

As Introduced

**134th General Assembly
Regular Session
2021-2022**

S. B. No. 365

Senator Wilson

**Cosponsors: Senators Brenner, Cirino, Gavarone, Hoagland, Lang, McColley,
O'Brien, Peterson, Romanchuk, Schaffer**

A BILL

To amend section 3301.079 of the Revised Code to 1
incorporate free market capitalism content into 2
the high school financial literacy and 3
entrepreneurship standards and model curriculum. 4

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

Section 1. That section 3301.079 of the Revised Code be 5
amended to read as follows: 6

Sec. 3301.079. (A) (1) The state board of education 7
periodically shall adopt statewide academic standards with 8
emphasis on coherence, focus, and essential knowledge and that 9
are more challenging and demanding when compared to 10
international standards for each of grades kindergarten through 11
twelve in English language arts, mathematics, science, and 12
social studies. 13

(a) The state board shall ensure that the standards do all 14
of the following: 15

(i) Include the essential academic content and skills that 16
students are expected to know and be able to do at each grade 17

level that will allow each student to be prepared for 18
postsecondary instruction and the workplace for success in the 19
twenty-first century; 20

(ii) Include the development of skill sets that promote 21
information, media, and technological literacy; 22

(iii) Include interdisciplinary, project-based, real-world 23
learning opportunities; 24

(iv) Instill life-long learning by providing essential 25
knowledge and skills based in the liberal arts tradition, as 26
well as science, technology, engineering, mathematics, and 27
career-technical education; 28

(v) Be clearly written, transparent, and understandable by 29
parents, educators, and the general public. 30

(b) ~~Not later than July 1, 2012, the~~ The state board shall 31
incorporate into the social studies standards for grades four to 32
twelve academic content regarding the original texts of the 33
Declaration of Independence, the Northwest Ordinance, the 34
Constitution of the United States and its amendments, with 35
emphasis on the Bill of Rights, and the Ohio Constitution, and 36
their original context. The state board shall revise the model 37
curricula and achievement assessments adopted under divisions 38
(B) and (C) of this section as necessary to reflect the 39
additional American history and American government content. The 40
state board shall make available a list of suggested grade- 41
appropriate supplemental readings that place the documents 42
prescribed by this division in their historical context, which 43
teachers may use as a resource to assist students in reading the 44
documents within that context. 45

(c) When the state board adopts or revises academic 46

content standards in social studies, American history, American 47
government, or science under division (A) (1) of this section, 48
the state board shall develop such standards independently and 49
not as part of a multistate consortium. 50

~~(2)~~ (2) (a) After completing the standards required by 51
division (A) (1) of this section, the state board shall adopt 52
standards and model curricula for instruction in technology, 53
financial literacy and entrepreneurship, fine arts, and foreign 54
language for grades kindergarten through twelve. The standards 55
shall meet the same requirements prescribed in division (A) (1) 56
(a) of this section. 57

(b) The state board shall incorporate into the standards 58
and model curriculum for financial literacy and entrepreneurship 59
for grades nine through twelve academic content regarding free 60
market capitalism. The academic content shall include all of the 61
following concepts related to free market capitalism: 62

(i) Raw materials, labor, and capital, the three classical 63
factors of economic production, are privately owned. 64

(ii) Individuals control their own ability to work, earn 65
wages, and obtain skills to earn and increase wages. 66

(iii) Private ownership of capital may include a sole 67
proprietorship, a family businesses, a publicly traded 68
corporation, a group of private investors, or a bank. 69

(iv) Markets aggregate the exchange of goods and services 70
throughout the world. Market prices are the only way to convey 71
so much constantly changing information about the supply of 72
goods and services, and the demand for them, for consumers and 73
producers to make informed economic decisions for themselves. 74

(v) Wealth is created by providing goods and services that 75

people value at a profit, and both sellers and buyers seek to 76
profit in some way in a free market transaction. Thus, profit 77
earned through transactions can be consumed, saved, reinvested 78
in the business, or dispersed to shareholders. 79

(vi) Wealth creation involves asset value appreciation and 80
depreciation, voluntary exchange of equity ownership, and open 81
and closed markets. 82

