



Am. Sub. H.B. 77
124th General Assembly
(As Passed by the General Assembly)

Reps. Hollister, Grendell, Calvert, Carey, Coates, Perry, Jerse, Patton, Willamowski, Evans, Buehrer, Webster, Redfern, Manning, Hoops, Boccieri, Allen, DePiero, Schuring, Sulzer, Jones, Aslanides, Roman, Seaver, Latta, Sferra, Callender, DeWine, Hartnett, Flannery, Kearns, Stapleton, Setzer, Distel, Barrett, Carano, Woodard, Reidelbach, Ogg, Core, Reinhard, Niehaus, Schneider, Krupinski, Hagan, Schmidt, Metzger, Peterson, Faber, Trakas, Cates, Clancy, Driehaus, Barnes, Carmichael, Schaffer, Cirelli, Wilson, Womer Benjamin, Goodman, Olman, Gilb, White, Young, Widowfield, Salerno, Jolivette, Otterman, Flowers, Rhine, Collier, Latell, Oakar, Strahorn, S. Smith, Fedor, Sullivan, D. Miller, Britton, Hughes, Fessler

Sens. Robert Gardner, Prentiss, Furney, Harris, Mumper, Shoemaker, Randy Gardner, Austria, Oelslager, Blessing, Brady, Carnes, DiDonato, Herington, McLin, Ryan, Spada, Mead, Espy, Mallory, Hagan

Effective date: July 12, 2001; certain provisions effective October 12, 2001

ACT SUMMARY

- Permits any school district or any chartered nonpublic school to award a high school diploma to any resident of the state who is an honorably discharged World War II veteran, provided the veteran left public or nonpublic school to serve in the armed forces.
- Appropriates unexpended FY 2001 funds of the Veterans Affairs Office to the same use in FY 2002.

CONTENT AND OPERATION

Continuing law on the issuance of high school diplomas to adults

A person who has withdrawn from high school might be eligible for an "Ohio High School Equivalence Diploma" issued by the State Board of Education. To qualify for this diploma, a person must pass the General Educational

Development (GED) test, which is published by the American Council on Education.¹

As an alternative to the GED process, a person over 21 years old who does not have a high school diploma may be eligible for a "diploma of adult education" from a school district. To qualify, the person must be a resident of the district, have passed all of the required proficiency tests or Ohio Graduation Tests (unless excused from taking a test due to a disability or because he or she is not a U.S. citizen or permanent resident), and have attained sufficient high school credits to qualify as having completed the district's required curriculum for graduation. In place of high school credits, a district board of education may accept certain work or volunteer experiences, vocational or academic training, or "other life experiences" worthy of high school credit according to standards adopted by the State Board of Education.² (For description of the law on traditional diplomas, see **COMMENT 1**.)

High school diplomas may be issued to World War II veterans under the act

(sec. 3313.616)

The act permits any school district or any chartered nonpublic school to grant a high school diploma to a World War II veteran who is now a resident of Ohio if certain conditions are met. First, the veteran must have left a public or nonpublic high school anywhere in the United States prior to graduation in order to serve in the armed forces. Second, the veteran must have been honorably discharged from the armed forces. And, finally, the veteran must not have been granted a diploma, honors diploma, or diploma of adult education (or have already

¹ *Ohio Administrative Code § 3301-41-01.*

² *R.C. 3313.611, not in the act. If a district board of education issues its determination prior to September 15, 2006, that an applicant for a diploma has satisfied the district's curriculum requirements, then the applicant must pass the ninth grade proficiency tests to meet the testing requirements for the diploma. After that date, the applicant must pass the tenth grade Ohio Graduation Tests (OGT) to qualify for a diploma. Also, any person who meets the curriculum requirements for a diploma before September 15, 2006, but fails to pass a required proficiency test before September 15, 2008, must instead pass the OGT in the same subject area to receive a diploma. (R.C. 3313.614, not in the act.) See also n. 4 regarding an alternative testing requirement for which an applicant who must pass the OGT to obtain a diploma may be eligible.*

received a diploma under the act from another school). The act does not require that the veteran take the GED or any proficiency tests or OGT.³

The act also permits a district board of education or the governing authority of a chartered nonpublic school to award a diploma to an otherwise qualified World War II veteran who is deceased. In such case, the diploma may be awarded posthumously and presented to a living relative of the veteran.

