

**Department of Legislative Services**  
Maryland General Assembly  
2004 Session

**FISCAL AND POLICY NOTE**

House Bill 727

(Delegate King, *et al.*)

Ways and Means

Education, Health, and Environmental Affairs

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**Education - Students with Disabilities - High School Diploma by Examination**

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This bill provides that a special education student seeking to obtain a high school diploma by examination may not be required to withdraw from school before taking the examination. The student's individualized education program (IEP) may be changed to indicate that preparation for and taking of the examination are part of the student's transition plan.

The bill takes effect July 1, 2004.

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**Fiscal Summary**

**State Effect:** General Educational Development (GED) testing rules established by the testing company require students to be withdrawn from school before taking the tests. The bill would jeopardize the State's ability to administer GED tests but would not otherwise affect State finances.

**Local Effect:** Local school systems could make changes to students' IEPs with existing resources.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** An individual may obtain a high school diploma by examination if the individual: (1) has not obtained a high school certificate or diploma; (2) has resided in the State for more than three months; (3) is 16 years or older; and (4) has withdrawn from

a regular full-time public or private school program for at least three months. The State Board of Education may waive the three-month residency requirement or the three-month withdrawal requirement if it determines that a waiver is justified. GED tests must be administered at least twice per year.

**Background:** Managing for Results for the Maryland State Department of Education (MSDE) shows that 10,083 individuals took GED tests in fiscal 2003, and 6,125 (61%) passed the tests and received high school diplomas. Managing for Results does not report how many of the individuals taking the tests had disabilities or IEPs.

**State Fiscal Effect:** The rules for taking the GED test provide that the test may not be administered to candidates who are enrolled in accredited high schools. MSDE advises, therefore, that it could not implement the bill and continue to administer the tests. The GED is the only test of its kind and is the same test that is used throughout the country as an alternative to earning a high school diploma.

If the testing company's rules were somehow altered to provide an exception for Maryland, the bill could presumably be implemented with existing resources.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland State Department of Education, Department of Legislative Services

**Fiscal Note History:** First Reader - March 22, 2004  
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