

As Reported by the Senate Education Committee

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Representatives Antonio, Henne

**Cosponsors: Representatives Ramos, Brenner, Hood, Driehaus, Hagan, R.,
Letson, Stinziano, Milkovich, Boyce, Hackett, Rogers, Cera, Amstutz, Bishoff,**

Schuring Speaker Batchelder

Senator Sawyer

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A B I L L

To amend section 3313.603 of the Revised Code 1
regarding the excusal of students from the high 2
school physical education requirement. 3

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

Section 1. That section 3313.603 of the Revised Code be 4
amended to read as follows: 5

Sec. 3313.603. (A) As used in this section: 6

(1) "One unit" means a minimum of one hundred twenty hours of 7
course instruction, except that for a laboratory course, "one 8
unit" means a minimum of one hundred fifty hours of course 9
instruction. 10

(2) "One-half unit" means a minimum of sixty hours of course 11
instruction, except that for physical education courses, "one-half 12
unit" means a minimum of one hundred twenty hours of course 13
instruction. 14

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

division (C) of this section and division (C) of section 3313.614 16
of the Revised Code, the requirements for graduation from every 17
high school shall include twenty units earned in grades nine 18
through twelve and shall be distributed as follows: 19

(1) English language arts, four units; 20

(2) Health, one-half unit; 21

(3) Mathematics, three units; 22

(4) Physical education, one-half unit; 23

(5) Science, two units until September 15, 2003, and three 24
units thereafter, which at all times shall include both of the 25
following: 26

(a) Biological sciences, one unit; 27

(b) Physical sciences, one unit. 28

(6) History and government, one unit, which shall comply with 29
division (M) of this section and shall include both of the 30
following: 31

(a) American history, one-half unit; 32

(b) American government, one-half unit. 33

(7) Social studies, two units. 34

(8) Elective units, seven units until September 15, 2003, and 35
six units thereafter. 36

Each student's electives shall include at least one unit, or 37
two half units, chosen from among the areas of 38
business/technology, fine arts, and/or foreign language. 39

(C) Beginning with students who enter ninth grade for the 40
first time on or after July 1, 2010, except as provided in 41
divisions (D) to (F) of this section, the requirements for 42
graduation from every public and chartered nonpublic high school 43
shall include twenty units that are designed to prepare students 44

for the workforce and college. The units shall be distributed as	45
follows:	46
(1) English language arts, four units;	47
(2) Health, one-half unit, which shall include instruction in	48
nutrition and the benefits of nutritious foods and physical	49
activity for overall health;	50
(3) Mathematics, four units, which shall include one unit of	51
algebra II or the equivalent of algebra II;	52
(4) Physical education, one-half unit;	53
(5) Science, three units with inquiry-based laboratory	54
experience that engages students in asking valid scientific	55
questions and gathering and analyzing information, which shall	56
include the following, or their equivalent:	57
(a) Physical sciences, one unit;	58
(b) Life sciences, one unit;	59
(c) Advanced study in one or more of the following sciences,	60
one unit:	61
(i) Chemistry, physics, or other physical science;	62
(ii) Advanced biology or other life science;	63
(iii) Astronomy, physical geology, or other earth or space	64
science.	65
(6) History and government, one unit, which shall comply with	66
division (M) of this section and shall include both of the	67
following:	68
(a) American history, one-half unit;	69
(b) American government, one-half unit.	70
(7) Social studies, two units.	71
Each school shall integrate the study of economics and	72

financial literacy, as expressed in the social studies academic 73
content standards adopted by the state board of education under 74
division (A)(1) of section 3301.079 of the Revised Code and the 75
academic content standards for financial literacy and 76
entrepreneurship adopted under division (A)(2) of that section, 77
into one or more existing social studies credits required under 78
division (C)(7) of this section, or into the content of another 79
class, so that every high school student receives instruction in 80
those concepts. In developing the curriculum required by this 81
paragraph, schools shall use available public-private partnerships 82
and resources and materials that exist in business, industry, and 83
through the centers for economics education at institutions of 84
higher education in the state. 85

(8) Five units consisting of one or any combination of 86
foreign language, fine arts, business, career-technical education, 87
family and consumer sciences, technology, agricultural education, 88
a junior reserve officer training corps (JROTC) program approved 89
by the congress of the United States under title 10 of the United 90
States Code, or English language arts, mathematics, science, or 91
social studies courses not otherwise required under division (C) 92
of this section. 93

