

**SENATE AMENDMENTS TO
HOUSE BILL 2848
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

By COMMITTEE ON EDUCATION AND GENERAL GOVERNMENT

May 30

1 On page 1 of the printed bill, line 3, after the semicolon insert “repealing sections 20 and 21,
2 chapter ___, Oregon Laws 2007 (Enrolled House Bill 2263);”.

3 In line 7, delete “confer” and insert “award”.

4 In line 8, delete “upon a student completing” and insert “to a student who completes”.

5 On page 4, line 31, delete “as de-”.

6 In line 32, delete “scribed in ORS 329.451 (4)” and delete “an” and delete “(5)”.

7 On page 6, after line 29, insert:

8 **“SECTION 10. If House Bill 2263 becomes law and House Bill 2606 does not become law,
9 section 1 of this 2007 Act (amending ORS 329.451) is repealed and ORS 329.451, as amended
10 by section 20, chapter ___, Oregon Laws 2007 (Enrolled House Bill 2263), is amended to read:**

11 **“329.451. (1) At or before grade 12, a school district or public charter school shall award a
12 high school diploma to a student who completes the requirements established by the State Board
13 of Education, the school district or public charter school and this section.**

14 **“(2) In order to receive a high school diploma from a school district or public charter school,
15 a student must satisfy the requirements established by the board and the school district or public
16 charter school and, while in grades 9 through 12, must complete:**

17 **“(a) At least 24 credits, as defined by rule of the board;**

18 **“(b) Three credits of mathematics; and**

19 **“(c) Four credits of English.**

20 **“(3) Notwithstanding subsection (2) of this section, a school district or public charter school
21 may award a diploma to a student who does not satisfy the requirements of subsection (2)(b) or (c)
22 of this section if the student:**

23 **“(a) Has met or exceeded the academic content standards for mathematics or English established
24 by the board, as demonstrated on Oregon state assessments; or**

25 **“(b) Displays proficiency in mathematics or English at a level established by the board.**

26 **“[(4) Notwithstanding subsections (1) and (2) of this section, a school district may award an alter-
27 native credential to a student who does not satisfy the requirements of subsections (1) and (2) of this
28 section, if the student, with additional services and accommodations, does not satisfy the requirements
29 for a diploma specified under subsections (1) and (2) of this section.]**

30 **“(4)(a) Notwithstanding subsections (1) and (2) of this section, a school district or public
31 charter school shall award a modified diploma to a student who does not satisfy the re-
32 quirements of subsections (1) and (2) of this section if the student meets requirements es-
33 tablished by the State Board of Education by rule.**

34 **“(b) The modified diploma shall be made available only to those students who have dem-**

1 **onstrated the inability to meet the full set of academic content standards even with reason-**
2 **able modifications and accommodations. To be eligible for a modified diploma, a student must**
3 **have:**

4 **“(A) A documented history of an inability to maintain grade level achievement due to**
5 **significant learning and instructional barriers; or**

6 **“(B) A documented history of a medical condition that creates a barrier to achievement.**

7 **“(5) A school district or public charter school shall award an alternative certificate to a**
8 **student who does not satisfy the requirements for a diploma if the student meets require-**
9 **ments established by the board of the school district or public charter school.**

10 **“(6) A student who receives a modified diploma or alternative certificate shall have the**
11 **option of participating in a high school graduation ceremony with the class of the student.**

12 **“(7) The State Board of Education shall submit for review by the legislative committees**
13 **on education or the interim legislative committees on education, as appropriate, any pro-**
14 **posed rules to implement requirements for a diploma, a modified diploma or an alternative**
15 **certificate prior to the adoption of those rules by the board.**

16 **“SECTION 11. If House Bill 2606 becomes law and House Bill 2263 does not become law,**
17 **section 1 of this 2007 Act (amending ORS 329.451) is repealed and ORS 329.451, as amended**
18 **by section 1, chapter __, Oregon Laws 2007 (Enrolled House Bill 2606), is amended to read:**