The Governor's Office of Veterans Affairs, with the advice and consent of its "veterans advisory committee," is required to adopt rules to implement the new diploma provision. (See **COMMENT 2**.) These rules must include procedures for applying for the diploma and for verifying the eligibility of applicants.

Conversion of veterans' records

(Section 2)

The Governor's Office of Veterans Affairs is currently in the process of converting paper documents and other records pertaining to Ohio veterans to an electronic database. Funding was provided for the conversion project in the budget that expired June 30, 2001, but was eliminated in the budget for the 2001-2003 biennium. The act directs the Director of the Department of Administrative Services to certify the amount of unencumbered and unspent money from FY 2001 earmarked for the conversion project to the Director of Budget and Management by July 1, 2001. Any such amount will then be carried over into FY 2002 for continuation of the records conversion.

COMMENT

1. The diploma of adult education and the Ohio High School Equivalence Diploma are exceptions to the traditional route of obtaining a high school diploma. Traditionally, as provided under continuing law, a student is eligible for a high school "diploma" from a public school or a nonpublic school if the student has completed the high school curriculum and has attained the scores designated by the State Board of Education on the ninth grade proficiency tests or the tenth grade OGT.⁴ A disabled student for whom an "individualized education program" (IEP) has been developed must complete that program instead of the regular high school

³ *The act makes no mention of the Ohio High School Equivalence Diploma. It is unclear whether a veteran possessing this diploma is eligible for a school district diploma under the act.*

⁴ *R.C. 3313.61(A) and 3313.612, neither section in the act.*

curriculum. A disabled student also might be specifically excused from taking one or more of the proficiency tests or OGT through provisions of the student's IEP, although a public school student must be assessed by an alternate method.⁵ Any public or nonpublic high school student is eligible for an "honors diploma" in lieu of a high school diploma if the student has completed the high school curriculum (or the student's IEP, if applicable), has attained the designated scores on the proficiency tests or OGT (unless excused from taking a test), and has satisfied additional standards for "honors" diplomas established by the State Board.⁶

2. The Governor's Office of Veterans Affairs is required to establish a "veterans advisory committee" to provide the office with advice in the conduct of the state's veterans' affairs programs. Members of that committee must include:

(1) A state representative of each of the following veterans organizations:

- American Legion;
- Veterans of Foreign Wars;
- Disabled American Veterans;
- AMVETS;
- Military Order of the Purple Heart of the U.S.A.;
- Vietnam Veterans of America.

(2) A representative of any other Congressionally chartered state veterans organization that has at least one veterans service commissioner in the state;

(3) Three representatives of the Ohio State Association of County Veterans Service Commissioners;

(4) Three representatives of the State Association of County Veterans Service Officers;

(5) One representative of the County Commissioners Association of Ohio;
and

⁵ R.C. 3301.0711(C)(1), 3313.612(B), and 3313.532(C), none in the act. Certain alien students also may be excused from taking the citizenship proficiency test or OGT in social studies (see R.C. 3313.61(H) and 3313.612(B), neither section in the act).

⁶ R.C. 3313.61(B), not in the act.

(6) A representative of the Office of the Attorney General.⁷

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-07-01	p. 141
Reported, H. Education	04-05-01	pp. 294-295
Passed House (96-2)	05-15-01	pp. 420-421
Reported, S. Education	06-20-01	pp. 679-680
Passed Senate (32-0)	06-20-01	pp. 681-682
House concurred in Senate amendments (98-1)	06-28-01	pp. 721-722

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⁷ R.C. 5901.02 and 5902.02(K), neither section in the act.