Ohioans must be prepared to apply increased knowledge and 94
skills in the workplace and to adapt their knowledge and skills 95
quickly to meet the rapidly changing conditions of the 96
twenty-first century. National studies indicate that all high 97
school graduates need the same academic foundation, regardless of 98
the opportunities they pursue after graduation. The goal of Ohio's 99
system of elementary and secondary education is to prepare all 100
students for and seamlessly connect all students to success in 101
life beyond high school graduation, regardless of whether the next 102
step is entering the workforce, beginning an apprenticeship, 103
engaging in post-secondary training, serving in the military, or 104

pursuing a college degree. 105

The requirements for graduation prescribed in division (C) of 106
this section are the standard expectation for all students 107
entering ninth grade for the first time at a public or chartered 108
nonpublic high school on or after July 1, 2010. A student may 109
satisfy this expectation through a variety of methods, including, 110
but not limited to, integrated, applied, career-technical, and 111
traditional coursework. 112

Whereas teacher quality is essential for student success when 113
completing the requirements for graduation, the general assembly 114
shall appropriate funds for strategic initiatives designed to 115
strengthen schools' capacities to hire and retain highly qualified 116
teachers in the subject areas required by the curriculum. Such 117
initiatives are expected to require an investment of \$120,000,000 118
over five years. 119

Stronger coordination between high schools and institutions 120
of higher education is necessary to prepare students for more 121
challenging academic endeavors and to lessen the need for academic 122
remediation in college, thereby reducing the costs of higher 123
education for Ohio's students, families, and the state. The state 124
board and the chancellor of the Ohio board of regents shall 125
develop policies to ensure that only in rare instances will 126
students who complete the requirements for graduation prescribed 127
in division (C) of this section require academic remediation after 128
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 broadcast educational media 139
commission, chancellor, the Ohio learning network, education 140
technology centers, public television stations, and other public 141
and private providers. 142

(D) Except as provided in division (E) of this section, a 143
student who enters ninth grade on or after July 1, 2010, and 144
before July 1, 2016, may qualify for graduation from a public or 145
chartered nonpublic high school even though the student has not 146
completed the requirements for graduation prescribed in division 147
(C) of this section if all of the following conditions are 148
satisfied: 149

(1) During the student's third year of attending high school, 150
as determined by the school, the student and the student's parent, 151
guardian, or custodian sign and file with the school a written 152
statement asserting the parent's, guardian's, or custodian's 153
consent to the student's graduating without completing the 154
requirements for graduation prescribed in division (C) of this 155
section and acknowledging that one consequence of not completing 156
those requirements is ineligibility to enroll in most state 157
universities in Ohio without further coursework. 158

(2) The student and parent, guardian, or custodian fulfill 159
any procedural requirements the school stipulates to ensure the 160
student's and parent's, guardian's, or custodian's informed 161
consent and to facilitate orderly filing of statements under 162
division (D)(1) of this section. Annually, each district or school 163
shall notify the department of education of the number of students 164
who choose to qualify for graduation under division (D) of this 165
section and the number of students who complete the student's 166
success plan and graduate from high school. 167

(3) The student and the student's parent, guardian, or 168

custodian and a representative of the student's high school 169
jointly develop a student success plan for the student in the 170
manner described in division (C)(1) of section 3313.6020 of the 171
Revised Code that specifies the student matriculating to a 172
two-year degree program, acquiring a business and 173
industry-recognized credential, or entering an apprenticeship. 174

(4) The student's high school provides counseling and support 175
for the student related to the plan developed under division 176
(D)(3) of this section during the remainder of the student's high 177
school experience. 178

(5)(a) Except as provided in division (D)(5)(b) of this 179
section, the student successfully completes, at a minimum, the 180
curriculum prescribed in division (B) of this section. 181

(b) Beginning with students who enter ninth grade for the 182
first time on or after July 1, 2014, a student shall be required 183
to complete successfully, at the minimum, the curriculum 184
prescribed in division (B) of this section, except as follows: 185

(i) Mathematics, four units, one unit which shall be one of 186
the following: 187

(I) Probability and statistics; 188

(II) Computer programming; 189

(III) Applied mathematics or quantitative reasoning; 190

(IV) Any other course approved by the department using 191
standards established by the superintendent not later than October 192
1, 2014. 193

(ii) Elective units, five units; 194

(iii) Science, three units as prescribed by division (B) of 195
this section which shall include inquiry-based laboratory 196
experience that engages students in asking valid scientific 197
questions and gathering and analyzing information. 198

The department, in collaboration with the chancellor, shall 199
analyze student performance data to determine if there are 200
mitigating factors that warrant extending the exception permitted 201
by division (D) of this section to high school classes beyond 202
those entering ninth grade before July 1, 2016. The department 203
shall submit its findings and any recommendations not later than 204
December 1, 2015, to the speaker and minority leader of the house 205
of representatives, the president and minority leader of the 206
senate, the chairpersons and ranking minority members of the 207
standing committees of the house of representatives and the senate 208
that consider education legislation, the state board of education, 209
and the superintendent of public instruction. 210

