

**LEGAL ALERT**

**To:** Neola Clients

**From:** Ennis Britton

**Re:** Legislature Extends Graduation Flexibility for Class of 2021

**Date:** April 2021

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On March 21<sup>st</sup>, Governor DeWine signed HB 67 into law. The bill, which was approved as an emergency measure, included language that provides some flexibility for graduating seniors who may have been impacted by the pandemic this year.

**Issuing Diplomas for Seniors**

The law specifies that a school district shall issue a high school diploma to any student enrolled in twelfth grade or who in the district's opinion is on track to graduate this school year but has not completed requirements for a high school diploma if the student's principal, in consultation with teachers and counselors, reviews the student's progress toward meeting graduation requirements and determines the student has successfully completed the curriculum and/or the student's Individualized Education Program ("IEP"). The law further states that no school may issue a diploma under this provision after September 30, 2021.

The temporary law further declares that if a board of education has adopted a resolution requiring students to complete a more rigorous curriculum that exceeds the state minimum, the district superintendent or chief administrator may elect to require only completion of the state minimum curriculum when evaluating whether a student described above is eligible for a diploma this year.

In addition to other pathways that exist under state law, HB 67 also permits a student this year only to qualify for a high school diploma by both successfully completing the curriculum requirements and also earning the OhioMeansJobs-Readiness Seal.

**End of Course Exam Provisions**

For the 2020-21 school year only, HB 67 permits an eleventh or twelfth grade student to use the student's final course grade in lieu of an end-of-course exam score to satisfy requirements for a high school diploma. This applies for students who were either unable to take the test or have already done so. For the purpose of establishing a competency score that is equivalent to an end-of-course score, districts will use the following:

- Any "A" letter grade shall be equivalent to an advanced level of skill (a score of 5).
- Any "B" letter grade shall be equivalent to an accelerated level of skill (a score of 4).
- Any "C" letter grade shall be equivalent to a proficient level of skill (a score of 3).
- Any "D" letter grade shall be equivalent to a basic level of skill (a score of 2).
- Any "F" letter grade shall be equivalent to a limited level of skill (a score of 1).
- Any "C" letter grade or higher shall be equivalent to a competency score.
- For pass/fail classes, an "F" is equivalent to a limited level of skill/1. For students who score a designation of "pass" the District determines the level of skill that is equivalent to the student's performance in the course. A passing grade must also be equivalent to a competency score.

During this year only, HB 67 also exempts school districts from administering the State required end-of-course examination in American history. They will not be required to offer the exam this year.

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