



Jim Kelly

Bill Analysis
Legislative Service Commission

H.B. 193

123rd General Assembly
(As Introduced)

Reps. Jones, Ogg, James, Bender, D. Miller, Callender, Britton, Pringle, Hood, Metelsky, Sulzer, Opfer, Hartnett, Schuler, Allen, Vesper, Smith, Sykes

BILL SUMMARY

- Grants a high school diploma to any student who passes all but one of the ninth-grade proficiency tests, if the student also (1) has taken that one test every time it was administered while he or she attended high school, (2) achieved in high school at least a 3.00 grade point average or its equivalent, and (3) achieved a 95% attendance rate in high school.
- Requires school districts, chartered nonpublic schools, the State School for the Blind, and the State School for the Deaf to grant a diploma, upon request, to any former student who previously was denied a diploma because of failure to pass one of the proficiency tests, if the student met all of the bill's other requirements while in high school.

CONTENT AND OPERATION

Current law

Under current law, a diploma may be issued only to students who have both (1) successfully completed the curriculum of any high school (or an individualized education program ("IEP") in the case of a disabled student; or a high school equivalency program in the case of an adult) and (2) passed the ninth-grade proficiency tests in all subjects (reading, writing, mathematics, science, and citizenship). The requirement to pass all five proficiency tests applies to all public high school students, including those attending community schools (sec. 3313.61), adult education students (sec. 3313.611), students attending chartered nonpublic schools (sec. 3313.612), and students attending the State School for the Blind or the State School for the Deaf (sec. 3325.08). But a disabled student is exempt from the requirement to pass any of the tests from which the student's IEP excuses

him or her, and some foreign exchange students are exempt from having to pass the citizenship test.

The bill

The bill establishes an alternative set of prerequisites to receive a diploma for students who pass *all but one* of the ninth-grade proficiency tests. It requires that a diploma be granted to any *current or former* student who has passed *all but one* of the tests from which he or she is not excused, if the student also has done all of the following:

(1) Taken the one test he or she did not pass, and from which he or she was not excused by an IEP, each time it was offered while the student was enrolled in high school (or taking adult education courses);

(2) Achieved a cumulative grade point average in high school (or adult education courses) of at least 3.00 out of 4.00, or its equivalent as designated in rules adopted by the State Board of Education; and

(3) Achieved a cumulative attendance rate in high school (or adult education courses) of at least 95%.

Retroactive awarding of diplomas

The bill requires school districts, chartered nonpublic schools, the State School for the Blind, and the State School for the Deaf to award a diploma upon request to any former student who previously was denied one because of failure to pass one of the proficiency tests, but who met all of the bill's new requirements, listed in (1) to (3), above. (In the case of chartered nonpublic schools, this requirement likely will not have much consequence, because the proficiency test requirement applies only to their students graduating after September 15, 1998--that is, beginning with the class of 1999.)

Switch to tenth-grade proficiency tests after September 15, 2004

Under current law, in accordance with Am. Sub. S.B. 55 of the 122nd General Assembly, students graduating after September 15, 2004, must pass the new tenth-grade proficiency tests to receive their diplomas. Section 3 of *this* bill states that this bill does not affect that scheduled change. Students who finish high school before then have until that date to pass all but one of the ninth-grade tests to receive their diplomas (if they met the bill's other requirements, as well). But after that date, they will have to pass all but one of the tenth-grade tests from which they are not excused by an IEP.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-17-99	p. 214

H0193-I.123/jc

