

House Bill 2290

Sponsored by Representative READ (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**.

Requires student to complete and submit application for apprenticeship program or post-secondary education institution, to complete and submit enlistment application in Armed Forces or National Guard, or to attend orientation related to apprenticeship or training opportunity, in order to receive high school diploma.

Takes effect July 1, 2014.

A BILL FOR AN ACT

1
2 Relating to high school diploma requirements; creating new provisions; amending ORS 329.451; and
3 prescribing an effective date.

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 (6) of this section, an extended diploma to a
11 student who satisfies the requirements established by subsection (7) of this section or an alternative
12 certificate to a student who satisfies the requirements established by subsection (8) 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 (6)(b) or (7)(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 receiving consent as provided by subsection (5) of this section.

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

21 (a) Satisfy the requirements established by the State Board of Education and **the requirements**
22 **established** by the school district or public charter school [*and*].

23 (b) **Provide proof that the student has satisfied at least one of the following require-**
24 **ments:**

25 (A) **Completed and submitted an admission form or application for admission to an ap-**
26 **prenticeship program, a career school, a community college or an institution of higher edu-**
27 **cation for a program of post-secondary education or training.**

28 (B) **Completed and submitted an enlistment application for the Armed Forces of the**
29 **United States or the National Guard of the United States.**

30 (C) **Attended an orientation that is related to apprenticeship or training opportunities**

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 **and that is presented by, or in collaboration with, a local joint committee formed under ORS**
 2 **660.135.**

3 (c) While in grades 9 through 12, *[must]* complete at least:

4 [(a)] (A) Twenty-four total credits;

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

6 [(c)] (C) Four credits of English.

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

11 (4) If a school district or public charter school has received consent as provided by subsection
 12 (5) of this section, the school district or public charter school may advance the student to the next
 13 grade level if the student has satisfied the requirements for the student's current grade level.

14 (5)(a) For the purpose of receiving consent as provided by subsections (1)(d), (3) and (4) of this
 15 section, consent shall be provided by:

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

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

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

20 (B) The student, if the student is 18 years of age or older or is emancipated pursuant to ORS
 21 419B.550 to 419B.558.

22 (b) For the purpose of awarding a modified diploma or extended diploma as provided by sub-
 23 section (1)(d) of this section or of awarding a high school diploma as provided by subsection (3) of
 24 this section, consent must be received during the school year for which the diploma will be awarded.

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

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

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

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

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

41 (A) Two credits of mathematics;

42 (B) Two credits of English;

43 (C) Two credits of science;

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

45 (E) One credit of health;

1 (F) One credit of physical education; and

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

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

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

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

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

15 (9) A student shall have the opportunity to satisfy the requirements of subsection (6), (7) or (8)
16 of this section by the later of:

17 (a) Four years after starting grade nine; or

18 (b) The student reaching the age of 21 years, if the student is entitled to a public education until
19 the age of 21 years under state or federal law.

20 (10)(a) A student may satisfy the requirements described in subsection (6), (7) or (8) of this sec-
21 tion in less than four years if consent is provided in the manner described in subsection (5)(a) of this
22 section.

23 (b) The consent provided under this subsection must be written and must clearly state that the
24 parent, guardian or student is waiving the time allowed under subsection (9) of this section. A con-
25 sent may not be used to allow a student to satisfy the requirements of subsection (6), (7) or (8) of
26 this section in less than three years.

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

29 (d) Each school district must provide to the Superintendent of Public Instruction information
30 about the number of consents provided during a school year.

31 (11)(a) A student who receives a modified diploma, an extended diploma or an alternative cer-
32 tificate shall:

33 (A) Have the option of participating in a high school graduation ceremony with the class of the
34 student; and

35 (B) Have access to instructional hours, hours of transition services and hours of other services
36 that are designed to:

37 (i) Meet the unique needs of the student; and

38 (ii) When added together, provide a total number of hours of instruction and services to the
39 student that equals at least the total number of instructional hours that is required to be provided
40 to students who are attending a public high school.

41 (b)(A) The number of instructional hours, hours of transition services and hours of other ser-
42 vices that are appropriate for a student shall be determined by the student's individualized education
43 program team. Based on the student's needs and performance level, the student's individualized ed-
44 ucation program team may decide that the student will not access the total number of hours of in-
45 struction and services to which the student has access under paragraph (a)(B) of this subsection.

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

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

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

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

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

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

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

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

26 (12) A school district or public charter school shall:

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

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

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

34 **SECTION 2. The amendments to ORS 329.451 by section 1 of this 2013 Act first apply to**
35 **students who receive a high school diploma on or after July 1, 2014.**

36 **SECTION 3. This 2013 Act takes effect July 1, 2014.**

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