shall not require the student to complete any 326

physical education course as a condition to graduate. However, the 327  
student shall be required to complete one-half unit, consisting of 328  
at least sixty hours of instruction, in another course of study. 329  
In the case of a student who has participated in the junior 330  
reserve officer training corps for at least two full school years, 331  
credit received for that participation may be used to satisfy the 332  
requirement to complete one-half unit in another course of study. 333

(M) It is important that high school students learn and 334  
understand United States history and the governments of both the 335  
United States and the state of Ohio. Therefore, beginning with 336  
students who enter ninth grade for the first time on or after July 337  
1, 2012, the study of American history and American government 338  
required by divisions (B)(6) and (C)(6) of this section shall 339  
include the study of all of the following documents: 340

(1) The Declaration of Independence; 341

(2) The Northwest Ordinance; 342

(3) The Constitution of the United States with emphasis on 343  
the Bill of Rights; 344

(4) The Ohio Constitution. 345

The study of each of the documents prescribed in divisions 346  
(M)(1) to (4) of this section shall include study of that document 347  
in its original context. 348

The study of American history and government required by 349  
divisions (B)(6) and (C)(6) of this section shall include the 350  
historical evidence of the role of documents such as the 351  
Federalist Papers and the Anti-Federalist Papers to firmly 352  
establish the historical background leading to the establishment 353  
of the provisions of the Constitution and Bill of Rights. 354

**Section 2.** That existing section 3313.603 of the Revised Code 355  
is hereby repealed. 356