(E) Each school district and chartered nonpublic school 211
retains the authority to require an even more challenging minimum 212
curriculum for high school graduation than specified in division 213
(B) or (C) of this section. A school district board of education, 214
through the adoption of a resolution, or the governing authority 215
of a chartered nonpublic school may stipulate any of the 216
following: 217

(1) A minimum high school curriculum that requires more than 218
twenty units of academic credit to graduate; 219

(2) An exception to the district's or school's minimum high 220
school curriculum that is comparable to the exception provided in 221
division (D) of this section but with additional requirements, 222
which may include a requirement that the student successfully 223
complete more than the minimum curriculum prescribed in division 224
(B) of this section; 225

(3) That no exception comparable to that provided in division 226
(D) of this section is available. 227

(F) A student enrolled in a dropout prevention and recovery 228
program, which program has received a waiver from the department, 229

may qualify for graduation from high school by successfully 230
completing a competency-based instructional program administered 231
by the dropout prevention and recovery program in lieu of 232
completing the requirements for graduation prescribed in division 233
(C) of this section. The department shall grant a waiver to a 234
dropout prevention and recovery program, within sixty days after 235
the program applies for the waiver, if the program meets all of 236
the following conditions: 237

(1) The program serves only students not younger than sixteen 238
years of age and not older than twenty-one years of age. 239

(2) The program enrolls students who, at the time of their 240
initial enrollment, either, or both, are at least one grade level 241
behind their cohort age groups or experience crises that 242
significantly interfere with their academic progress such that 243
they are prevented from continuing their traditional programs. 244

(3) The program requires students to attain at least the 245
applicable score designated for each of the assessments prescribed 246
under division (B)(1) of section 3301.0710 of the Revised Code or, 247
to the extent prescribed by rule of the state board under division 248
(D)(5) of section 3301.0712 of the Revised Code, division (B)(2) 249
of that section. 250

(4) The program develops a student success plan for the 251
student in the manner described in division (C)(1) of section 252
3313.6020 of the Revised Code that specifies the student's 253
matriculating to a two-year degree program, acquiring a business 254
and industry-recognized credential, or entering an apprenticeship. 255

(5) The program provides counseling and support for the 256
student related to the plan developed under division (F)(4) of 257
this section during the remainder of the student's high school 258
experience. 259

(6) The program requires the student and the student's 260

parent, guardian, or custodian to sign and file, in accordance 261
with procedural requirements stipulated by the program, a written 262
statement asserting the parent's, guardian's, or custodian's 263
consent to the student's graduating without completing the 264
requirements for graduation prescribed in division (C) of this 265
section and acknowledging that one consequence of not completing 266
those requirements is ineligibility to enroll in most state 267
universities in Ohio without further coursework. 268

(7) Prior to receiving the waiver, the program has submitted 269
to the department an instructional plan that demonstrates how the 270
academic content standards adopted by the state board under 271
section 3301.079 of the Revised Code will be taught and assessed. 272

(8) Prior to receiving the waiver, the program has submitted 273
to the department a policy on career advising that satisfies the 274
requirements of section 3313.6020 of the Revised Code, with an 275
emphasis on how every student will receive career advising. 276

(9) Prior to receiving the waiver, the program has submitted 277
to the department a written agreement outlining the future 278
cooperation between the program and any combination of local job 279
training, postsecondary education, nonprofit, and health and 280
social service organizations to provide services for students in 281
the program and their families. 282

Divisions (F)(8) and (9) of this section apply only to 283
waivers granted on or after July 1, 2015. 284

If the department does not act either to grant the waiver or 285
to reject the program application for the waiver within sixty days 286
as required under this section, the waiver shall be considered to 287
be granted. 288

(G) Every high school may permit students below the ninth 289
grade to take advanced work. If a high school so permits, it shall 290
award high school credit for successful completion of the advanced 291

work and shall count such advanced work toward the graduation 292
requirements of division (B) or (C) of this section if the 293
advanced work was both: 294

(1) Taught by a person who possesses a license or certificate 295
issued under section 3301.071, 3319.22, or 3319.222 of the Revised 296
Code that is valid for teaching high school; 297

(2) Designated by the board of education of the city, local, 298
or exempted village school district, the board of the cooperative 299
education school district, or the governing authority of the 300
chartered nonpublic school as meeting the high school curriculum 301
requirements. 302

Each high school shall record on the student's high school 303
transcript all high school credit awarded under division (G) of 304
this section. In addition, if the student completed a seventh- or 305
eighth-grade fine arts course described in division (K) of this 306
section and the course qualified for high school credit under that 307
division, the high school shall record that course on the 308
student's high school transcript. 309

