



## **H.B. 98**

124th General Assembly  
(As Introduced)

**Reps. R. Miller, Sferra, Boccieri, Patton, Ford, Krupinski, Beatty, Sykes, Hartnett, Rhine, Flannery, Barrett, Britton, Redfern**

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### **BILL SUMMARY**

- Specifies that the proficiency test requirements with which a student must comply to be eligible for a high school diploma, honors diploma, or diploma of adult education are those requirements in effect for the school year that the student fulfills the curriculum requirement.

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### **CONTENT AND OPERATION**

#### **Background**

A student is eligible for a high school diploma from a public school (including a school district, a community school, the State School for the Deaf and the State School for the Blind) or a chartered 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 proficiency tests in the areas of reading, writing, mathematics, science, and citizenship.<sup>1</sup> Currently, the ninth grade tests are being phased out in favor of tenth grade tests in all five areas. Students who graduate after September 15, 2004 must pass the tenth grade tests.<sup>2</sup> A disabled student for whom an "individualized education program" (IEP) has

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<sup>1</sup> R.C. 3313.61, 3313.612, 3314.03(A)(11)(d), and 3325.08. A school district may award a "diploma of adult education" to any resident person who is over 21 years old and has not received a high school diploma if the person completes the high school curriculum and attains the designated score on all of the required proficiency tests. However, in place of high school curriculum credits, the district may accept certain work or volunteer experiences, vocational or academic training, or "other life experiences" according to standards adopted by the State Board of Education. (R.C. 3313.611.)

<sup>2</sup> Section 4 of Am. Sub. S.B. 55 of the 122nd General Assembly, amended in Sections 3 and 4 of this bill.

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.<sup>3</sup> Any student might be eligible for an honors diploma in lieu of a regular high school diploma if besides satisfying the curriculum and testing requirements, the student satisfies additional criteria established by the State Board of Education.<sup>4</sup>

The law also provides that any student who has completed the curriculum requirement for a diploma but who has failed to attain the designated score on one or more of the required proficiency tests may continue to take the test. If the student at some time in the future passes the test, the student is entitled to receive a diploma from the school at which the student completed the curriculum.<sup>5</sup> The law provides some instruction as to which tests a former student must pass to receive a diploma. As discussed above, any student, including a former student, who receives a diploma after September 15, 2004 must pass the tenth grade proficiency tests. However, any student who enters ninth grade prior to July 1, 2001, including a former student, and who passes "all parts" of the ninth grade proficiency tests prior to September 15, 2004 may receive [a diploma] based upon passage of the ninth grade tests.<sup>6</sup> As for the science tests, which were added to the test battery in 1994, students are not required to comply with that provision until September 15 in the fifth school year after the first full school year that the science model curriculum adopted by the State Board of Education is available to school districts.<sup>7</sup> Accordingly, the State Board has adopted a rule requiring any student who earns a high school diploma after September 15, 2000 to pass the science proficiency test.<sup>8</sup> This rule appears to apply to both current and former students.

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<sup>3</sup> *R.C. 3301.0711(C)(1), 3313.612(A), and 3313.532(C) (latter section not in the bill). Certain students from other countries also may be excused from taking the citizenship proficiency test (see R.C. 3313.61(H) and 3313.612(B)).*

<sup>4</sup> *R.C. 3313.61(B).*

<sup>5</sup> *R.C. 3313.61(C).*

<sup>6</sup> *Section 4(B) of Am. Sub. S.B. 55 of the 122nd General Assembly.*

<sup>7</sup> *Section 5 of Am. Sub. H.B. 552 of the 120th General Assembly.*

<sup>8</sup> *Section 3301-13-01(D) of the Ohio Administrative Code.*

**The bill specifies that a student must satisfy the testing requirements in effect at the time the student completes the curriculum requirement**

The bill specifically states that "[n]o person shall be required . . . to meet proficiency test requirements other than those in effect for the school year in which the person fulfills the curriculum requirement for a diploma." It further specifically states that a person who fulfills the curriculum requirement prior to September 15, 2000 is not required to pass the science proficiency test. In addition, it specifies that a person who fulfills the curriculum requirement prior to September 15, 2004 is not required to pass any tenth grade proficiency tests, and that such person need attain only the score designated by the Department of Education on the applicable ninth grade tests for the school year in which the person fulfills the curriculum requirement. Finally, the bill provides that if a person does not receive a diploma before September 15 following the school year in which the person fulfills the curriculum requirement, the person need not attain a score on any outstanding proficiency test that is higher than the one designated for the school year in which the person fulfilled the curriculum requirement.<sup>9</sup>

The bill's provisions apply to any school district, any community school, the State School for the Deaf, the State School for the Blind, and any chartered nonpublic school. They apply to the issuance of a high school diploma, an honors diploma, or a diploma of adult education.

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	02-15-01	p. 165

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<sup>9</sup> R.C. 3313.614(B).