(vii) The free market is driven by, and tends to produce, 83
entrepreneurship and innovation. 84

(viii) The free market can include side effects and market 85
failures where at least part of the cost of the transaction, 86
including producing, transporting, selling, or buying, is born 87
by others outside of the transaction. 88

(ix) The political features of the free market, including 89
legally protected property rights, legally enforceable 90
contracts, patent protections, and the mitigation of side 91
effects and market failures; 92

(x) Societies that embrace the free market often embrace 93
political and personal freedom as well. 94

(3) The state board shall adopt the most recent standards 95
developed by the national association for sport and physical 96
education for physical education in grades kindergarten through 97
twelve or shall adopt its own standards for physical education 98
in those grades and revise and update them periodically. 99

The department of education shall employ a full-time 100
physical education coordinator to provide guidance and technical 101
assistance to districts, community schools, and STEM schools in 102
implementing the physical education standards adopted under this 103
division. The superintendent of public instruction shall 104

determine that the person employed as coordinator is qualified 105
for the position, as demonstrated by possessing an adequate 106
combination of education, license, and experience. 107

(4) Not later than September 30, 2022, the state board 108
shall update the standards and model curriculum for instruction 109
in computer science in grades kindergarten through twelve, which 110
shall include standards for introductory and advanced computer 111
science courses in grades nine through twelve. When developing 112
the standards and curriculum, the state board shall consider 113
recommendations from computer science education stakeholder 114
groups, including teachers and representatives from higher 115
education, industry, computer science organizations in Ohio, and 116
national computer science organizations. 117

Any district or school may utilize the computer science 118
standards or model curriculum or any part thereof adopted 119
pursuant to division (A) (4) of this section. However, no 120
district or school shall be required to utilize all or any part 121
of the standards or curriculum. 122

(5) When academic standards have been completed for any 123
subject area required by this section, the state board shall 124
inform all school districts, all community schools established 125
under Chapter 3314. of the Revised Code, all STEM schools 126
established under Chapter 3326. of the Revised Code, and all 127
nonpublic schools required to administer the assessments 128
prescribed by sections 3301.0710 and 3301.0712 of the Revised 129
Code of the content of those standards. Additionally, upon 130
completion of any academic standards under this section, the 131
department shall post those standards on the department's web 132
site. 133

(B) (1) The state board shall adopt a model curriculum for 134

instruction in each subject area for which updated academic 135
standards are required by division (A) (1) of this section and 136
for each of grades kindergarten through twelve that is 137
sufficient to meet the needs of students in every community. The 138
model curriculum shall be aligned with the standards, to ensure 139
that the academic content and skills specified for each grade 140
level are taught to students, and shall demonstrate vertical 141
articulation and emphasize coherence, focus, and rigor. When any 142
model curriculum has been completed, the state board shall 143
inform all school districts, community schools, and STEM schools 144
of the content of that model curriculum. 145

(2) ~~Not later than June 30, 2013, the~~ The state board, in 146
consultation with any office housed in the governor's office 147
that deals with workforce development, shall adopt model 148
curricula for grades kindergarten through twelve that embed 149
career connection learning strategies into regular classroom 150
instruction. 151

(3) All school districts, community schools, and STEM 152
schools may utilize the state standards and the model curriculum 153
established by the state board, together with other relevant 154
resources, examples, or models to ensure that students have the 155
opportunity to attain the academic standards. Upon request, the 156
department shall provide technical assistance to any district, 157
community school, or STEM school in implementing the model 158
curriculum. 159

Nothing in this section requires any school district to 160
utilize all or any part of a model curriculum developed under 161
this section. 162

(C) The state board shall develop achievement assessments 163
aligned with the academic standards and model curriculum for 164

each of the subject areas and grade levels required by divisions 165
(A) (1) and (B) (1) of section 3301.0710 of the Revised Code. 166

When any achievement assessment has been completed, the 167
state board shall inform all school districts, community 168
schools, STEM schools, and nonpublic schools required to 169
administer the assessment of its completion, and the department 170
shall make the achievement assessment available to the districts 171
and schools. 172

