

**As Passed by the Senate**

**129th General Assembly**

**Regular Session**

**2011-2012**

**Am. S. B. No. 165**

**Senators Obhof, Grendell**

**Cosponsors: Senators Faber, Hughes, Jones, Jordan, Schaffer, Seitz,  
Sawyer, Hite, Coley, Bacon, Beagle, Brown, Daniels, LaRose, Lehner,  
Manning, Niehaus, Oelslager, Patton, Wagoner, Widener, Wilson**

—

**A B I L L**

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historical documents in the state academic 3  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

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

**Section 1.** That sections 3301.079, 3313.60, and 3313.603 of 6  
the Revised Code be amended to read as follows: 7

**Sec. 3301.079.** (A)(1) Not later than June 30, 2010, and at 8  
least once every five years thereafter, the state board of 9  
education shall adopt statewide academic standards with emphasis 10  
on coherence, focus, and rigor for each of grades kindergarten 11  
through twelve in English language arts, mathematics, science, and 12  
social studies. 13

(a) The standards shall specify the following: 14

~~(a)~~(i) The core academic content and skills that students are 15  
expected to know and be able to do at each grade level that will 16

allow each student to be prepared for postsecondary instruction 17  
and the workplace for success in the twenty-first century; 18

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

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

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

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

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

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

(3) The state board shall adopt the most recent standards 45  
developed by the national association for sport and physical 46  
education for physical education in grades kindergarten through 47

twelve or shall adopt its own standards for physical education in 48  
those grades and revise and update them periodically. 49

The department shall employ a full-time physical education 50  
coordinator to provide guidance and technical assistance to 51  
districts, community schools, and STEM schools in implementing the 52  
physical education standards adopted under this division. The 53  
superintendent of public instruction shall determine that the 54  
person employed as coordinator is qualified for the position, as 55  
demonstrated by possessing an adequate combination of education, 56  
license, and experience. 57

(4) When academic standards have been completed for any 58  
subject area required by this section, the state board shall 59  
inform all school districts, all community schools established 60  
under Chapter 3314. of the Revised Code, all STEM schools 61  
established under Chapter 3326. of the Revised Code, and all 62  
nonpublic schools required to administer the assessments 63  
prescribed by sections 3301.0710 and 3301.0712 of the Revised Code 64  
of the content of those standards. 65

(B) Not later than March 31, 2011, the state board shall 66  
adopt a model curriculum for instruction in each subject area for 67  
which updated academic standards are required by division (A)(1) 68  
of this section and for each of grades kindergarten through twelve 69  
that is sufficient to meet the needs of students in every 70  
community. The model curriculum shall be aligned with the 71  
standards, to ensure that the academic content and skills 72  
specified for each grade level are taught to students, and shall 73  
demonstrate vertical articulation and emphasize coherence, focus, 74  
and rigor. When any model curriculum has been completed, the state 75  
board shall inform all school districts, community schools, and 76  
STEM schools of the content of that model curriculum. 77

All school districts, community schools, and STEM schools may 78  
utilize the state standards and the model curriculum established 79

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

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

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

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

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

(2) When each diagnostic assessment has been completed, the 109  
state board shall inform all school districts of its completion 110

and the department of education shall make the diagnostic 111  
assessment available to the districts at no cost to the district. 112  
School districts shall administer the diagnostic assessment 113  
pursuant to section 3301.0715 of the Revised Code beginning the 114  
first school year following the development of the assessment. 115

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

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

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

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

(H) Not later than forty-five days prior to the initial 142  
deadline established under division (A)(1) of this section and the 143  
deadline established under division (B) of this section, the 144  
superintendent of public instruction shall present the academic 145  
standards or model curricula, as applicable, to the respective 146  
committees of the house of representatives and senate that 147  
consider education legislation. 148