19 **“329.451. (1) At or before grade 12, a school district or public charter school shall award**
20 **a high school diploma to a student who completes the requirements established by the State**
21 **Board of Education, the school district or public charter school and this section.**

22 **“[(1)] (2) In order to receive a high school diploma from a school district or public charter**
23 **school, a student must [meet] satisfy the requirements established by the [State] board [of**
24 **Education] and the school district or public charter school and, while in grades 9 through 12, must**
25 **complete:**

26 **“(a) At least 24 credits, as defined by rule of the board;**

27 **“(b) Three credits of mathematics; and**

28 **“(c) Four credits of English.**

29 **“[(2)] (3) Notwithstanding subsection [(1)] (2) of this section, a school district or public charter**
30 **school may award a diploma to a student who does not satisfy the requirements of subsection**
31 **[(1)(b)] (2)(b) or (c) of this section if the student:**

32 **“(a) Has met or exceeded the academic content standards for mathematics or English established**
33 **by the board; or**

34 **“(b) Displays proficiency in mathematics or English at a level established by the board.**

35 **“[(3)] (4) A student may satisfy the requirements of subsection [(1)] (2) of this section in less**
36 **than four years. If a student satisfies the requirements of subsection [(1)] (2) of this section and a**
37 **school district or public charter school has the consent of the student’s parent or guardian, the**
38 **school district or public charter school shall award a diploma to the student upon request from**
39 **the student.**

40 **“[(4)] (5) If a school district or public charter school has the consent of a student’s parent or**
41 **guardian, the school district or public charter school may advance the student to the next grade**
42 **level if the student has satisfied the requirements for the student’s current grade level.**

43 **“[(5)] (6) The requirement for obtaining the consent of a student’s parent or guardian under**
44 **subsections [(3) and] (4) and (5) of this section does not apply to a student who is:**

45 **“(a) Emancipated pursuant to ORS 419B.550 to 419B.558; or**

1 “(b) 18 years of age or older.

2 “(7)(a) **Notwithstanding subsections (1) and (2) of this section, a school district or public**
3 **charter school shall award a modified diploma to a student who does not satisfy the re-**
4 **quirements of subsections (1) and (2) of this section if the student meets requirements es-**
5 **tablished by the State Board of Education by rule.**

6 “(b) **The modified diploma shall be made available only to those students who have dem-**
7 **onstrated the inability to meet the full set of academic content standards even with reason-**
8 **able modifications and accommodations. To be eligible for a modified diploma, a student must**
9 **have:**

10 “(A) **A documented history of an inability to maintain grade level achievement due to**
11 **significant learning and instructional barriers; or**

12 “(B) **A documented history of a medical condition that creates a barrier to achievement.**

13 “(8) **A school district or public charter school shall award an alternative certificate to a**
14 **student who does not satisfy the requirements for a diploma if the student meets require-**
15 **ments established by the board of the school district or public charter school.**

16 “(9) **A student who receives a modified diploma or alternative certificate shall have the**
17 **option of participating in a high school graduation ceremony with the class of the student.**

18 “(10) **The State Board of Education shall submit for review by the legislative committees**
19 **on education or the interim legislative committees on education, as appropriate, any pro-**
20 **posed rules to implement requirements for a diploma, a modified diploma or an alternative**
21 **certificate prior to the adoption of those rules by the board.**

22 “**SECTION 12. If both House Bill 2263 and House Bill 2606 become law, section 1 of this**
23 **2007 Act and section 20, chapter __, Oregon Laws 2007 (Enrolled House Bill 2263) (both**
24 **amending ORS 329.451), are repealed and ORS 329.451, as amended by section 1, chapter __,**
25 **Oregon Laws 2007 (Enrolled House Bill 2606), is amended to read:**

26 “**329.451. (1) At or before grade 12, a school district or public charter school shall award**
27 **a high school diploma to a student who completes the requirements established by the State**
28 **Board of Education, the school district or public charter school and this section.**

