

Senate Bill 598

Sponsored by Senator FREDERICK (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes subject-matter credit requirements that students must satisfy in order to receive high school diploma. Removes authority of State Board of Education to establish requirements, including Essential Learning Skills, that students must satisfy in order to receive high school diploma.

Directs board to develop recommendations for school district or public charter school to establish requirements for student to satisfy in order for student to receive high school diploma. Directs board to develop recommendations for process for school district or public charter school to award high school diploma to person who was previously ineligible solely due to failure to satisfy certain requirements that are no longer required for high school diploma.

A BILL FOR AN ACT

1
2 Relating to high school diploma requirements; creating new provisions; and amending ORS 329.045,
3 329.049, 329.075, 329.451, 332.114, 336.585, 336.590 and 340.005.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 329.451 is amended to read:

6 329.451. (1)(a) At or before grade 12, a school district or public charter school shall award a high
7 school diploma to a student who completes the requirements established by subsection (2) of this
8 section.

9 (b) A school district or public charter school shall award a modified diploma to a student who
10 satisfies the requirements established by subsection [(7)] **(6)** of this section, an extended diploma to
11 a student who satisfies the requirements established by subsection [(8)] **(7)** of this section or an al-
12 ternative certificate to a student who satisfies the requirements established by subsection [(9)] **(8)**
13 of this section.

14 (c) A school district or public charter school may not deny a student who has the documented
15 history described in subsection **(6)(b) or (7)(b) [or (8)(b)]** of this section the opportunity to pursue
16 a diploma with more stringent requirements than a modified diploma or an extended diploma for the
17 sole reason that the student has the documented history.

18 (d) A school district or public charter school may award a modified diploma or extended diploma
19 to a student only upon receiving consent as provided by subsection [(6)] **(5)** of this section.

20 (2)(a) In order to receive a high school diploma from a school district or public charter school,
21 a student must satisfy the requirements established by [*the State Board of Education and*] the school
22 district or public charter school and, while in grades 9 through 12, must complete at least:

23 (A) Twenty-four total credits;

24 (B) Three credits of mathematics; [*and*]

25 (C) Four credits of English[.];

26 **(D) Three credits of science;**

27 **(E) Three credits of history, geography, economics or civics;**

28 **(F) One credit of health;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **(G) One credit of physical education; and**

2 **(H) Three credits of career and technical education, the arts or a world language, in any**
 3 **combination.**

4 (b) If a school district or public charter school requires a student to complete more than 24 total
 5 credits, as provided by paragraph (a)(A) of this subsection, the school district or public charter
 6 school may only require the student to complete additional credits for:

7 (A) Subjects for which the State Board of Education has established academic content standards
 8 under ORS 329.045;

9 (B) Courses provided as part of a career and technical education program; or

10 (C) Courses that provide, or qualify to provide, credit at post-secondary institutions of education.

11 **(c)(A) The State Board of Education shall develop recommendations for:**

12 **(i) Requirements that a school district or public charter school may establish for a stu-**
 13 **dent to satisfy in order for the student to receive a high school diploma; and**

14 **(ii) A process by which a school district or public charter school may award a high school**
 15 **diploma to a person who:**

16 **(I) Completed a high school administered by the school district or public charter school;**

17 **(II) Requests to be awarded a high school diploma; and**

18 **(III) Was not awarded a high school diploma upon completion of high school solely be-**
 19 **cause the person did not satisfy one or more requirements for a high school diploma that,**
 20 **on the date the person submits the request, are no longer required.**

21 **(B) A school district or public charter school may choose whether to implement the**
 22 **recommendations developed under subparagraph (A) of this paragraph.**

23 [(c)(A)] **(d)(A)** A school district or public charter school that requires students to satisfy any
 24 requirements not specified by paragraph (a) of this subsection [*or by rule of the State Board of Ed-*
 25 *ucation*] must grant to a student a waiver of the **extra** requirements established by the school dis-
 26 trict or public charter school if the student is or, at any time from grade 9 to 12, was:

27 (i) A foster child, as defined in ORS 30.297;

28 (ii) Homeless, as determined under rules adopted by the State Board of Education based on
 29 standards adopted by the Department of Human Services;

30 (iii) A runaway, as determined under rules adopted by the State Board of Education based on
 31 standards adopted by the Department of Human Services;

32 (iv) A child in a military family covered by the Interstate Compact on Educational Opportunity
 33 for Military Children, as determined under rules adopted by the State Board of Education;

34 (v) A child of a migrant worker, as determined under rules adopted by the State Board of Edu-
 35 cation; or

36 (vi) Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education
 37 Program.