(I) As used in this section: 149

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

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

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

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

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

(A) The board of education of each city and exempted village 167  
school district, the governing board of each educational service 168  
center, and the board of each cooperative education school 169  
district established pursuant to section 3311.521 of the Revised 170  
Code shall prescribe a curriculum for all schools under their 171

|  |     |
|--|-----|
| control. Except as provided in division (E) of this section, in    | 172 |
| any such curriculum there shall be included the study of the       | 173 |
| following subjects:  | 174 |
| (1) The language arts, including reading, writing, spelling,       | 175 |
| oral and written English, and literature;                          | 176 |
| (2) Geography, the history of the United States and of Ohio,       | 177 |
| and national, state, and local government in the United States,    | 178 |
| including a balanced presentation of the relevant contributions to | 179 |
| society of men and women of African, Mexican, Puerto Rican, and    | 180 |
| American Indian descent as well as other ethnic and racial groups  | 181 |
| in Ohio and the United States;                                     | 182 |
| (3) Mathematics;   | 183 |
| (4) Natural science, including instruction in the                  | 184 |
| conservation of natural resources;                                 | 185 |
| (5) Health education, which shall include instruction in:          | 186 |
| (a) The nutritive value of foods, including natural and            | 187 |
| organically produced foods, the relation of nutrition to health,   | 188 |
| and the use and effects of food additives;                         | 189 |
| (b) The harmful effects of and legal restrictions against the      | 190 |
| use of drugs of abuse, alcoholic beverages, and tobacco;           | 191 |
| (c) Venereal disease education, except that upon written           | 192 |
| request of the student's parent or guardian, a student shall be    | 193 |
| excused from taking instruction in venereal disease education;     | 194 |
| (d) In grades kindergarten through six, instruction in             | 195 |
| personal safety and assault prevention, except that upon written   | 196 |
| request of the student's parent or guardian, a student shall be    | 197 |
| excused from taking instruction in personal safety and assault     | 198 |
| prevention;  | 199 |
| (e) In grades seven through twelve, age-appropriate                | 200 |
| instruction in dating violence prevention education, which shall   | 201 |

include instruction in recognizing dating violence warning signs 202  
and characteristics of healthy relationships. 203

In order to assist school districts in developing a dating 204  
violence prevention education curriculum, the department of 205  
education shall provide on its web site links to free curricula 206  
addressing dating violence prevention. 207

If the parent or legal guardian of a student less than 208  
eighteen years of age submits to the principal of the student's 209  
school a written request to examine the dating violence prevention 210  
instruction materials used at that school, the principal, within a 211  
reasonable period of time after the request is made, shall allow 212  
the parent or guardian to examine those materials at that school. 213

(6) Physical education; 214

(7) The fine arts, including music; 215

(8) First aid, including a training program in 216  
cardiopulmonary resuscitation, safety, and fire prevention, except 217  
that upon written request of the student's parent or guardian, a 218  
student shall be excused from taking instruction in 219  
cardiopulmonary resuscitation. 220

(B) Except as provided in division (E) of this section, every 221  
school or school district shall include in the requirements for 222  
promotion from the eighth grade to the ninth grade one year's 223  
course of study of American history. A board may waive this 224  
requirement for academically accelerated students who, in 225  
accordance with procedures adopted by the board, are able to 226  
demonstrate mastery of essential concepts and skills of the eighth 227  
grade American history course of study. 228

(C) ~~Except~~ As specified in divisions (B)(6) and (C)(6) of 229  
section 3313.603 of the Revised Code, except as provided in 230  
division (E) of this section, every high school shall include in 231  
the requirements for graduation from any curriculum ~~one~~ one-half 232

unit each of American history and government, ~~including a study of~~ 233  
~~the constitutions of the United States and of Ohio.~~ 234

(D) Except as provided in division (E) of this section, basic 235  
instruction in geography, United States history, the government of 236  
the United States, the government of the state of Ohio, local 237  
government in Ohio, the Declaration of Independence, the United 238  
States Constitution, and the Constitution of the state of Ohio 239  
shall be required before pupils may participate in courses 240  
involving the study of social problems, economics, foreign 241  
affairs, United Nations, world government, socialism and 242  
communism. 243