(H) The department shall make its individual academic career 310
plan available through its Ohio career information system web site 311
for districts and schools to use as a tool for communicating with 312
and providing guidance to students and families in selecting high 313
school courses. 314

(I) Units earned in English language arts, mathematics, 315
science, and social studies that are delivered through integrated 316
academic and career-technical instruction are eligible to meet the 317
graduation requirements of division (B) or (C) of this section. 318

(J) The state board, in consultation with the chancellor, 319
shall adopt a statewide plan implementing methods for students to 320
earn units of high school credit based on a demonstration of 321
subject area competency, instead of or in combination with 322

completing hours of classroom instruction. The state board shall 323
adopt the plan not later than March 31, 2009, and commence phasing 324
in the plan during the 2009-2010 school year. The plan shall 325
include a standard method for recording demonstrated proficiency 326
on high school transcripts. Each school district and community 327
school shall comply with the state board's plan adopted under this 328
division and award units of high school credit in accordance with 329
the plan. The state board may adopt existing methods for earning 330
high school credit based on a demonstration of subject area 331
competency as necessary prior to the 2009-2010 school year. 332

(K) This division does not apply to students who qualify for 333
graduation from high school under division (D) or (F) of this 334
section, or to students pursuing a career-technical instructional 335
track as determined by the school district board of education or 336
the chartered nonpublic school's governing authority. 337
Nevertheless, the general assembly encourages such students to 338
consider enrolling in a fine arts course as an elective. 339

Beginning with students who enter ninth grade for the first 340
time on or after July 1, 2010, each student enrolled in a public 341
or chartered nonpublic high school shall complete two semesters or 342
the equivalent of fine arts to graduate from high school. The 343
coursework may be completed in any of grades seven to twelve. Each 344
student who completes a fine arts course in grade seven or eight 345
may elect to count that course toward the five units of electives 346
required for graduation under division (C)(8) of this section, if 347
the course satisfied the requirements of division (G) of this 348
section. In that case, the high school shall award the student 349
high school credit for the course and count the course toward the 350
five units required under division (C)(8) of this section. If the 351
course in grade seven or eight did not satisfy the requirements of 352
division (G) of this section, the high school shall not award the 353
student high school credit for the course but shall count the 354

course toward the two semesters or the equivalent of fine arts 355
required by this division. 356

(L) Notwithstanding anything to the contrary in this section, 357
the board of education of each school district and the governing 358
authority of each chartered nonpublic school may adopt a policy to 359
excuse from the high school physical education requirement each 360
student who, during high school, demonstrates competency in the 361
physical education standards adopted by the state board pursuant 362
to division (A)(3) of section 3301.079 of the Revised Code, and 363
who has participated in interscholastic athletics, marching band, 364
a school-sponsored athletic club, or cheerleading for at least two 365
full seasons or in the junior reserve officer training corps for 366
at least two full school years. If the board or authority adopts 367
such a policy, the board or authority shall not require the 368
student to complete any physical education course as a condition 369
to graduate, provided that the student demonstrates success in 370
meeting the benchmarks contained in the physical education 371
standards adopted by the state board pursuant to division (A)(3) 372
of section 3301.079 of the Revised Code, and as specified in 373
section 3302.032 of the Revised Code. However, the student shall 374
be required to complete one-half unit, consisting of at least 375
sixty hours of instruction, in another course of study. In the 376
case of a student who has participated in the junior reserve 377
officer training corps for at least two full school years, credit 378
received for that participation may be used to satisfy the 379
requirement to complete one-half unit in another course of study. 380

The board of education of a school district or governing 381
authority of a school may designate a person or persons who shall 382
determine whether a student demonstrates success in the benchmarks 383
contained in the physical education standards adopted by the state 384
board as described in this division. 385

(M) It is important that high school students learn and 386

understand United States history and the governments of both the 387
United States and the state of Ohio. Therefore, beginning with 388
students who enter ninth grade for the first time on or after July 389
1, 2012, the study of American history and American government 390
required by divisions (B)(6) and (C)(6) of this section shall 391
include the study of all of the following documents: 392

(1) The Declaration of Independence; 393

(2) The Northwest Ordinance; 394

(3) The Constitution of the United States with emphasis on 395
the Bill of Rights; 396

(4) The Ohio Constitution. 397

The study of each of the documents prescribed in divisions 398
(M)(1) to (4) of this section shall include study of that document 399
in its original context. 400

The study of American history and government required by 401
divisions (B)(6) and (C)(6) of this section shall include the 402
historical evidence of the role of documents such as the 403
Federalist Papers and the Anti-Federalist Papers to firmly 404
establish the historical background leading to the establishment 405
of the provisions of the Constitution and Bill of Rights. 406

Section 2. That existing section 3313.603 of the Revised Code 407
is hereby repealed. 408