29 “[*(1)*] **(2) In order to receive a high school diploma from a school district or public charter**
30 **school, a student must [meet] satisfy the requirements established by the [State] board [of**
31 **Education] and the school district or public charter school and, while in grades 9 through 12, must**
32 **complete:**

33 “(a) **At least 24 credits, as defined by rule of the board;**

34 “(b) **Three credits of mathematics; and**

35 “(c) **Four credits of English.**

36 “[*(2)*] **(3) Notwithstanding subsection [*(1)*] (2) of this section, a school district or public charter**
37 **school may award a diploma to a student who does not satisfy the requirements of subsection**
38 **[*(1)(b)*] (2)(b) or (c) of this section if the student:**

39 “(a) **Has met or exceeded the academic content standards for mathematics or English established**
40 **by the board, as demonstrated on Oregon state assessments; or**

41 “(b) **Displays proficiency in mathematics or English at a level established by the board.**

42 “[*(3)*] **(4) A student may satisfy the requirements of subsection [*(1)*] (2) of this section in less**
43 **than four years. If a student satisfies the requirements of subsection [*(1)*] (2) of this section and a**
44 **school district or public charter school has the consent of the student’s parent or guardian, the**
45 **school district or public charter school shall award a diploma to the student upon request from**

1 the student.

2 “[~~(4)~~] **(5)** If a school district **or public charter school** has the consent of a student’s parent or
3 guardian, the school district **or public charter school** may advance the student to the next grade
4 level if the student has satisfied the requirements for the student’s current grade level.

5 “[~~(5)~~] **(6)** The requirement for obtaining the consent of a student’s parent or guardian under
6 subsections [~~(3) and~~] **(4) and (5)** of this section does not apply to a student who is:

7 “(a) Emancipated pursuant to ORS 419B.550 to 419B.558; or

8 “(b) 18 years of age or older.

9 “**(7)(a) Notwithstanding subsections (1) and (2) of this section, a school district or public**
10 **charter school shall award a modified diploma to a student who does not satisfy the re-**
11 **quirements of subsections (1) and (2) of this section if the student meets requirements es-**
12 **tablished by the State Board of Education by rule.**

13 “**(b) The modified diploma shall be made available only to those students who have dem-**
14 **onstrated the inability to meet the full set of academic content standards even with reason-**
15 **able modifications and accommodations. To be eligible for a modified diploma, a student must**
16 **have:**

17 “**(A) A documented history of an inability to maintain grade level achievement due to**
18 **significant learning and instructional barriers; or**

19 “**(B) A documented history of a medical condition that creates a barrier to achievement.**

20 “**(8) A school district or public charter school shall award an alternative certificate to a**
21 **student who does not satisfy the requirements for a diploma if the student meets require-**
22 **ments established by the board of the school district or public charter school.**

23 “**(9) A student who receives a modified diploma or alternative certificate shall have the**
24 **option of participating in a high school graduation ceremony with the class of the student.**

25 “**(10) The State Board of Education shall submit for review by the legislative committees**
26 **on education or the interim legislative committees on education, as appropriate, any pro-**
27 **posed rules to implement requirements for a diploma, a modified diploma or an alternative**
28 **certificate prior to the adoption of those rules by the board.**

29 “**SECTION 13. If House Bill 2263 becomes law and House Bill 2606 does not become law,**
30 **section 21, chapter __, Oregon Laws 2007 (Enrolled House Bill 2263) (amending section 3,**
31 **chapter 827, Oregon Laws 2005), is repealed and section 3, chapter 827, Oregon Laws 2005,**
32 **as amended by section 2 of this 2007 Act is amended to read:**

33 “**Sec. 3.** (1) The requirements of ORS 329.451 (2) apply to students who receive a high school
34 diploma from a school district on or after July 1, 2009.

35 “(2) The requirements of ORS 329.451 (2) apply to students who receive a high school diploma
36 from a public charter school:

37 “(a) On or after July 1, 2009, if the charter of the public charter school specified that ORS
38 329.451 applied to the school prior to the effective date of this 2007 Act; or

39 “(b) On or after July 1, 2011.