38 (B) For any student identified under subparagraph (A) of this paragraph, a school district or
 39 public charter school must accept any credits earned by the student in another school district or
 40 public charter school and apply those credits toward requirements specified by paragraph (a) of this
 41 subsection [*or by rule of the State Board of Education*] if the credits satisfied those requirements in
 42 that other school district or public charter school.

43 [(3) *A student providing work samples to demonstrate proficiency in Essential Learning Skills as*
 44 *may be required under subsection (2) of this section must be allowed to use accommodations described*
 45 *in the student's individualized education program or the student's plan developed in accordance with*

1 *section 504 of the Rehabilitation Act of 1978, 29 U.S.C. 794. As used in this subsection, the term “ac-*
 2 *commodations”:*

3 [(a) *Includes, but is not limited to:*]

4 [(A) *Additional time to demonstrate proficiency.*]

5 [(B) *The ability to demonstrate proficiency in an alternative location that is secure and*
 6 *proctored.*]

7 [(C) *The use of text-to-speech or speech-to-text technology or other assistive technology.*]

8 [(b) *Does not include modifications that lower the proficiency standards or that are used solely to*
 9 *earn modified credit.*]

10 [(4)] (3) A student may satisfy the requirements of subsection (2) of this section in less than four
 11 years. If a student satisfies the requirements of subsection (2) of this section and a school district
 12 or public charter school has received consent as provided by subsection [(6)] (5) of this section, the
 13 school district or public charter school shall award a high school diploma to the student.

14 [(5)] (4) If a school district or public charter school has received consent as provided by sub-
 15 section [(6)] (5) of this section, the school district or public charter school may advance the student
 16 to the next grade level if the student has satisfied the requirements for the student’s current grade
 17 level.

18 [(6)(a)] (5)(a) For the purpose of receiving consent as provided by subsections (1)(d), (3) and (4)
 19 [and (5)] of this section, consent shall be provided by:

20 (A) The parent or guardian of the student, if the student:

21 (i) Is under 18 years of age and is not emancipated pursuant to ORS 419B.550 to 419B.558; or

22 (ii) Has been determined not to have the ability to give informed consent regarding the student’s
 23 education pursuant to a protective proceeding under ORS chapter 125; or

24 (B) The student, if the student is 18 years of age or older or is emancipated pursuant to ORS
 25 419B.550 to 419B.558.

26 (b) For the purpose of awarding a modified diploma or extended diploma as provided by sub-
 27 section (1)(d) of this section or of awarding a high school diploma as provided by subsection [(4)] (3)
 28 of this section, consent must be received during the school year for which the diploma will be
 29 awarded.

30 [(7)] (6) A school district or public charter school shall award a modified diploma only to stu-
 31 dents who have demonstrated the inability to meet the full set of academic content standards for a
 32 high school diploma with reasonable modifications and accommodations. To be eligible for a modified
 33 diploma, a student must:

34 (a) Satisfy the requirements for a modified diploma established by the State Board of Education;
 35 and

36 (b) Have a documented history of an inability to maintain grade level achievement due to sig-
 37 nificant learning and instructional barriers or have a documented history of a medical condition that
 38 creates a barrier to achievement.

39 [(8)] (7) A school district or public charter school shall award an extended diploma only to
 40 students who have demonstrated the inability to meet the full set of academic content standards for
 41 a high school diploma with reasonable modifications and accommodations. To be eligible for an ex-
 42 tended diploma, a student must:

43 (a) While in grade nine through completion of high school, complete 12 credits, which may not
 44 include more than six credits earned in a self-contained special education classroom and shall in-
 45 clude:

- 1 (A) Two credits of mathematics;
- 2 (B) Two credits of English;
- 3 (C) Two credits of science;
- 4 (D) Three credits of history, geography, economics or civics;
- 5 (E) One credit of health;
- 6 (F) One credit of physical education; and
- 7 (G) One credit of the arts or a world language; and
- 8 (b) Have a documented history of:
 - 9 (A) An inability to maintain grade level achievement due to significant learning and instruc-
 - 10 tional barriers;
 - 11 (B) A medical condition that creates a barrier to achievement; or
 - 12 (C) A change in the student's ability to participate in grade level activities as a result of a se-
 - 13 rious illness or injury that occurred after grade eight.
- 14 [(9)] **(8)** A school district or public charter school shall award an alternative certificate to a
- 15 student who does not satisfy the requirements for a high school diploma, a modified diploma or an
- 16 extended diploma if the student meets requirements established by the board of the school district
- 17 or public charter school.
- 18 [(10)] **(9)** A student shall have the opportunity to satisfy the requirements of subsection [(7), (8)
- 19 or (9)] **(6), (7) or (8)** of this section by the later of:
 - 20 (a) Four years after starting grade nine; or
 - 21 (b) The student reaching the age of 21 years, if the student is entitled to a public education until
 - 22 the age of 21 years under state or federal law.
- 23 [(11)(a)] **(10)(a)** A student may satisfy the requirements described in subsection [(7), (8) or (9)]
- 24 **(6), (7) or (8)** of this section in less than four years if consent is provided in the manner described
- 25 in subsection [(6)(a)] **(5)(a)** of this section.
 - 26 (b) The consent provided under this subsection must be written and must clearly state that the
 - 27 parent, guardian or student is waiving the time allowed under subsection [(10)] **(9)** of this section.
 - 28 A consent may not be used to allow a student to satisfy the requirements of subsection [(7), (8) or
 - 29 (9)] **(6), (7) or (8)** of this section in less than three years.
 - 30 (c) A copy of all consents provided under this subsection for students in a school district must
 - 31 be forwarded to the district superintendent.
 - 32 (d) Each school district must provide to the Superintendent of Public Instruction information
 - 33 about the number of consents provided during a school year.
- 34 [(12)(a)] **(11)(a)** A student who qualifies to receive or receives a modified diploma, an extended
- 35 diploma or an alternative certificate shall:
 - 36 (A) Have the option of participating in a high school graduation ceremony with the class of the
 - 37 student; and
 - 38 (B) Have access to instructional hours, hours of transition services and hours of other services
 - 39 that are designed to:
 - 40 (i) Meet the unique needs of the student; and
 - 41 (ii) When added together, provide a total number of hours of instruction and services to the
 - 42 student that equals at least the total number of instructional hours that is required to be provided
 - 43 to students who are attending a public high school.
 - 44 (b)(A) The number of instructional hours, hours of transition services and hours of other ser-
 - 45 vices that are appropriate for a student shall be determined by the student's individualized education

1 program team. Based on the student's needs and performance level, the student's individualized ed-
 2 ucation program team may decide that the student will not access the total number of hours of in-
 3 struction and services to which the student has access under paragraph (a)(B) of this subsection.

4 (B) A school district may not unilaterally decrease the total number of hours of instruction and
 5 services to which the student has access under paragraph (a)(B) of this subsection, regardless of the
 6 age of the student.

7 (c) If a student's individualized education program team decides that the student will not access
 8 the total number of hours of instruction and services to which the student has access under para-
 9 graph (a)(B) of this subsection, the school district shall annually:

10 (A) Provide the following information in writing to the parent or guardian of the student:

11 (i) The school district's duty to comply with the requirements of paragraph (a)(B) of this sub-
 12 section; and

13 (ii) The prohibition against a school district's unilaterally decreasing the total number of hours
 14 of instruction and services to which the student has access.

15 (B) Obtain a signed acknowledgment from the parent or guardian of the student that the parent
 16 or guardian received the information described in subparagraph (A) of this paragraph.

17 (C) Include in the individualized education program for the student a written statement that
 18 explains the reasons the student is not accessing the total number of hours of instruction and ser-
 19 vices to which the student has access under paragraph (a)(B) of this subsection.

20 (d) For purposes of paragraph (a)(B) of this subsection, transition services and other services
 21 designed to meet the unique needs of the student may be provided to the student through an inter-
 22 agency agreement entered into by the school district if the individualized education program devel-
 23 oped for the student indicates that the services may be provided by another agency. A school
 24 district that enters into an interagency agreement as allowed under this paragraph retains the re-
 25 sponsibility for ensuring that the student has access to the number of service hours required to be
 26 provided to the student under this subsection. An agency is not required to change any eligibility
 27 criteria or enrollment standards prior to entering into an interagency agreement as provided by this
 28 paragraph.

