

House Bill 2283

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Education)

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**.

Specifies length of time during which student is allowed to satisfy requirements for modified diploma, extended diploma or alternative certificate. Allows reduction in time if consent provided.

Specifies number of instructional hours of transition services that student must be able to access if student is receiving modified diploma, extended diploma or alternative certificate.

Declares emergency, effective July 1, 2011.

A BILL FOR AN ACT

1
2 Relating to high school completion; creating new provisions; amending ORS 329.451; and declaring
3 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)(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) of this section, an extended diploma to a
11 student who satisfies the requirements established by subsection (8) of this section or an alternative
12 certificate to a student who satisfies the requirements established by subsection (9) of this section.

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

17 (d) A school district or public charter school may award a modified diploma or extended diploma
18 to a student only upon the consent of [*the parent or guardian of the student.*]:

19 **(A) The parent or guardian of the student, if the student is under 18 years of age and is**
20 **not emancipated pursuant to ORS 419B.550 to 419B.558 or has been determined to not have**
21 **the ability to give informed consent regarding the student's education; or**

22 **(B) The student, if the student is not described in subparagraph (A) of this paragraph.**

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

26 (a) Twenty-four total credits;

27 (b) Three credits of mathematics; and

28 (c) Four credits of English.

29 (3) Notwithstanding subsection (2) of this section, a school district or public charter school may

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 award a high school diploma to a student who does not satisfy the requirements of subsection (2)(b)
 2 or (c) of this section if the student:

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

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

6 (4) A student may satisfy the requirements of subsection (2) of this section in less than four
 7 years. If a student satisfies the requirements of subsection (2) of this section and a school district
 8 or public charter school has the consent of the student's parent or guardian, the school district or
 9 public charter school shall award a high school diploma to the student upon request from the stu-
 10 dent.

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

14 (6) The requirement for obtaining the consent of a student's parent or guardian under sub-
 15 sections (4) and (5) of this section does not apply to a student who is:

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

17 (b) 18 years of age or older.

18 (7) A school district or public charter school shall award a modified diploma only to students
 19 who have demonstrated the inability to meet the full set of academic content standards for a high
 20 school diploma with reasonable modifications and accommodations. To be eligible for a modified di-
 21 ploma, a student must:

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

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

27 (8) A school district or public charter school shall award an extended diploma only to students
 28 who have demonstrated the inability to meet the full set of academic content standards for a high
 29 school diploma with reasonable modifications and accommodations. To be eligible for an extended
 30 diploma, a student must:

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

34 (A) Two credits of mathematics;

35 (B) Two credits of English;

36 (C) Two credits of science;

37 (D) Three credits of history, geography, economics or civics;

38 (E) One credit of health;

39 (F) One credit of physical education; and

40 (G) One credit of the arts or a second language;

41 (b) Have a documented history of an inability to maintain grade level achievement due to sig-
 42 nificant learning and instructional barriers or have a documented history of a medical condition that
 43 creates a barrier to achievement; and

44 (c)(A) Participate in an alternate assessment beginning no later than grade six and lasting for
 45 two or more assessment cycles; or

1 (B) Have a serious illness or injury that occurs after grade eight, that changes the student's
 2 ability to participate in grade level activities and that results in the student participating in alter-
 3 nate assessments.

4 (9) A school district or public charter school shall award an alternative certificate to a student
 5 who does not satisfy the requirements for a high school diploma, a modified diploma or an extended
 6 diploma if the student meets requirements established by the board of the school district or public
 7 charter school.

8 **(10) A student shall have the opportunity to satisfy the requirements of subsection (7),**
 9 **(8) or (9) of this section by the later of:**

10 **(a) Four years after starting grade nine; or**

11 **(b) The student reaching the age of 21 years, if the student is entitled to a public edu-**
 12 **cation until the age of 21 years under state or federal law.**

13 **(11)(a) A student may satisfy the requirements described in subsection (7), (8) or (9) of**
 14 **this section in less than four years if consent is provided by:**

15 **(A) The parent or guardian of the student, if the student is under 18 years of age and is**
 16 **not emancipated pursuant to ORS 419B.550 to 419B.558 or has been determined to not have**
 17 **the ability to give informed consent regarding the student's education; or**

18 **(B) The student, if the student is not described in subparagraph (A) of this paragraph.**

19 **(b) The consent provided under this subsection must be written and must clearly state**
 20 **that the parent, guardian or student is waiving the time allowed under subsection (10) of this**
 21 **section. A consent may not be used to allow a student to satisfy the requirements of sub-**
 22 **section (7), (8) or (9) of this section in less than three years.**

23 **(c) A copy of all consents provided under this subsection for students in a school district**
 24 **must be forwarded to the district superintendent.**

25 **(d) Each school district must provide to the Superintendent of Public Instruction infor-**
 26 **mation about the number of consents provided during a school year.**

27 **[(10)] (12) A student who receives a modified diploma, an extended diploma or an alternative**
 28 **certificate shall:**

29 **(a) Have the option of participating in a high school graduation ceremony with the class of the**
 30 **student[.]; and**

31 **(b) Have access to a number of instructional hours of transition services that is the**
 32 **greater of the amount:**

33 **(A) Provided to students who are receiving a high school diploma; or**

34 **(B) Required under the individualized education program developed for the student under**
 35 **ORS 343.151.**

36 **[(11)] (13) A school district or public charter school shall:**

37 **(a) Ensure that students have access to the appropriate resources to achieve a high school di-**
 38 **ploma, a modified diploma, an extended diploma or an alternative certificate at each high school in**
 39 **the school district or at the public charter school.**

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

41 **(c) Beginning in grade five, annually provide information to the parents or guardians of a stu-**
 42 **dent taking an alternate assessment of the availability of a modified diploma, an extended diploma**
 43 **and an alternative certificate and the requirements for the diplomas and certificate.**

44 **[(12)] (14) The State Board of Education shall submit for review by the legislative committees**
 45 **on education or the interim legislative committees on education, as appropriate, any proposed rules**

1 to implement requirements for a high school diploma, a modified diploma, an extended diploma or
2 an alternative certificate prior to the adoption of those rules by the board.

3 **SECTION 2. The amendments to ORS 329.451 by section 1 of this 2011 Act apply to mod-**
4 **ified diplomas, extended diplomas and alternative certificates awarded on or after July 1,**
5 **2011.**

6 **SECTION 3. This 2011 Act being necessary for the immediate preservation of the public**
7 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
8 **July 1, 2011.**

9