(E) For each cooperative education school district 244  
established pursuant to section 3311.521 of the Revised Code and 245  
each city, exempted village, and local school district that has 246  
territory within such a cooperative district, the curriculum 247  
adopted pursuant to divisions (A) to (D) of this section shall 248  
only include the study of the subjects that apply to the grades 249  
operated by each such school district. The curriculums for such 250  
schools, when combined, shall provide to each student of these 251  
districts all of the subjects required under divisions (A) to (D) 252  
of this section. 253

(F) The board of education of any cooperative education 254  
school district established pursuant to divisions (A) to (C) of 255  
section 3311.52 of the Revised Code shall prescribe a curriculum 256  
for the subject areas and grade levels offered in any school under 257  
its control. 258

(G) Upon the request of any parent or legal guardian of a 259  
student, the board of education of any school district shall 260  
permit the parent or guardian to promptly examine, with respect to 261  
the parent's or guardian's own child: 262

(1) Any survey or questionnaire, prior to its administration 263

|  |                                 |
|--|---------------------------------|
| to the child;  | 264                             |
| (2) Any textbook, workbook, software, video, or other instructional materials being used by the district in connection with the instruction of the child;  | 265<br>266<br>267               |
| (3) Any completed and graded test taken or survey or questionnaire filled out by the child;  | 268<br>269                      |
| (4) Copies of the statewide academic standards and each model curriculum developed pursuant to section 3301.079 of the Revised Code, which copies shall be available at all times during school hours in each district school building.  | 270<br>271<br>272<br>273        |
| <b>Sec. 3313.603.</b> (A) As used in this section:   | 274                             |
| (1) "One unit" means a minimum of one hundred twenty hours of course instruction, except that for a laboratory course, "one unit" means a minimum of one hundred fifty hours of course instruction.  | 275<br>276<br>277<br>278        |
| (2) "One-half unit" means a minimum of sixty hours of course instruction, except that for physical education courses, "one-half unit" means a minimum of one hundred twenty hours of course instruction.   | 279<br>280<br>281<br>282        |
| (B) Beginning September 15, 2001, except as required in division (C) of this section and division (C) of section 3313.614 of the Revised Code, the requirements for graduation from every high school shall include twenty units earned in grades nine through twelve and shall be distributed as follows: | 283<br>284<br>285<br>286<br>287 |
| (1) English language arts, four units;   | 288                             |
| (2) Health, one-half unit;   | 289                             |
| (3) Mathematics, three units;  | 290                             |
| (4) Physical education, one-half unit;   | 291                             |
| (5) Science, two units until September 15, 2003, and three   | 292                             |

|   |     |
|---|-----|
| units thereafter, which at all times shall include both of the                | 293 |
| following:  | 294 |
| (a) Biological sciences, one unit;  | 295 |
| (b) Physical sciences, one unit.  | 296 |
| (6) <del>Social studies, three units</del> <u>History and government, one</u> | 297 |
| <u>unit</u> , which shall <u>comply with division (M) of this section and</u> | 298 |
| <u>shall</u> include both of the following:                                   | 299 |
| (a) American history, one-half unit;  | 300 |
| (b) American government, one-half unit.                                       | 301 |
| (7) <u>Social studies, two units.</u>   | 302 |
| (8) <u>Elective units, seven units until September 15, 2003, and</u>          | 303 |
| <u>six units thereafter.</u>  | 304 |
| Each student's electives shall include at least one unit, or                  | 305 |
| two half units, chosen from among the areas of                                | 306 |
| business/technology, fine arts, and/or foreign language.                      | 307 |
| (C) Beginning with students who enter ninth grade for the                     | 308 |
| first time on or after July 1, 2010, except as provided in                    | 309 |
| divisions (D) to (F) of this section, the requirements for                    | 310 |
| graduation from every public and chartered nonpublic high school              | 311 |
| shall include twenty units that are designed to prepare students              | 312 |
| for the workforce and college. The units shall be distributed as              | 313 |
| follows:  | 314 |
| (1) English language arts, four units;  | 315 |
| (2) Health, one-half unit, which shall include instruction in                 | 316 |
| nutrition and the benefits of nutritious foods and physical                   | 317 |
| activity for overall health;  | 318 |
| (3) Mathematics, four units, which shall include one unit of                  | 319 |
| algebra II or the equivalent of algebra II;                                   | 320 |
| (4) Physical education, one-half unit;  | 321 |