29 [(13)] **(12)** A school district or public charter school shall:

30 (a) Ensure that students have on-site access to the appropriate resources to achieve a high
 31 school diploma, a modified diploma, an extended diploma or an alternative certificate at each high
 32 school in the school district or at the public charter school.

33 (b) Provide literacy instruction to all students until graduation.

34 (c) Annually provide, to the parents or guardians of a student who has the documented history
 35 described in subsection [(8)(b)] **(7)(b)** of this section, information about the availability of a modified
 36 diploma, an extended diploma and an alternative certificate and the requirements for the diplomas
 37 and certificate:

38 (A) Beginning in grade five; or

39 (B) Beginning after a documented history described in subsection [(8)(b)] **(7)(b)** of this section
 40 has been established.

41 [(14)] **(13)** A school district or public charter school shall allow a student to participate in the
 42 high school graduation ceremony with the class of the student and to wear a dress uniform issued
 43 to the student by a branch of the Armed Forces of the United States if the student:

44 (a) Qualifies to receive a high school diploma, a modified diploma, an extended diploma or an
 45 alternative certificate under this section; and

1 (b) Has completed basic training for, and is an active member of, a branch of the Armed Forces
2 of the United States.

3 **SECTION 2.** ORS 329.045 is amended to read:

4 329.045. (1)(a) In order to achieve the goals contained in ORS 329.025, the State Board of Edu-
5 cation shall regularly and periodically review and revise its Common Curriculum Goals, performance
6 indicators and diploma requirements **and recommendations**.

7 (b) The review and revision conducted under this section shall:

8 (A) Include [*Essential Learning Skills and*] rigorous academic content standards in mathematics,
9 science, English, history, geography, economics, civics, physical education, health, the arts and
10 world languages.

11 (B) Involve teachers and other educators, parents of students and other citizens and shall pro-
12 vide ample opportunity for public comment.

13 (C) Encourage increased learning time. As used in this subparagraph, “increased learning
14 time” means a schedule that encompasses a longer school day, week or year for the purpose of in-
15 creasing the total number of school hours available to provide:

16 (i) Students with instruction in core academic subjects, including mathematics, science, English,
17 history, geography, economics, civics, the arts and world languages;

18 (ii) Students with instruction in subjects other than the subjects identified in sub-subparagraph
19 (i) of this subparagraph, including health and physical education;

20 (iii) Students with the opportunity to participate in enrichment activities that contribute to a
21 well-rounded education, including learning opportunities that may be based on service, experience
22 or work and that may be provided through partnerships with other organizations; and

23 (iv) Teachers with the opportunity to collaborate, plan and engage in professional development
24 within and across grades and subjects.

25 (c) Nothing in this subsection prevents a school district or public charter school from main-
26 taining control over course content, format, materials and teaching methods.

27 (2) The State Board of Education shall continually review and revise all adopted academic con-
28 tent standards necessary for students to successfully transition to the next phase of their education.

29 (3)(a) School districts and public charter schools must offer students instruction in mathematics,
30 science, English, history, geography, economics, civics, physical education, health, the arts and
31 world languages.

32 (b) Instruction required under paragraph (a) of this subsection must:

33 (A) Meet the academic content standards adopted by the State Board of Education; and

34 (B) Meet the requirements adopted by the State Board of Education and the board of the school
35 district or public charter school.

36 (4) School districts and public charter schools are encouraged to offer students courses or other
37 educational opportunities in civics and financial literacy to allow every student who wants to re-
38 ceive instruction in civics and financial literacy to be able to receive the instruction.

39 **SECTION 3.** ORS 329.045, as amended by section 1, chapter 202, Oregon Laws 2019, is amended
40 to read:

41 329.045. (1)(a) In order to achieve the goals contained in ORS 329.025, the State Board of Edu-
42 cation shall regularly and periodically review and revise its Common Curriculum Goals, performance
43 indicators and diploma requirements **and recommendations**.

44 (b) The review and revision conducted under this section shall:

45 (A) Include [*Essential Learning Skills and*] rigorous academic content standards in mathematics,

1 science, English, history, geography, economics, civics, physical education, health, the arts and
2 world languages.

