



Ohio Legislative Service Commission

Bill Analysis

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Sub. S.B. 165*

129th General Assembly
(As Reported by H. Education)

Sens. Obhof and Grendell, Faber, Hughes, Jones, Jordan, Schaffer, Seitz, Sawyer, Hite, Coley, Bacon, Beagle, Brown, Daniels, LaRose, Lehner, Manning, Niehaus, Oelslager, Patton, Wagoner, Widener, Wilson

BILL SUMMARY

State standards

- Requires the State Board of Education to incorporate into the state social studies standards, for grades 4 to 12 academic content regarding the original texts of the Declaration of Independence, Northwest Ordinance, U.S. Constitution, and Ohio Constitution by July 1, 2012.
- Requires the State Board to revise the state model curricula and achievement assessments in social studies to include the new academic content.
- Specifies that a valid educator license in social studies is sufficient to teach the additional American history and American government content required by the bill.

High school study

- Specifies that the study of American history and American government as required in the high school curriculum must include study of the Declaration of Independence, Northwest Ordinance, U.S. Constitution, and Ohio Constitution.
- Adds a history and government end-of-course examination as a component of the college and work-ready assessments that are being developed to replace the Ohio Graduation Tests as a requirement for a high school diploma.

* This analysis was prepared before the report of the House Education Committee appeared in the House Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

- Not later than July 1, 2014, requires the Superintendent of Public Instruction and Chancellor of the Board of Regents to select an end-of-course examination for history and government that demonstrates mastery of American history and American government standards, and at least 30% of which must address the historical documents specified by the bill.
- Not later than July 1, 2013, requires each school district board of education, each community school, and each STEM school to adopt an interim end-of-course examination in history and government to be used by public high schools until the Superintendent and Chancellor adopt the exam described above.

Social studies prerequisites

- Revises the current law requiring "basic instruction" in geography and U.S. and Ohio history and government before a student may study other social studies topics by permitting "demonstrated mastery" of geography and U.S. and Ohio history and government as an alternative to "basic instruction."

State Board legislative recommendations

- Requires the State Board of Education to review the Revised Code for any provisions that may impede the implementation of the American history and government content and to recommend legislation to the General Assembly to address any issues it finds not later than July 1, 2012.

CONTENT AND OPERATION

Social studies standards and model curricula for grades 4 to 12

Not later than July 1, 2012, the bill requires the State Board of Education to incorporate into the state social studies standards for grades 4 to 12 academic content regarding the original texts and original context 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. The bill also requires the State Board to revise the state model curricula and achievement assessments in social studies to reflect the additional academic content.¹

Under current law, the State Board must adopt statewide academic standards for grades K through 12 in English language arts, math, science, and social studies every

¹ R.C. 3301.079(A)(1)(b).

five years. The State Board also must adopt a model curriculum for instruction in each of those subject areas that is aligned with the standards, as well as achievement tests.²

Study of the documents in high school

The bill states that "it is important that high school students learn and understand [U.S.] history and the governments of both the United States and . . . Ohio." Therefore, it requires that, beginning with students entering ninth grade on or after July 1, 2012, instruction in American history and American government in the high school curriculum must include the study of the Declaration of Independence, the Northwest Ordinance, the U.S. Constitution with emphasis on the Bill of Rights, and the Ohio Constitution. In addition, the bill requires that study to include study of the documents in their "original context." It also specifies that "the role of documents such as the Federalist Papers and the Anti-Federalist Papers [be studied] to firmly establish the historical background leading to the establishment of the provisions of the Constitution and Bill of Rights."³

Social studies high school curriculum

Current law requires three units of social studies in the high school curriculum, of which ½ unit each must be in the subjects of American history and American government. The bill separates the one unit of American history and American government from the other two units of required social studies instruction.⁴ Presumably, students could take additional instruction in history and government, as well as other social studies courses, to satisfy the two-unit social studies requirement.

