

# House Bill 2594

Sponsored by Representative CLEM

## 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**.

Requires student who receives diploma from school district or public charter school to demonstrate proficiency in Oregon Studies and subjects on test administered to persons who apply for citizenship. Directs Department of Education, in consultation with Secretary of State, to develop assessment to demonstrate proficiency.

Applies new requirement to students who receive high school diploma on or after July 1, 2013.

Declares emergency, effective July 1, 2009.

## A BILL FOR AN ACT

1  
2 Relating to high school graduation requirements; amending ORS 329.451 and section 3, chapter 827,  
3 Oregon Laws 2005; and declaring an emergency.

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) 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 the State Board of Ed-*  
8 *ucation, the school district or public charter school and*] **described in** this section.

9 (2) In order to receive a high school diploma from a school district or public charter school, a  
10 student must:

11 (a) Satisfy the requirements established by the [*board*] **State Board of Education** and the  
12 school district or public charter school; [*and,*]

13 (b) While in grades 9 through 12, [*must*] complete:

14 [*(a)*] (A) At least 24 credits, as defined by rule of the board;

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

16 [*(c)*] (C) Four credits of English[.]; **and**

17 (c) **Demonstrate proficiency in Oregon Studies, as defined in ORS 329.007, and the sub-**  
18 **jects included in the test administered by the United States Citizenship and Immigration**  
19 **Services to persons who apply for United States citizenship.**

20 (3) **In consultation with the Secretary of State, the Department of Education shall de-**  
21 **velop an assessment for the purpose of testing proficiency of the subjects described in sub-**  
22 **section (2)(c) of this section and shall establish the required score needed to demonstrate**  
23 **proficiency as required under subsection (2)(c) of this section.**

24 [(3)] (4) Notwithstanding subsection (2) of this section, a school district or public charter school  
25 may award a diploma to a student who does not satisfy the requirements of subsection [(2)(b) or  
26 (c)] **(2)(b)(B) or (C)** of this section if the student:

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

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

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

5        [(5)] (6) If a school district or public charter school has the consent of a student's parent or  
 6 guardian, the school district or public charter school may advance the student to the next grade  
 7 level if the student has satisfied the requirements for the student's current grade level.

8        [(6)] (7) The requirement for obtaining the consent of a student's parent or guardian under  
 9 subsections [(4) and] (5) **and (6)** of this section does not apply to a student who is:

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

11        (b) 18 years of age or older.

12        [(7)(a)] (8)(a) Notwithstanding subsections (1) and (2) of this section, a school district or public  
 13 charter school shall award a modified diploma to a student who does not satisfy the requirements  
 14 of subsections (1) and (2) of this section if the student meets requirements established by the State  
 15 Board of Education by rule.

16        (b) The modified diploma shall be made available only to those students who have demonstrated  
 17 the inability to meet the full set of academic content standards even with reasonable modifications  
 18 and accommodations. To be eligible for a modified diploma, a student must have:

19        (A) A documented history of an inability to maintain grade level achievement due to significant  
 20 learning and instructional barriers; or

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

22        [(8)] (9) A school district or public charter school shall award an alternative certificate to a  
 23 student who does not satisfy the requirements for a diploma if the student meets requirements es-  
 24 tablished by the board of the school district or public charter school.

25        [(9)] (10) A student who receives a modified diploma or alternative certificate shall have the  
 26 option of participating in a high school graduation ceremony with the class of the student.

27        [(10)] (11) The State Board of Education shall submit for review by the legislative committees  
 28 on education or the interim legislative committees on education, as appropriate, any proposed rules  
 29 to implement requirements for a diploma, a modified diploma or an alternative certificate prior to  
 30 the adoption of those rules by the board.

31        **SECTION 2.** Section 3, chapter 827, Oregon Laws 2005, as amended by section 2, chapter 407,  
 32 Oregon Laws 2007, and section 15, chapter 660, Oregon Laws 2007, is amended to read:

33        **Sec. 3.** (1) The requirements of ORS 329.451 (2)(a) **and (b)** and [(3)] (4) apply to students who  
 34 receive a high school diploma from a school district on or after July 1, 2009.

35        **(2) The requirements of ORS 329.451 (2)(c) apply to students who receive a high school**  
 36 **diploma from a school district on or after July 1, 2013.**

37        [(2)] (3) ORS 329.451 [(4)] (5) applies to students who satisfy the requirements for a high school  
 38 diploma on or after [*the effective date of chapter 407, Oregon Laws 2007*] **July 1, 2007.**

39        [(3)] (4) ORS 329.451 [(5)] (6) first applies to the 2007-2008 school year.

40        [(4)] (5) The requirements of ORS 329.451 (2)(a) **and (b)** and [(3)] (4) apply to students who re-  
 41 ceive a high school diploma from a public charter school:

42        (a) On or after July 1, 2009, if the charter of the public charter school specified that ORS  
 43 329.451 applied to the school prior to [*the effective date of this 2007 Act*] **July 1, 2007;** or

44        (b) On or after July 1, 2011.

45        **(6) The requirements of ORS 329.451 (2)(c) apply to students who receive a high school**

1 **diploma from a public charter school on or after July 1, 2013.**

2 [(5)] (7) School districts and public charter schools shall make modified diplomas and alternative  
3 certificates as required by ORS 329.451 [(7) and] (8) **and (9)** first available to students during the  
4 2008-2009 school year.

5 [(6)] (8) Notwithstanding subsections [(4) and] (5) **and (7)** of this section, ORS 329.451, as  
6 amended by [section 12 of this 2007 Act] **section 12, chapter 660, Oregon Laws 2007**, applies to  
7 public charter schools that enter into a charter or renew a charter on or after [the effective date of  
8 this 2007 Act] **July 1, 2007**.

9 **SECTION 3. This 2009 Act being necessary for the immediate preservation of the public**  
10 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**  
11 **July 1, 2009.**

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