3 (B) Ensure that the academic content standards for history, geography, economics and civics
4 include sufficient instruction on the histories, contributions and perspectives of individuals who:

5 (i) Are Native American;

6 (ii) Are of African, Asian, Pacific Island, Chicano, Latino or Middle Eastern descent;

7 (iii) Are women;

8 (iv) Have disabilities;

9 (v) Are immigrants or refugees; or

10 (vi) Are lesbian, gay, bisexual or transgender.

11 (C) Involve teachers and other educators, parents of students and other citizens and shall pro-
12 vide ample opportunity for public comment.

13 (D) Encourage increased learning time. As used in this subparagraph, "increased learning
14 time" means a schedule that encompasses a longer school day, week or year for the purpose of in-
15 creasing the total number of school hours available to provide:

16 (i) Students with instruction in core academic subjects, including mathematics, science, English,
17 history, geography, economics, civics, the arts and world languages;

18 (ii) Students with instruction in subjects other than the subjects identified in sub-subparagraph
19 (i) of this subparagraph, including health and physical education;

20 (iii) Students with the opportunity to participate in enrichment activities that contribute to a
21 well-rounded education, including learning opportunities that may be based on service, experience
22 or work and that may be provided through partnerships with other organizations; and

23 (iv) Teachers with the opportunity to collaborate, plan and engage in professional development
24 within and across grades and subjects.

25 (c) Nothing in this subsection prevents a school district or public charter school from main-
26 taining control over course content, format, materials and teaching methods.

27 (2) The State Board of Education shall continually review and revise all adopted academic con-
28 tent standards necessary for students to successfully transition to the next phase of their education.

29 (3)(a) School districts and public charter schools must offer students instruction in mathematics,
30 science, English, history, geography, economics, civics, physical education, health, the arts and
31 world languages.

32 (b) Instruction required under paragraph (a) of this subsection must:

33 (A) Meet the academic content standards adopted by the State Board of Education; and

34 (B) Meet the requirements adopted by the State Board of Education and the board of the school
35 district or public charter school.

36 (4) School districts and public charter schools are encouraged to offer students courses or other
37 educational opportunities in civics and financial literacy to allow every student who wants to re-
38 ceive instruction in civics and financial literacy to be able to receive the instruction.

39 **SECTION 4.** ORS 329.049 is amended to read:

40 329.049. [(1)] Each school district that includes a public high school shall adopt a plan to en-
41 courage students to register to vote and vote in elections, including but not limited to:

42 [(a)] (1) Posting a link to the electronic voter registration website maintained by the Secretary
43 of State on the Internet home webpage, if any, of each public high school; and

44 [(b)] (2) Making materials developed by the Secretary of State relating to voting and voter reg-
45 istration readily available to students at each public high school.

1 [(2) *The State Board of Education shall by rule incorporate voter registration skills into the Es-*
2 *sential Learning Skills.*]

3 **SECTION 5.** ORS 329.075 is amended to read:

4 329.075. (1) The State Board of Education shall adopt rules, in accordance with ORS 183.750 and
5 ORS chapter 183, as necessary for the statewide implementation of this chapter. The rules shall be
6 prepared in consultation with appropriate representatives from the educational and business and
7 labor communities.

8 (2) The Department of Education shall be responsible for implementing the provisions of this
9 chapter. Actions by the department to fulfill this responsibility and to increase student achievement
10 may include, but are not limited to:

11 (a) Developing academic content standards;

12 (b) Updating Common Curriculum Goals to meet rigorous academic content standards and up-
13 dating performance indicators and diploma requirements **and recommendations**;

14 (c) Developing criterion-referenced assessments including performance-based, content-based and
15 other assessment mechanisms to test knowledge and skills and whether students meet the perform-
16 ance expectations as determined by the board; and

17 (d) Establishing criteria for early childhood education programs governed by the Individuals
18 with Disabilities Education Act, 20 U.S.C. 1400 et seq.

19 (3) The department shall make school districts and the public aware of public school choice
20 options available within our current public education framework.

21 **SECTION 6.** ORS 332.114 is amended to read:

22 332.114. (1) A person who meets the requirements under subsection (3) of this section may re-
23 quest a school district to issue the person a high school diploma if the person resides within the
24 boundaries of the school district or is a resident of this state and attended a high school of the
25 school district.