End-of-course examinations

The bill requires a new end-of-course examination in history and government be added as a part of the college and work-ready assessment system that eventually is to replace the Ohio Graduation Test as a condition for a high school diploma. Not later than July 1, 2014, the Superintendent of Public Instruction and Chancellor of the Ohio Board of Regents must select an end-of-course examination that assesses mastery of the American history and American government content for social studies standards required by the bill. At least 30% of that assessment must address the historical

² R.C. 3301.079.

³ R.C. 3313.603(M).

⁴ R.C. 3313.60(C) and 3313.603(B) and (C).

documents required to be studied for graduation. (See "**Study of the documents in high school**," above.)⁵

Until the examination is selected, the bill requires school district boards of education, community schools, and STEM schools to adopt an interim end-of-course examination that complies with the above requirements not later than July 1, 2013. Public high schools must use this examination until the state Superintendent and Chancellor choose a statewide end-of-course exam.⁶

Application to chartered nonpublic high schools

Current law requires chartered nonpublic high schools, like public high schools, to subject their students to the Ohio Graduation Tests and the future college and work-ready assessment regimen, when it is developed, as a condition to receiving a high school diploma.⁷ Therefore, students of these schools would be subject to the end-of-course exam in history and government selected by the state Superintendent and the Chancellor. However, the bill does not appear to require chartered nonpublic schools to designate an interim end-of-course exam to use in the meantime.

Background – college and work-ready assessments

In H.B. 1 of the 128th General Assembly (the main operating budget bill for the 2009-2011 biennium), the General Assembly established standards for the development of new "college and work-ready assessments," which the State Board of Education, the Superintendent of Public Instruction, and the Chancellor of the Board of Regents are charged with designing. Once developed, the new regimen is to replace the Ohio Graduation Tests as a requirement for a high school diploma from a public or chartered nonpublic high school. The assessments must include both of the following:

(1) A nationally standardized assessment, selected jointly by the state Superintendent and the Chancellor, that measures "college and career readiness."

(2) A series of end-of-course examinations in science, math, English language arts, and social studies, selected jointly by the state Superintendent and the Chancellor. The Superintendent and Chancellor must choose multiple assessments that schools may use, including nationally recognized subject area assessments, such as advanced

⁵ R.C. 3301.0712(B)(2) and (3)(b).

⁶ R.C. 3301.0712(B)(3)(a). The requirement applies to community schools and STEM schools by current-law reference to R.C. 3301.0712 in R.C. 3314.03(A)(11)(d) and 3326.11, respectively. The latter two sections do not appear in the bill.

⁷ See R.C. 3313.612, not in the bill.

placement examinations, SAT subject tests, international baccalaureate examinations, and other assessments.⁸

Social studies license sufficient

The bill specifies that a valid educator license for teaching social studies in the applicable grade is considered sufficient to teach the additional American history and American government content required by the bill.⁹

Social studies prerequisites

The bill retains the current law requiring that students receive basic instruction in geography, U.S. history, U.S. government, the state government of Ohio, local government in Ohio, the Declaration of Independence, the U.S. Constitution, and the Ohio Constitution before participating in courses involving the study of social problems, economics, foreign affairs, United Nations, world government, socialism, and communism. However, it permits a student to fulfill the requirement through "demonstrated mastery" as an alternative to "basic instruction."¹⁰

State Board to recommend legislation

The bill directs the State Board of Education to review the Revised Code for any provisions that may impede the implementation of the American history and American government content and to recommend legislation to the General Assembly, not later than July 1, 2012, to address any issues it finds.¹¹

HISTORY

ACTION	DATE
Introduced	05-03-11
Reported, S. Education	06-28-11
Recommitted to S. Education	06-28-11
Re-reported, S. Education	07-13-11
Passed Senate (29-0)	07-13-11
Reported, H. Education	---

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⁸ R.C. 3301.0712.

⁹ R.C. 3319.23.

¹⁰ R.C. 3313.60(D).

¹¹ Section 3.

