

[ORC Ann. 3313.60](#)

Current with Legislation passed by the 132nd General Assembly and filed with the Secretary of State through file 105 (SB 81), except for file 96 (HB 87).

Page's Ohio Revised Code Annotated > Title 33: Education — Libraries (Chs. 3301 — 3385) > Chapter 3313: Boards of Education (§§ 3313.01 — 3313.99) > Graded Courses of Study; Diploma (§§ 3313.60 — 3313.619)

§ 3313.60 Required curriculum; requirements for promotion to ninth grade and for graduation from high school.

Notwithstanding division (D) of [section 3311.52 of the Revised Code](#), divisions (A) to (E) of this section do not apply to any cooperative education school district established pursuant to divisions (A) to (C) of [section 3311.52 of the Revised Code](#).

(A)The board of education of each city, exempted village, and local school district and the board of each cooperative education school district established, pursuant to [section 3311.521 of the Revised Code](#), shall prescribe a curriculum for all schools under its control. Except as provided in division (E) of this section, in any such curriculum there shall be included the study of the following subjects:

- (1)The language arts, including reading, writing, spelling, oral and written English, and literature;
- (2)Geography, the history of the United States and of Ohio, and national, state, and local government in the United States, including a balanced presentation of the relevant contributions to society of men and women of African, Mexican, Puerto Rican, and American Indian descent as well as other ethnic and racial groups in Ohio and the United States;
- (3)Mathematics;
- (4)Natural science, including instruction in the conservation of natural resources;
- (5)Health education, which shall include instruction in:
 - (a)The nutritive value of foods, including natural and organically produced foods, the relation of nutrition to health, and the use and effects of food additives;
 - (b)The harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco;
 - (c)Venereal disease education, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in venereal disease education;
 - (d)In grades kindergarten through six, instruction in personal safety and assault prevention, except that upon written request of the student's parent or guardian, a student shall be excused from taking instruction in personal safety and assault prevention;
 - (e)In grades seven through twelve, age-appropriate instruction in dating violence prevention education, which shall include instruction in recognizing dating violence warning signs and characteristics of healthy relationships.

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

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

(f) Prescription opioid abuse prevention, with an emphasis on the prescription drug epidemic and the connection between prescription opioid abuse and addiction to other drugs, such as heroin;

(g) The process of making an anatomical gift under Chapter 2108. of the Revised Code, with an emphasis on the life-saving and life-enhancing effects of organ and tissue donation.

(6) Physical education;

(7) The fine arts, including music;

(8) First aid, including a training program in cardiopulmonary resuscitation, which shall comply with [section 3313.6021 of the Revised Code](#) when offered in any of grades nine through twelve, safety, and fire prevention. However, upon written request of the student's parent or guardian, a student shall be excused from taking instruction in cardiopulmonary resuscitation.

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

(C) As specified in divisions (B)(6) and (C)(6) of [section 3313.603 of the Revised Code](#), except as provided in division (E) of this section, every high school shall include in the requirements for graduation from any curriculum one-half unit each of American history and government.

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

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

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

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

(1) Any survey or questionnaire, prior to its administration to the child;

(2) Any textbook, workbook, software, video, or other instructional materials being used by the district in connection with the instruction of the child;

(3) Any completed and graded test taken or survey or questionnaire filled out by the child;

(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.

History

GC § 4837; 120 v 475 (528); Bureau of Code Revision, 10-1-53; 126 v 567 (Eff 8-5-55); 133 v H 874 (Eff 9-16-70); 136 v H 87 (Eff 9-19-75); 136 v S 107 (Eff 11-28-75); 137 v H 234 (Eff 10-25-78); 138 v H 481 (Eff 6-20-80); 142 v H 55 (Eff 3-17-89); [144 v S 195](#) (Eff 4-16-93); [145 v H 152](#) (Eff 7-1-93); [145 v H 715](#) (Eff 7-22-94); [146 v H 117](#) (Eff 9-29-95); [149 v S 1](#), Eff 9-11-2001; [153 v H 1](#), § 101.01, eff. 10-16-09; [153 v H 19](#), § 1, eff. 3-29-10; [2012 SB 165](#), § 1, eff. June 29, 2012; [2013 HB 59](#), § 101.01, eff. Sept. 29, 2013; [2014 HB 367](#), § 1, effective March 23, 2015; [2016 HB 113](#), § 1, effective Sep 14, 2016; [2016 HB 438](#), § 1, effective April 6, 2017.

Annotations

Notes

Editor's Notes

Acts [2014, HB 367](#), § 9 provides: “Not later than July 1, 2015, the Governor's Cabinet Opiate Action Team shall develop recommendations for the instruction in prescription opioid abuse prevention that is required for a school district's health curriculum under division (A)(5)(f) of [section 3313.60 of the Revised Code](#), as amended by this act, and submit them to the Department of Education. Upon receiving the recommendations, the Department shall publish them in a prominent location on the Department's web site for use by school districts in developing their health curricula.”