26 (2) A representative of a deceased person who meets the requirements under subsection (3) of
27 this section may request a school district to issue a high school diploma on behalf of the deceased
28 person if the deceased person resided within the boundaries of the school district at the time of
29 death or was a resident of this state at the time of death and attended a high school of the school
30 district.

31 (3) Notwithstanding the requirements for a high school diploma established under ORS 329.451
32 and by the [*State Board of Education and school districts*] **school district**, a school district that re-
33 ceives a request under subsection (1) or (2) of this section shall issue a high school diploma to a
34 person if the person:

35 (a) Attended a high school before serving in the Armed Forces of the United States;

36 (b) Was discharged or released under honorable conditions from the Armed Forces of the United
37 States; and

38 (c) Served in the Armed Forces of the United States as described in subsection (4) of this sec-
39 tion.

40 (4) The provisions of subsection (3) of this section apply to a person who:

41 (a) Served in the Armed Forces of the United States at any time during:

42 (A) World War I;

43 (B) World War II;

44 (C) The Korean Conflict; or

45 (D) The Vietnam War;

1 (b) Served in the Armed Forces of the United States and was physically present in:

2 (A) Operation Urgent Fury (Grenada);

3 (B) Operation Just Cause (Panama);

4 (C) Operation Desert Shield/Desert Storm (the Persian Gulf War);

5 (D) Operation Restore Hope (Somalia);

6 (E) Operation Enduring Freedom (Afghanistan); or

7 (F) Operation Iraqi Freedom (Iraq); or

8 (c) Served in the Armed Forces of the United States in an area designated as a combat zone by
9 the President of the United States.

10 **SECTION 7.** ORS 336.585 is amended to read:

11 336.585. (1) As used in this section:

12 (a) “Juvenile Detention Education Program” means the program defined in ORS 326.695.

13 (b) “Resident district” means the school district in which the parents or legal guardian, if any,
14 of a child resided at the time of the child’s enrollment in the Juvenile Detention Education Program.
15 If the child has no parents or legal guardian, or none can be located, the resident district is the
16 school district in which the child is physically located.

17 (2)(a) The Department of Education shall provide or cause to be provided appropriate education
18 for children enrolled in an educational program under the Juvenile Detention Education Program.
19 The Superintendent of Public Instruction may contract with a school district or education service
20 district to provide or cause to be provided appropriate education to children enrolled in an educa-
21 tional program under the Juvenile Detention Education Program.

22 (b) An education service district that provides education as provided by this subsection and that
23 awards high school diplomas:

24 (A) May not impose requirements for a high school diploma that are in addition to the require-
25 ments prescribed by ORS 329.451 (2)(a) [*or by rule of the State Board of Education*]; and

26 (B) Must accept any credits previously earned by children in another school or educational
27 program in this state and apply those credits toward the requirements prescribed by ORS 329.451
28 (2)(a) [*or by rule of the State Board of Education*].

29 (3) The superintendent shall pay the costs of providing education to children enrolled in an ed-
30 ucational program under the Juvenile Detention Education Program from the State School Fund
31 grant allocated for that purpose under ORS 327.026.

32 (4) The State Board of Education shall adopt by rule standards to be applied to the operation
33 of the Juvenile Detention Education Program, including standards that allow a school district or an
34 education service district under contract with the superintendent to:

35 (a) Implement an assessment system as provided by ORS 329.485 (3).

36 (b) Administer a nationally normed assessment as provided by ORS 329.488.

37 (c) Participate in the beginning teacher and administrator mentorship program established by
38 ORS 329.788 to 329.820.

39 (d) Receive funds under ORS chapter 329.

40 (5) The superintendent shall ensure that the resident district of each child enrolled in an edu-
41 cational program under the Juvenile Detention Education Program is notified, if the resident district
42 can be reasonably identified. The purposes of the notification include, but are not limited to:

43 (a) Removing the child from the resident district’s census;

44 (b) Facilitating transfers of the child’s educational records; and

45 (c) Facilitating planning for the child’s possible return to the resident district.

SECTION 8. ORS 336.590 is amended to read:

336.590. (1) As used in this section, “Youth Corrections Education Program” means the program defined in ORS 326.695.

