

House Bill 2285

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**.

Identifies person who may provide consent for purpose of awarding high school diplomas, modified diplomas and extended diplomas and for purpose of advancing student to next grade level.
Declares emergency, effective July 1, 2011.

A BILL FOR AN ACT

1
2 Relating to consent for school completion options; creating new provisions; amending ORS 329.451;
3 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)(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*] **receiving consent as**
19 **provided by subsection (6) of this section.**

20 (2) In order to receive a high school diploma from a school district or public charter school, a
21 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 (3) Notwithstanding subsection (2) of this section, a school district or public charter school may
27 award a high school diploma to a student who does not satisfy the requirements of subsection (2)(b)
28 or (c) of this section if the student:

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

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.

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

(4) A student may satisfy the requirements of subsection (2) of this section in less than four years. If a student satisfies the requirements of subsection (2) of this section and a school district or public charter school has *[the consent of the student's parent or guardian]* **received consent as provided by subsection (6) of this section**, the school district or public charter school shall award a high school diploma to the student *[upon request from the student]*.

(5) If a school district or public charter school has *[the consent of a student's parent or guardian]* **received consent as provided by subsection (6) of this section**, the school district or public charter school may advance the student to the next grade level if the student has satisfied the requirements for the student's current grade level.

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

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

[(b) 18 years of age or older.]

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

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

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

(ii) Has been determined not to have the ability to give informed consent regarding the student's education; or

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

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

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

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

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

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

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

(A) Two credits of mathematics;

(B) Two credits of English;

1 (C) Two credits of science;

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

3 (E) One credit of health;

4 (F) One credit of physical education; and

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

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

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

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

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

18 (10) A student who receives a modified diploma, an extended diploma or an alternative certif-
19 icate shall have the option of participating in a high school graduation ceremony with the class of
20 the student.

21 (11) A school district or public charter school shall:

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

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

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

29 (12) The State Board of Education shall submit for review by the legislative committees on ed-
30 ucation or the interim legislative committees on education, as appropriate, any proposed rules to
31 implement requirements for a high school diploma, a modified diploma, an extended diploma or an
32 alternative certificate prior to the adoption of those rules by the board.

33 **SECTION 2. The amendments to ORS 329.451 by section 1 of this 2011 Act apply to:**

34 (1) **High school diplomas, modified diplomas and extended diplomas awarded on or after**
35 **July 1, 2011; and**

36 (2) **Grade level advancements made on or after July 1, 2011.**

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

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