40 “(3) School districts and public charter schools shall make modified diplomas and alternative
41 certificates as required by ORS 329.451 (4) and (5) first available to students during the 2008-2009
42 school year.

43 “(4) Notwithstanding subsections (2) and (3) of this section, ORS 329.451 as amended by section
44 [I] **10** of this 2007 Act applies to public charter schools that enter into a charter or renew a charter
45 on or after the effective date of this 2007 Act.

1 **“SECTION 14. If House Bill 2606 becomes law and House Bill 2263 does not become law,**
2 **section 2 of this 2007 Act (amending section 3, chapter 827, Oregon Laws 2005) is repealed**
3 **and section 3, chapter 827, Oregon Laws 2005, as amended by section 2, chapter __, Oregon**
4 **Laws 2007 (Enrolled House Bill 2606), is amended to read:**

5 **“Sec. 3. (1) The requirements of ORS 329.451 [(1) and] (2) and (3) apply to students who receive**
6 **a high school diploma from a school district on or after July 1, 2009.**

7 **“(2) ORS 329.451 [(3)] (4) applies to students who satisfy the requirements for a high school di-**
8 **ploma on or after the effective date of [this 2007 Act] chapter __, Oregon Laws 2007 (Enrolled**
9 **House Bill 2606).**

10 **“(3) ORS 329.451 [(4)] (5) first applies to the 2007-2008 school year.**

11 **“(4) The requirements of ORS 329.451 (2) and (3) apply to students who receive a high**
12 **school diploma from a public charter school:**

13 **“(a) On or after July 1, 2009, if the charter of the public charter school specified that**
14 **ORS 329.451 applied to the school prior to the effective date of this 2007 Act; or**

15 **“(b) On or after July 1, 2011.**

16 **“(5) School districts and public charter schools shall make modified diplomas and alter-**
17 **native certificates as required by ORS 329.451 (7) and (8) first available to students during**
18 **the 2008-2009 school year.**

19 **“(6) Notwithstanding subsections (4) and (5) of this section, ORS 329.451 as amended by**
20 **section 11 of this 2007 Act applies to public charter schools that enter into a charter or re-**
21 **new a charter on or after the effective date of this 2007 Act.**

22 **“SECTION 15. If both House Bill 2263 and House Bill 2606 become law, section 2 of this**
23 **2007 Act and section 21, chapter __, Oregon Laws 2007 (Enrolled House Bill 2263) (both**
24 **amending section 3, chapter 827, Oregon Laws 2005), are repealed and section 3, chapter 827,**
25 **Oregon Laws 2005, as amended by section 2, chapter __, Oregon Laws 2007 (Enrolled House**
26 **Bill 2606), is amended to read:**

27 **“Sec. 3. (1) The requirements of ORS 329.451 [(1) and] (2) and (3) apply to students who receive**
28 **a high school diploma from a school district on or after July 1, 2009.**

29 **“(2) ORS 329.451 [(3)] (4) applies to students who satisfy the requirements for a high school di-**
30 **ploma on or after the effective date of [this 2007 Act] chapter __, Oregon Laws 2007 (Enrolled**
31 **House Bill 2606).**

32 **“(3) ORS 329.451 [(4)] (5) first applies to the 2007-2008 school year.**

33 **“(4) The requirements of ORS 329.451 (2) and (3) apply to students who receive a high**
34 **school diploma from a public charter school:**

35 **“(a) On or after July 1, 2009, if the charter of the public charter school specified that**
36 **ORS 329.451 applied to the school prior to the effective date of this 2007 Act; or**

37 **“(b) On or after July 1, 2011.**

38 **“(5) School districts and public charter schools shall make modified diplomas and alter-**
39 **native certificates as required by ORS 329.451 (7) and (8) first available to students during**
40 **the 2008-2009 school year.**

