

Frequently Asked Questions Regarding The Removal of Graduation Assessments Needed to Graduate High School Version 2

* Indicates a new question or a question with updated information.

On Monday, March 30, 2015, Governor Nathan Deal signed House Bill 91 into law, thereby creating a new code section, O.C.G.A. § 20-2-281.1. This law became effective upon the Governor's signature.

This law provides that students shall no longer be required to earn a passing score on any graduation tests to earn a high school diploma. The law also contains additional details and requirements regarding the ability of students no longer enrolled to petition the local board of education for a diploma and a requirement for local school systems to advertise the availability of this opportunity for students whose sole reason for not receiving a high school diploma was due to not passing any part of the graduation tests.

Due to these sweeping changes and the immediacy of the action, the Georgia Department of Education created this document to guide local school systems in understanding and implementing the law.

1) **When did this law take effect?**

Answer: The law took effect upon the Governor's signature on March 30, 2015.

2) **Which tests are included in the law?**

Answer: The law includes all subjects, forms and versions of the Georgia High School Graduation Tests (English Language Arts, Mathematics, Science, and Social Studies), Georgia High School Writing Test, and Basic Skills Tests (Reading, Mathematics, and Writing). These tests are inclusively referred to as "graduation tests" throughout this document.

3) **How far back does this law cover?**

Answer: The law covers all graduation tests, beginning with the Basic Skills Test which was administered to students who enrolled for the first time in grade 9 on or after July 1, 1981.

4) **What should a local school system do if a student *currently* enrolled has met all graduation requirements except for passing any of the graduation tests?**

Answer: The law states that on or after the effective date of the law, students shall no longer be required to earn a passing score on the graduation tests to earn a high school diploma if the student has otherwise met all state and local graduation requirements.

5) Can a student who is no longer enrolled in a Georgia public school, and did not graduate for the sole reason that he or did not pass all of the graduation tests, still receive a Georgia regular high school diploma?

Answer: Yes, individuals no longer enrolled in a public school who were denied a high school diploma solely for not achieving a passing score on any of the graduation tests and met all other local and state requirements may submit a petition to the local school system to determine eligibility to receive a high school diploma under O.C.G.A. § 20-2-281.1.

6) What does the law require local school systems to do to accommodate petitions from individuals who are no longer enrolled in a public school and are seeking a regular high school diploma pursuant to O.C.G.A. § 20-2-281.1?

Answer:

- a. A person who is no longer enrolled in a Georgia public school and who previously failed to receive a high school diploma in this state or was denied graduation solely for failing to achieve a passing score on one or more portions of the graduation tests may petition the local board of education of the school system in which he or she was last enrolled to determine his or her eligibility to receive a high school diploma, pursuant to O.C.G.A. § 20-2-281.1, based on the graduation requirements in effect when the student first entered ninth grade.
- b. Once the local board of education confers a diploma upon an individual meeting such requirements, the local board shall transmit to the Georgia Department of Education, in accordance with department procedures, the number of diplomas awarded.
- c. The local board of education may date the high school diploma as the expected year of graduation or the date the diploma was actually conferred.
- d. Students receiving diplomas pursuant to O.C.G.A. § 20-2-281.1 shall not be counted as graduates in the graduation rate calculations for affected schools and school systems, either retroactively or in current or future calculations.

7) What and how often must a local board of education report to the Georgia Department of Education the number of diplomas awarded according to the provisions of this code section?

Answer: Local school systems must report annually by July 15, of each year, the total number of diplomas awarded during that fiscal year to students who previously failed to receive a high school diploma in this state or were denied graduation solely for failing to achieve a passing score on the graduation tests. Reporting cycles will follow the state fiscal year from July 1 through June 30. Local school systems need only report the total aggregate number of diplomas awarded for that fiscal year. For the report due on July 15, 2015, local school systems should report the total number of diplomas awarded pursuant to O.C.G.A. § 20-2-281.1 from March 30, 2015, through June 30, 2015.

8) How will persons who could benefit from this law be made aware of the possible opportunity?

Answer: Each local school system shall annually advertise the provisions of O.C.G.A. § 20-2-281.1, one time no later than January 15, 2016, one time no later than January 15, 2017, and one time no later than January 15, 2018. Such advertisement shall be made in a local

newspaper of general circulation, which shall be the same newspaper in which other legal announcements of the local board of education are advertised.