|  |     |
|--|-----|
| (5) Science, three units with inquiry-based laboratory                         | 322 |
| experience that engages students in asking valid scientific                    | 323 |
| questions and gathering and analyzing information, which shall                 | 324 |
| include the following, or their equivalent:                                    | 325 |
| (a) Physical sciences, one unit;   | 326 |
| (b) Life sciences, one unit;   | 327 |
| (c) Advanced study in one or more of the following sciences,                   | 328 |
| one unit:  | 329 |
| (i) Chemistry, physics, or other physical science;                             | 330 |
| (ii) Advanced biology or other life science;                                   | 331 |
| (iii) Astronomy, physical geology, or other earth or space                     | 332 |
| science.   | 333 |
| (6) <del>Social studies, three units</del> <u>History and government, one</u>  | 334 |
| <u>unit</u> , which shall <u>comply with division (M) of this section and</u>  | 335 |
| <u>shall</u> include both of the following:                                    | 336 |
| (a) American history, one-half unit;   | 337 |
| (b) American government, one-half unit.  | 338 |
| <u>(7) Social studies, two units.</u>  | 339 |
| Each school shall integrate the study of economics and                         | 340 |
| financial literacy, as expressed in the social studies academic                | 341 |
| content standards adopted by the state board of education under                | 342 |
| division (A)(1) of section 3301.079 of the Revised Code and the                | 343 |
| academic content standards for financial literacy and                          | 344 |
| entrepreneurship adopted under division (A)(2) of that section,                | 345 |
| into one or more existing social studies credits required under                | 346 |
| division (C) <del>(6)</del> <u>(7)</u> of this section, or into the content of | 347 |
| another class, so that every high school student receives                      | 348 |
| instruction in those concepts. In developing the curriculum                    | 349 |
| required by this paragraph, schools shall use available                        | 350 |
| public-private partnerships and resources and materials that exist             | 351 |

in business, industry, and through the centers for economics 352  
education at institutions of higher education in the state. 353

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

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

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

Whereas teacher quality is essential for student success in 380  
completing the Ohio core curriculum, the general assembly shall 381  
appropriate funds for strategic initiatives designed to strengthen 382  
schools' capacities to hire and retain highly qualified teachers 383

in the subject areas required by the curriculum. Such initiatives 384  
are expected to require an investment of \$120,000,000 over five 385  
years. 386

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

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

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

(1) After the student has attended high school for two years, 415

as determined by the school, the student and the student's parent, 416  
guardian, or custodian sign and file with the school a written 417  
statement asserting the parent's, guardian's, or custodian's 418  
consent to the student's graduating without completing the Ohio 419  
core curriculum and acknowledging that one consequence of not 420  
completing the Ohio core curriculum is ineligibility to enroll in 421  
most state universities in Ohio without further coursework. 422

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

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

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

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

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

the house of representatives, the president and minority leader of 447  
the senate, the chairpersons and ranking minority members of the 448  
standing committees of the house of representatives and the senate 449  
that consider education legislation, the state board of education, 450  
and the superintendent of public instruction. 451