41 **“(6) Notwithstanding subsections (4) and (5) of this section, ORS 329.451 as amended by**
42 **section 12 of this 2007 Act applies to public charter schools that enter into a charter or re-**
43 **new a charter on or after the effective date of this 2007 Act.**

44 **“SECTION 16. If House Bill 2263 becomes law, section 3 of this 2007 Act (amending ORS**
45 **329.447) is repealed.**

1 “**SECTION 17. If House Bill 2263 becomes law, section 5 of this 2007 Act (amending ORS**
2 **338.115) is repealed and ORS 338.115, as amended by section 33, chapter __, Oregon Laws 2007**
3 **(Enrolled House Bill 2263), is amended to read:**

4 “338.115. (1) Statutes and rules that apply to school district boards, school districts or other
5 public schools do not apply to public charter schools. However, the following laws do apply to public
6 charter schools:

7 “(a) Federal law;

8 “(b) ORS 192.410 to 192.505 (public records law);

9 “(c) ORS 192.610 to 192.690 (public meetings law);

10 “(d) ORS 297.405 to 297.555 and 297.990 (Municipal Audit Law);

11 “(e) ORS 181.534, 181.539, 326.603, 326.607 and 342.232 (criminal records checks);

12 “(f) ORS 337.150 (textbooks);

13 “(g) ORS 339.141, 339.147 and 339.155 (tuition and fees);

14 “(h) ORS 659.850 and 659.855 (discrimination);

15 “(i) ORS 30.260 to 30.300 (tort claims);

16 “(j) Health and safety statutes and rules;

17 “(k) Any statute or rule that is listed in the charter;

18 “(L) The statewide assessment system developed by the Department of Education for math-
19 ematics, science and English under ORS 329.485 (2);

20 “(m) ORS 329.045 (academic content standards and instruction);

21 “(n) Any statute or rule that establishes requirements for instructional time provided by a
22 school during each day or during a year;

23 “(o) ORS 339.250 (12) (prohibition on infliction of corporal punishment);

24 “(p) ORS 339.370, 339.372 and 339.375 (reporting of child abuse);

25 “(q) **ORS 329.451 (diploma, modified diploma and alternative certificate);** and

26 “[(q)] (r) This chapter.

27 “(2) Notwithstanding subsection (1) of this section, a charter may specify that statutes and rules
28 that apply to school district boards, school districts and other public schools may apply to a public
29 charter school.

30 “(3) If a statute or rule applies to a public charter school, then the terms ‘school district’ and
31 ‘public school’ include public charter school as those terms are used in that statute or rule.

32 “(4) A public charter school may not violate the Establishment Clause of the First Amendment
33 to the United States Constitution or section 5, Article I of the Oregon Constitution, or be religion
34 based.

35 “(5) A public charter school shall maintain an active enrollment of at least 25 students.

36 “(6) A public charter school may sue or be sued as a separate legal entity.

37 “(7) The sponsor, members of the governing board of the sponsor acting in their official capaci-
38 ties and employees of a sponsor acting in their official capacities are immune from civil liability
39 with respect to all activities related to a public charter school within the scope of their duties or
40 employment.

41 “(8) A public charter school may enter into contracts and may lease facilities and services from
42 a school district, education service district, state institution of higher education, other governmental
43 unit or any person or legal entity.

44 “(9) A public charter school may not levy taxes or issue bonds under which the public incurs
45 liability.

1 “(10) A public charter school may receive and accept gifts, grants and donations from any
2 source for expenditure to carry out the lawful functions of the school.

3 “(11) The school district in which the public charter school is located shall offer a high school
4 diploma, **modified diploma or alternative certificate** to any public charter school student who
5 meets the district’s and state’s standards for a high school diploma, **modified diploma or alterna-**
6 **tive certificate.**

7 “(12) A high school diploma, **modified diploma or alternative certificate** issued by a public
8 charter school grants to the holder the same rights and privileges as a high school diploma, **modi-**
9 **fied diploma or alternative certificate** issued by a nonchartered public school.