Amendment Notes

The 2016 amendment by HB 438 added (A)(5)(g).

The 2016 amendment by HB 113 substituted “which shall comply with section 3313.6021 of the Revised Code when offered in any of grades nine through twelve, safety, and fire prevention. However, upon” for “safety and fire prevention, except that upon” in (A)(9).

The 2014 amendment by HB 367, added (A)(5)(f).

The 2013 amendment substituted “and local school district” for “school district, the governing board of each educational service center” in the first sentence of the introductory language of (A); and made related and stylistic changes.

The 2012 amendment, in (C), added “As specified in divisions (B)(6) and (C)(6) of section 3313.603 of the Revised Code” to the beginning, substituted “one-half unit each” for “one unit”, and deleted “including a study of the constitutions of the United States and of Ohio” from the end; and inserted “or demonstrated mastery” in (D).

153 v H 19, effective March 29, 2010, added (A)(5)(e).

153 v H 1, effective October 16, 2009, added the last sentence to (B).

Notes to Decisions

Attendance policy

Authority of board

Change of student grade

Religious schools

Attendance policy

A student attendance policy that would deny a diploma to a senior solely as a consequence of absenteeism, including excused absences, is unreasonable and invalid: [*State ex rel. Barno v. Crestwood Bd. of Educ.*, 134 Ohio App. 3d 494, 731 N.E.2d 701, 1998 Ohio App. LEXIS 2770 \(Ohio Ct. App., Portage County 1998\)](#).

Authority of board

School board's refusal to renew a high school teacher's contract because of a dispute over the books used for assignments in the teacher's classes did not violate the First Amendment. Because the teacher's curricular speech was part of the teacher's official duties, the teacher was not speaking as a "citizen" for First Amendment purposes; under [*R.C. 3313.60\(A\)*](#), the school board was given responsibility over the curriculum. [*Evans-Marshall v. Bd. of Educ. of the Tipp City Exempted Vill. Sch. Dist.*, 624 F.3d 332, 2010 FED App. 0334P, 2010 U.S. App. LEXIS 21680 \(6th Cir. Ohio 2010\)](#), cert. denied, 564 U.S. 1038, 131 S. Ct. 3068, 180 L. Ed. 2d 889, 2011 U.S. LEXIS 4909 (U.S. 2011).

In prescribing an appropriate school curriculum pursuant to [*R.C. 3313.60\(A\)*](#), the board is not required to maintain a curriculum simply because the subject area was taught during previous academic years; this is especially true when the board offers a sufficient number of courses in the elective subject area, when students need to improve proficiency test scores in core subject areas in which additional teachers are needed, and when the General Assembly has increased the number of core unit requirements for high school graduation: [*Kreis v. Crooksville Exempted Village Sch. Dist. Bd. of Educ.*, 1999 Ohio App. LEXIS 4381 \(Ohio Ct. App., Perry County Sept. 16, 1999\)](#).

Change of student grade

Neither the teacher nor the teachers association had standing to challenge the school board's entry into an agreement to give the student an opportunity to change his grade: [*Vermilion Teachers' Ass'n v. Vermilion Local Sch. Dist. Bd. of Educ.*, 98 Ohio App. 3d 524, 648 N.E.2d 1384, 1994 Ohio App. LEXIS 4913 \(Ohio Ct. App., Erie County 1994\)](#).

Religious schools

Revised Code §§ [3313.48](#) and [3313.60](#), although requiring a school day of a defined length, and effectively controlling the courses of study taught nonpublic school children, do not further impede the ability of a religious school to incorporate the tenets of its particular faith into its required courses: [State v. Whisner, 47 Ohio St. 2d 181, 1 Ohio Op. 3d 105, 351 N.E.2d 750, 1976 Ohio LEXIS 686 \(Ohio 1976\)](#).

Opinion Notes

Attorney General Opinions

Pursuant to [R.C. 3313.60](#) and [3321.04](#), a local board of education may prescribe the course of study for children excused from compulsory school attendance for religious reasons; however, a local board of education does not have the authority to specify guidelines for the exemption of children from compulsory school attendance: [1979 Ohio Op. Att'y Gen. No. 056 \(1979\)](#).

A board of education has authority to adopt the teaching of instrumental music, as a graded course of study in its schools, and to furnish to its pupils the instruments necessary for use in such instrumental course of study: (decided under former analogous section) 1938 OAG No. 3546 (1938).

Research References & Practice Aids

Cross-References to Related Sections

Alternative disciplinary schools, RC § [3313.533](#).

Community service education program plan, RC § [3313.605](#).

High school, elementary school defined, RC § [3301.16](#).

Venereal disease education to emphasize abstinence, RC § [3313.6011](#).

Ohio Administrative Code

Curriculum; educational program standards—

Kindergarten through twelfth grade. **3 Ohio Sch. Law:** [OAC 3301-35-06](#).

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