At a minimum, such notice shall consist of two columns measuring at least ten inches in length and measuring at least four and one-half inches in combined width, and include:

- a. A headline printed in at least a 24 point boldface type;
- b. An explanation of who qualifies for the petitioning option;
- c. An explanation of the petition process;
- d. A contact name and phone number; and
- e. Indicating that there is no deadline by which a petition may be submitted.

9) What should a student do if he or she moved from the school system where he or she went to high school?

Answer: An applicant should make a petition with the school system where he or she last attended high school in Georgia.

10) What should a person do if the high school he or she attended no longer exists or merged with another high school?

Answer: In this case the individual should contact the local school system last attended in Georgia.

11) Who will determine when all of the graduation requirements have been met?

Answer: The local school system will make the final determination based on the state and local graduation requirements that were in effect when the student entered ninth grade.

12) * Does the law provide a sunset provision for petitioning the local board of education for a diploma?

Answer: No.

13) Will the Georgia Department of Education provide a sample form for school systems to use for petitioners who are no longer enrolled in a public school?

Answer: The Georgia Department of Education has made available a sample form that local school systems may use or edit to meet their specific local need and requirements. A local school system may also create its own form as there is no requirement that local school systems use the sample form.

14) Can a special education student who was previously awarded a special education diploma or a certificate of completion only because he or she had not passed one or more sections of the graduation tests still be awarded a high school diploma?

Answer: Yes, as long as all other state and local graduation requirements were met to qualify for a regular education diploma.

15) *How will currently enrolled students be affected by HB 91 in regards to the cohort graduation rates?

Answer: It has been determined that fourth year seniors and fifth year seniors enrolled during the 2014-2015 school year and the 2015-2016 school year will be included in the appropriate cohort graduation rates.

16) Will scores be provided to students who took the graduation tests in Spring 2015?

Answer: Yes.

17) Will graduation tests still be offered for students who may prefer to take them?

Answer: No. The final administrations of the graduation tests occurred in February 2015 for the Georgia High School Writing Test and in March 2015 for the Georgia High School Graduation Tests and the Basic Skills Tests.

18) Can an individual who earned a General Educational Development (GED) certificate and did not receive a regular education diploma solely for not passing the graduation tests submit a petition for a regular education diploma?

Answer: Yes, if the petitioner was a student who previously failed to receive a high school diploma in this state or was denied graduation solely for failing to achieve a passing score on the graduation tests.

19) *Can an individual who subsequently earned a diploma from a private school and did not receive a regular education diploma from a Georgia public school solely for not passing the graduation tests submit a petition for a regular education diploma?

Answer: Yes, if the petitioner was a student who previously failed to receive a high school diploma in this state or was denied graduation solely for failing to achieve a passing score on the graduation tests.

20) *Is it permissible for the local school system to "stamp" transcripts as diploma awarded through HB 91?

Answer: We would not advise identifying the transcript as HB 91. The legislative intent was that these individuals should not be negatively impacted as they attempt to move forward with their career and educational opportunities. Additionally, marking the transcript as awarded through HB 91 would not be meaningful to the general population and could cause greater confusion when the transcript is reviewed.

21) *The law states that an individual may petition the local board of education in which he or she was last enrolled to determine his or her eligibility to receive a high school diploma. Does this mean that the local board of education must approve each of the HB 91 petition requests prior to awarding the diploma to student's that qualify?

Answer: Local school systems should follow locally adopted policies or current procedures with regard to the awarding of diplomas in similar situations, such as when an applicant was previously granted a waiver by the State Board of Education from graduation tests.

22) *As the types of diplomas awarded have changed greatly over the years, depending upon the year the student entered the ninth grade and when they actually graduated, what type of diploma should the local school system award to a petitioner through O.C.G.A. § 20-281.1?

Answer: In the absence of a local policy, procedure or matter of practice, a local school system has the discretion as to what type of diploma to offer the petitioner.

23) *We see that prior year graduation requirements, beginning with students who entered the ninth grade in the 1984-1985 school year, are listed on the [State Board of Education Rules webpage](#). Can you also provide the graduation requirements for students who entered ninth grade before July 1, 1984?

Answer: We are providing the graduation requirements for these earlier years in an attached document.