(2) The Department of Education shall provide or cause to be provided appropriate education for children enrolled in an educational program under the Youth Corrections Education Program. The Superintendent of Public Instruction may contract with a school district or education service district to provide or cause to be provided appropriate education to children enrolled in an educational program under the Youth Corrections Education Program.

(3) The superintendent shall pay the costs of providing education to children enrolled in an educational program under the Youth Corrections Education Program from the State School Fund grant allocated for that purpose under ORS 327.026.

(4) The State Board of Education shall adopt by rule standards to be applied to the operation of the Youth Corrections Education Program, including standards that allow a school district or an education service district under contract with the superintendent to:

(a) Award high school diplomas, modified diplomas, extended diplomas and alternative certificates as provided by ORS 329.451 and 339.877. An education service district that awards high school diplomas as provided by this paragraph:

(A) May not impose requirements for a high school diploma that are in addition to the requirements prescribed by ORS 329.451 (2)(a) [*or by rule of the State Board of Education*]; and

(B) Must accept any credits previously earned by children in another school or educational program in this state and apply those credits toward the requirements prescribed by ORS 329.451 (2)(a) [*or by rule of the State Board of Education*].

(b) Implement an assessment system as provided by ORS 329.485 (3).

(c) Administer a nationally normed assessment as provided by ORS 329.488.

(d) Participate in the beginning teacher and administrator mentorship program established by ORS 329.788 to 329.820.

(e) Receive funds under ORS chapter 329.

SECTION 9. ORS 340.005 is amended to read:

340.005. For purposes of ORS 340.005 to 340.090:

(1) “Accelerated college credit program” has the meaning given that term by rules adopted by the State Board of Education.

(2) “At-risk student” means:

(a) A student who qualifies for a free or reduced lunch program; or

(b) An at-risk student as defined by rules adopted by the board if the board has adopted rules to define an at-risk student.

(3) “Duplicate course” means a course with a scope that is identical to the scope of another course.

(4)(a) “Eligible post-secondary course” means any nonsectarian course or program offered through an eligible post-secondary institution if the course or program may lead to high school completion, a certificate, professional certification, associate degree or baccalaureate degree.

(b) “Eligible post-secondary course” does not include a duplicate course offered at the student’s resident school.

(c) “Eligible post-secondary course” includes:

(A) Academic courses;

(B) Career and technical education courses; and

- 1 (C) Distance education courses.
- 2 (5) “Eligible post-secondary institution” means:
- 3 (a) A community college;
- 4 (b) A public university listed in ORS 352.002; and
- 5 (c) The Oregon Health and Science University.
- 6 (6)(a) “Eligible student” means a student who is enrolled in an Oregon public school and who:
- 7 (A) Is 16 years of age or older at the time of enrollment in a course under the Expanded Options
- 8 Program;
- 9 (B)(i) Is in grade 11 or 12 at the time of enrollment in a course under the Expanded Options
- 10 Program; or
- 11 (ii) Is not in grade 11 or 12, because the student has not completed the required number of
- 12 credits, but who has been allowed by the school district to participate in the program;
- 13 (C) Has developed an educational learning plan as described in ORS 340.025; and
- 14 (D) Has not successfully completed the requirements for a high school diploma as established
- 15 by ORS 329.451[, *the State Board of Education*] and the school district board.
- 16 (b) “Eligible student” does not include a foreign exchange student enrolled in a school under a
- 17 cultural exchange program.
- 18 (7) “Expanded Options Program” means the program created under ORS 340.005 to 340.090.
- 19 (8) “Scope” means depth and breadth of course content as evidenced through a planned course
- 20 statement including content outline, applicable state content standards where appropriate, course
- 21 goals and student outcomes.

22 **SECTION 10. (1) The amendments to ORS 329.045, 329.049, 329.075, 329.451, 332.114,**

23 **336.585, 336.590 and 340.005 by sections 1 to 9 of this 2021 Act:**

- 24 (a) **Become operative on July 1, 2022; and**
- 25 (b) **Apply to high school diplomas awarded on or after July 1, 2022.**
- 26 (2) **Notwithstanding the operative date set forth in subsection (1)(a) of this section, the**
- 27 **State Board of Education may take any action before the operative date set forth in sub-**
- 28 **section (1)(a) of this section to ensure that recommendations described in ORS 329.451 (2)(c)**
- 29 **are available for consideration by school districts and public charter schools no later than**
- 30 **July 1, 2022.**

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