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Bill Analysis
Legislative Service Commission

H.B. 77

124th General Assembly
(As Introduced)

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

BILL SUMMARY

- Permits a school district to award a high school diploma to any resident who is an honorably discharged World War II veteran, provided the veteran left public high school to serve in the armed forces.

CONTENT AND OPERATION

Current 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A person who has withdrawn from high school might be eligible for an "Ohio High School Equivalence Diploma" issued by the State Board of Education.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 Education 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 ninth grade or tenth grade proficiency 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 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

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

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 bill

(sec. 3313.614)

The bill permits a school district to grant a high school diploma to a resident World War II veteran if certain conditions are met. First, the veteran must have left public high school 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. The bill does not require that the veteran take the GED or any proficiency tests.³

If the school district to which the veteran applies for a diploma under the bill's provisions is not the district that contains the territory in which the veteran attended high school just prior to serving in the armed forces, before the district board may issue the diploma, the board must obtain written approval from the board of the district that does contain such territory.

The bill also permits a district board to award a diploma to an otherwise qualified World War II veteran who is deceased. In such case, the board of the school district in which the veteran last resided may award a diploma posthumously and present it 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 are to include procedures for applying for the diploma and for verifying the eligibility of applicants.

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

² *R.C. 3313.611, not in the bill. Beginning September 16, 2004, the person must pass the tenth grade proficiency tests rather than the ninth grade tests, which are currently being phased out. (See Section 4 of Am. Sub. S.B. 55 of the 122nd General Assembly.)*

³ *The bill 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 bill.*

school "diploma" from a public school or a nonpublic school if the student has completed the high school curriculum and has attained the score designated by the Department of Education on the ninth grade or tenth grade proficiency tests.⁴ A disabled student for whom an "individualized education program" (IEP) has been developed must complete that program instead of the regular high school curriculum. A disabled student also might be specifically excused from taking one or more of the proficiency tests through provisions of the student's IEP.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 score on the ninth grade or tenth grade proficiency tests (unless excused from taking a test), and has satisfied additional standards for "honors" diplomas established by the State Board of Education.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;

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

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

⁶ R.C. 3313.61(B), not in the bill.

(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

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

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-07-01	p. 141

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