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

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

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

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

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

|  |  |
|--|--|
| following conditions:  | 478  |
| (1) The program serves only students not younger than sixteen years of age and not older than twenty-one years of age.   | 479<br>480   |
| (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.  | 481<br>482<br>483<br>484<br>485                      |
| (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 (E)(6) of section 3301.0712 of the Revised Code, division (B)(2) of that section.  | 486<br>487<br>488<br>489<br>490<br>491               |
| (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.   | 492<br>493<br>494<br>495                             |
| (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 experience.  | 496<br>497<br>498<br>499                             |
| (6) The program requires the student and the student's parent, guardian, or custodian to sign and file, in accordance with procedural requirements stipulated by the program, a written statement asserting the parent's, guardian's, or custodian's consent to the student's graduating without completing the Ohio core curriculum and acknowledging that one consequence of not completing the Ohio core curriculum is ineligibility to enroll in most state universities in Ohio without further coursework. | 500<br>501<br>502<br>503<br>504<br>505<br>506<br>507 |
| (7) Prior to receiving the waiver, the program has submitted   | 508  |

to the department an instructional plan that demonstrates how the 509  
academic content standards adopted by the state board under 510  
section 3301.079 of the Revised Code will be taught and assessed. 511

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

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

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

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

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

(H) The department shall make its individual academic career 537  
plan available through its Ohio career information system web site 538  
for districts and schools to use as a tool for communicating with 539

and providing guidance to students and families in selecting high school courses. 540  
541

(I) Units earned in English language arts, mathematics, science, and social studies that are delivered through integrated academic and career-technical instruction are eligible to meet the graduation requirements of division (B) or (C) of this section. 542  
543  
544  
545

(J) The state board, in consultation with the chancellor, shall adopt a statewide plan implementing methods for students to earn units of high school credit based on a demonstration of subject area competency, instead of or in combination with completing hours of classroom instruction. The state board shall adopt the plan not later than March 31, 2009, and commence phasing in the plan during the 2009-2010 school year. The plan shall include a standard method for recording demonstrated proficiency on high school transcripts. Each school district, community school, and chartered nonpublic school shall comply with the state board's plan adopted under this division and award units of high school credit in accordance with the plan. The state board may adopt existing methods for earning high school credit based on a demonstration of subject area competency as necessary prior to the 2009-2010 school year. 546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560

(K) This division does not apply to students who qualify for graduation from high school under division (D) or (F) of this section, or to students pursuing a career-technical instructional track as determined by the school district board of education or the chartered nonpublic school's governing authority. Nevertheless, the general assembly encourages such students to consider enrolling in a fine arts course as an elective. 561  
562  
563  
564  
565  
566  
567

Beginning with students who enter ninth grade for the first time on or after July 1, 2010, each student enrolled in a public or chartered nonpublic high school shall complete two semesters or the equivalent of fine arts to graduate from high school. The 568  
569  
570  
571

coursework may be completed in any of grades seven to twelve. Each 572  
student who completes a fine arts course in grade seven or eight 573  
may elect to count that course toward the five units of electives 574  
required for graduation under division (C)~~(7)~~ (8) of this section, 575  
if the course satisfied the requirements of division (G) of this 576  
section. In that case, the high school shall award the student 577  
high school credit for the course and count the course toward the 578  
five units required under division (C)~~(7)~~ (8) of this section. If 579  
the course in grade seven or eight did not satisfy the 580  
requirements of division (G) of this section, the high school 581  
shall not award the student high school credit for the course but 582  
shall count the course toward the two semesters or the equivalent 583  
of fine arts required by this division. 584

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

(M) It is important that high school students learn and 602  
understand United States history and the governments of both the 603

United States and the state of Ohio. Therefore, beginning with 604  
students who enter ninth grade for the first time on or after July 605  
1, 2012, the study of American history and American government 606  
required by divisions (B)(6) and (C)(6) of this section shall 607  
include the study of all of the following documents: 608

(1) The Declaration of Independence; 609

(2) The Northwest Ordinance; 610

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

(4) The Ohio Constitution. 613

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

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

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