(D) (1) The state board shall adopt a diagnostic assessment 173
aligned with the academic standards and model curriculum for 174
each of grades kindergarten through two in reading, writing, and 175
mathematics and for grade three in reading and writing. The 176
diagnostic assessment shall be designed to measure student 177
comprehension of academic content and mastery of related skills 178
for the relevant subject area and grade level. Any diagnostic 179
assessment shall not include components to identify gifted 180
students. Blank copies of diagnostic assessments shall be public 181
records. 182

(2) When each diagnostic assessment has been completed, 183
the state board shall inform all school districts of its 184
completion and the department shall make the diagnostic 185
assessment available to the districts at no cost to the 186
district. 187

(3) School districts shall administer the diagnostic 188
assessment pursuant to section 3301.0715 of the Revised Code 189
beginning the first school year following the development of the 190
assessment. 191

However, beginning with the 2017-2018 school year, both of 192
the following shall apply: 193

(a) In the case of the diagnostic assessments for grades 194
one or two in writing or mathematics or for grade three in 195
writing, a school district shall not be required to administer 196
any such assessment, but may do so at the discretion of the 197
district board; 198

(b) In the case of any diagnostic assessment that is not 199
for the grade levels and subject areas specified in division (D) 200
(3) (a) of this section, each school district shall administer 201
the assessment in the manner prescribed by section 3301.0715 of 202
the Revised Code. 203

(E) The state board shall not adopt a diagnostic or 204
achievement assessment for any grade level or subject area other 205
than those specified in this section. 206

(F) Whenever the state board or the department consults 207
with persons for the purpose of drafting or reviewing any 208
standards, diagnostic assessments, achievement assessments, or 209
model curriculum required under this section, the state board or 210
the department shall first consult with parents of students in 211
kindergarten through twelfth grade and with active Ohio 212
classroom teachers, other school personnel, and administrators 213
with expertise in the appropriate subject area. Whenever 214
practicable, the state board and department shall consult with 215
teachers recognized as outstanding in their fields. 216

If the department contracts with more than one outside 217
entity for the development of the achievement assessments 218
required by this section, the department shall ensure the 219
interchangeability of those assessments. 220

(G) Whenever the state board adopts standards or model 221
curricula under this section, the department also shall provide 222

information on the use of blended, online, or digital learning 223
in the delivery of the standards or curricula to students in 224
accordance with division (A) (5) of this section. 225

(H) The fairness sensitivity review committee, established 226
by rule of the state board of education, shall not allow any 227
question on any achievement or diagnostic assessment developed 228
under this section or any proficiency test prescribed by former 229
section 3301.0710 of the Revised Code, as it existed prior to 230
September 11, 2001, to include, be written to promote, or 231
inquire as to individual moral or social values or beliefs. The 232
decision of the committee shall be final. This section does not 233
create a private cause of action. 234

(I) Not later than sixty days prior to the adoption by the 235
state board of updated academic standards under division (A) (1) 236
of this section or updated model curricula under division (B) (1) 237
of this section, the superintendent of public instruction shall 238
present the academic standards or model curricula, as 239
applicable, in person at a public hearing of the respective 240
committees of the house of representatives and senate that 241
consider education legislation. 242

(J) As used in this section: 243

(1) "Blended learning" means the delivery of instruction 244
in a combination of time primarily in a supervised physical 245
location away from home and online delivery whereby the student 246
has some element of control over time, place, path, or pace of 247
learning and includes noncomputer-based learning opportunities. 248

(2) "Online learning" means students work primarily from 249
their residences on assignments delivered via an internet- or 250
other computer-based instructional method. 251

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| (3) "Coherence" means a reflection of the structure of the discipline being taught. | 252 253 |
| (4) "Digital learning" means learning facilitated by technology that gives students some element of control over time, place, path, or pace of learning. | 254 255 256 |
| (5) "Focus" means limiting the number of items included in a curriculum to allow for deeper exploration of the subject matter. | 257 258 259 |
| (6) "Vertical articulation" means key academic concepts and skills associated with mastery in particular content areas should be articulated and reinforced in a developmentally appropriate manner at each grade level so that over time students acquire a depth of knowledge and understanding in the core academic disciplines. | 260 261 262 263 264 265 |
| Section 2. That existing section 3301.079 of the Revised Code is hereby repealed. | 266 267 |