10 “(13) Prior to beginning operation, the public charter school shall show proof of insurance to
11 the sponsor as specified in the charter.

12 “(14) A public charter school may receive services from an education service district in the
13 same manner as a nonchartered public school in the school district in which the public charter
14 school is located.

15 “**SECTION 18. If Senate Bill 215 becomes law, section 6 of this 2007 Act (amending ORS**
16 **339.115) is repealed and ORS 339.115, as amended by section 2, chapter __, Oregon Laws 2007**
17 **(Enrolled Senate Bill 215), is amended to read:**

18 “339.115. (1) Except as provided in ORS 339.141, authorizing tuition for courses not part of the
19 regular school program, the district school board shall admit free of charge to the schools of the
20 district all persons between the ages of 5 and 19 who reside within the school district. A person
21 whose 19th birthday occurs during the school year shall continue to be eligible for a free and ap-
22 propriate public education for the remainder of the school year. A district school board may admit
23 nonresident persons, determine who is not a resident of the district and fix rates of tuition for
24 nonresidents.

25 “(2)(a) A district must admit an otherwise eligible person who has not yet attained 21 years of
26 age prior to the beginning of the current school year if the person is:

27 “(A) Receiving special education and has not yet received a [*regular*] high school diploma **as**
28 **described in 329.451 (1); or**

29 “(B) **Receiving special education and has received a modified high school diploma or al-**
30 **ternative certificate as described in ORS 329.451.**

31 “(b) A district may admit an otherwise eligible person who is not receiving special education
32 and who has not yet attained 21 years of age prior to the beginning of the current school year if
33 the person is shown to be in need of additional education in order to receive a **high school** diploma.

34 “(3) The obligation to make a free appropriate public education available to individuals with
35 disabilities 18 through 21 years of age who are incarcerated in an adult correctional facility applies
36 only to those individuals who, in their last educational placement prior to their incarceration in the
37 adult correctional facility:

38 “(a) Were identified as being a child with a disability as defined in ORS 343.035; or

39 “(b) Had an individualized education program as described in ORS 343.151.

40 “(4) For purposes of subsection (3) of this section, ‘adult correctional facility’ means:

41 “(a) A local correctional facility as defined in ORS 169.005;

42 “(b) A regional correctional facility as defined in ORS 169.620; or

43 “(c) A Department of Corrections institution as defined in ORS 421.005.

44 “(5) An otherwise eligible person under subsection (2) of this section whose 21st birthday occurs
45 during the school year shall continue to be eligible for a free appropriate public education for the

1 remainder of the school year.

2 “(6) The person may apply to the board of directors of the school district of residence for ad-
3 mission after the 19th birthday as provided in subsection (1) of this section. A person aggrieved by
4 a decision of the local board may appeal to the State Board of Education. The decision of the state
5 board is final and not subject to appeal.

6 “(7) Notwithstanding ORS 339.133 (1), a school district shall not exclude from admission a child
7 located in the district solely because the child does not have a fixed place of residence or solely
8 because the child is not under the supervision of a parent, guardian or person in a parental re-
9 lationship.

10 “(8) Notwithstanding subsection (1) of this section, a school district:

11 “(a) May for the remaining period of an expulsion deny admission to the regular school to a
12 resident student who is expelled from another school district; and

13 “(b) Shall for at least one calendar year from the date of the expulsion and if the expulsion is
14 for more than one calendar year, may for the remaining period of time deny admission to the regular
15 school program to a student who is under expulsion from another school district for an offense that
16 constitutes a violation of a school district policy adopted pursuant to ORS 339.250 (6).

17 “(9) A child entering the first grade during the fall term shall be considered to be six years of
18 age if the sixth birthday of the child occurs on or before September 1. A child entering kindergarten
19 during the fall term shall be considered to be five years of age if the fifth birthday of the child oc-
20 curs on or before September 1. However, nothing in this section prevents a district school board
21 from admitting free of charge a child whose needs for cognitive, social and physical development
22 would best be met in the school program, as defined by policies of the district school board, to enter
23 school even though the child has not attained the minimum age requirement but is a resident of the
24 district.

