



Am. Sub. H.B. 77*

124th General Assembly
(As Reported by S. Education)

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

BILL SUMMARY

- Permits any school district and 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

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A person who has withdrawn from high school might be eligible for an "Ohio High School Equivalence Diploma" issued by the State Board of Education.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

* This analysis was prepared before the report of the Senate Education Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

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 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 bill

(sec. 3313.614)

The bill 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 non-public 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 received a diploma under the bill from another school). The bill does not require that the veteran take the GED or any proficiency tests.³

The bill 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.

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

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.*

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.

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 expires June 30, 2001, but was eliminated in the budget for the 2001-2003 biennium. The bill 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 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

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).

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;

(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

⁶ R.C. 3313.61(B), not in the bill.

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

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 | --- | --- |

H0077-RS.124/jc