25 “**SECTION 19. If House Bill 2263 becomes law, section 7 of this 2007 Act (amending ORS**
26 **339.505) is repealed and ORS 339.505, as amended by section 35, chapter __, Oregon Laws 2007**
27 **(Enrolled House Bill 2263), is amended to read:**

28 “339.505. (1) For purposes of the student accounting system required by ORS 339.515, the fol-
29 lowing definitions shall be used:

30 “(a) ‘Graduate’ means an individual who has:

31 “(A) Not reached 21 years of age or whose 21st birthday occurs during the current school year;

32 “(B) Met all state requirements and local requirements for attendance, competence and units
33 of credit for high school; and

34 “(C) Received one of the following:

35 “(i) A high school diploma issued by a school district.

36 “(ii) An adult high school diploma issued by an authorized community college.

37 “(iii) [An alternative] **A modified** high school diploma [based on the successful completion of an
38 individual education plan].

39 “(b) ‘School dropout’ means an individual who:

40 “(A) Has enrolled for the current school year, or was enrolled in the previous school year and
41 did not attend during the current school year;

42 “(B) Is not a high school graduate;

43 “(C) Has not received a General Educational Development (GED) certificate; and

44 “(D) Has withdrawn from school.

45 “(c) ‘School dropout’ does not include a student described by at least one of the following:

1 “(A) A student who has transferred to another educational system or institution that leads to
2 graduation and the school district has received a written request for the transfer of the student’s
3 records or transcripts.

4 “(B) A student who is deceased.

5 “(C) A student who is participating in home instruction paid for by the district.

6 “(D) A student who is being taught by a private teacher, parent or legal guardian pursuant to
7 ORS 339.030 (1)(c) or (d).

8 “(E) A student who is participating in a Department of Education approved public or private
9 education program, an alternative education program as defined in ORS 336.615 or a hospital edu-
10 cation program, or is residing in a Department of Human Services facility.

11 “(F) A student who is temporarily residing in a shelter care program certified by the Oregon
12 Youth Authority or the Department of Human Services or in a juvenile detention facility.

13 “(G) A student who is enrolled in a foreign exchange program.

14 “(H) A student who is temporarily absent from school because of suspension, a family emer-
15 gency, or severe health or medical problems that prohibit the student from attending school.

16 “(I) A student who has received a General Educational Development (GED) certificate.

17 “(2) The State Board of Education shall prescribe by rule when an unexplained absence becomes
18 withdrawal, when a student is considered enrolled in school, acceptable alternative education pro-
19 grams under ORS 336.615 to 336.665 and the standards for excused absences for purposes of ORS
20 339.065 for family emergencies and health and medical problems.

21 “**SECTION 20.** If both Senate Bill 215 and House Bill 2263 become law, section 9 of this 2007
22 Act is amended to read:

23 “**Sec. 9.** The amendments to ORS [329.447,] 339.115, 339.505 and 343.295 by sections [3 and 6 to
24 8] **8, 18 and 19** of this 2007 Act first apply to the 2008-2009 school year.

25 “**SECTION 21.** If Senate Bill 215 becomes law and House Bill 2263 does not become law, section
26 9 of this 2007 Act is amended to read:

27 “**Sec. 9.** The amendments to ORS 329.447, 339.115, 339.505 and 343.295 by sections 3 [and 6 to
28 8], **7, 8 and 18** of this 2007 Act first apply to the 2008-2009 school year.

29 “**SECTION 22.** If House Bill 2263 becomes law and Senate Bill 215 does not become law, section
30 9 of this 2007 Act is amended to read:

31 “**Sec. 9.** The amendments to ORS [329.447,] 339.115, 339.505 and 343.295 by sections [3 and 6 to
32 8] **6, 8 and 19** of this 2007 Act first apply to the 2008-2009 school year.”.

33 In line 30, delete “10” and insert “23”.