

# B-Engrossed Senate Bill 222

Ordered by the Senate July 5  
Including Senate Amendments dated April 17 and July 5

Sponsored by Senator HASS, Representatives DEMBROW, READ, Senator BATES; Senators BEYER, STARR, STEINER HAYWARD, Representatives BENTZ, GELSER, JOHNSON (Presession 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.

*[Directs Oregon Student Access Commission and Department of Education to administer strategic investments to give students skills and resources to more quickly earn college credit and be more likely to be successful in post-secondary education. Directs Oregon Education Investment Board to develop for strategic investments timelines, performance measures and data requirements. Appropriates moneys to commission and department for purposes of making strategic investments.]*

Establishes Accelerated Learning Committee. Directs committee to examine methods to encourage and enable students to obtain college credits while still in high school. Sunsets committee on date of convening of 2015 regular session of Legislative Assembly.

Restricts additional courses that school district or public charter school may require student to complete for high school diploma.

Directs community college district to collaborate with interested school districts within boundaries of community college district to facilitate delivery of accelerated college credit program.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to accelerated college credit programs; creating new provisions; amending ORS 329.451 and  
3 341.450; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) The Accelerated Learning Committee is established.**

6 **(2) The committee consists of the following seven members:**

7 **(a) The Chief Education Officer.**

8 **(b) Six members appointed as follows:**

9 **(A) The President of the Senate shall appoint two members from among members of the**  
10 **Senate.**

11 **(B) The Speaker of the House of Representatives shall appoint two members from among**  
12 **members of the House of Representatives.**

13 **(C) The Governor shall appoint two members.**

14 **(3) The committee shall examine methods to encourage and enable students to obtain**  
15 **college credits while still in high school. The committee shall emphasize the alignment of**  
16 **funding, assessments and procedures between high schools and post-secondary institutions**  
17 **of higher education to encourage efficiencies and to make post-secondary education more**  
18 **affordable for families.**

19 **(4) A majority of the members of the committee constitutes a quorum for the transaction**  
20 **of business.**

21 **(5) Official action by the committee requires the approval of a majority of the members**

**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 of the committee.

2 (6) The committee shall elect one of its members to serve as chairperson.

3 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
4 ment to become immediately effective.

5 (8) The committee shall meet at times and places specified by the call of the chairperson  
6 or of a majority of the members of the committee.

7 (9) The committee may adopt rules necessary for the operation of the committee.

8 (10) The committee shall submit a report, and may include recommendations for legis-  
9 lation, to the interim legislative committees on education no later than October 1, 2014.

10 (11) The Oregon Education Investment Board shall provide staff support to the commit-  
11 tee.

12 (12) Notwithstanding ORS 171.072, members of the committee who are members of the  
13 Legislative Assembly are not entitled to mileage expenses or a per diem and serve as volun-  
14 teers on the committee. Other members of the committee are not entitled to compensation  
15 or reimbursement for expenses and serve as volunteers on the committee.

16 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist  
17 the committee in the performance of its duties and, to the extent permitted by laws relating  
18 to confidentiality, to furnish such information and advice as the members of the committee  
19 consider necessary to perform their duties.

20 **SECTION 2.** Section 1 of this 2013 Act is repealed on the date of the convening of the 2015  
21 regular session of the Legislative Assembly as specified in ORS 171.010.

22 **SECTION 3.** ORS 329.451 is amended to read:

23 329.451. (1)(a) At or before grade 12, a school district or public charter school shall award a high  
24 school diploma to a student who completes the requirements established by subsection (2) of this  
25 section.

26 (b) A school district or public charter school shall award a modified diploma to a student who  
27 satisfies the requirements established by subsection (6) of this section, an extended diploma to a  
28 student who satisfies the requirements established by subsection (7) of this section or an alternative  
29 certificate to a student who satisfies the requirements established by subsection (8) of this section.

30 (c) A school district or public charter school may not deny a student who has the documented  
31 history described in subsection (6)(b) or (7)(b) and (c) of this section the opportunity to pursue a  
32 diploma with more stringent requirements than a modified diploma or an extended diploma for the  
33 sole reason that the student has the documented history.

34 (d) A school district or public charter school may award a modified diploma or extended diploma  
35 to a student only upon receiving consent as provided by subsection (5) of this section.

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

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

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

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

42 (b) If a school district or public charter school requires a student to complete more than  
43 24 total credits, as provided by paragraph (a)(A) of this subsection, the school district or  
44 public charter school may only require the student to complete additional credits for:

45 (A) Subjects for which the State Board of Education has established academic content

1 **standards under ORS 329.045;**

2 **(B) Courses provided as part of a career and technical education program; or**

3 **(C) Courses that provide, or qualify to provide, credit at post-secondary institutions of**  
4 **education.**

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

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

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

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

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

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

18 (B) The student, if the student is 18 years of age or older or is emancipated pursuant to ORS  
19 419B.550 to 419B.558.

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

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

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

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

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

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

39 (A) Two credits of mathematics;

40 (B) Two credits of English;

41 (C) Two credits of science;

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

43 (E) One credit of health;

44 (F) One credit of physical education; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 age of the student.

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

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

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

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

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

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

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

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

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

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

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

32 **SECTION 4. (1) The amendments to ORS 329.451 by section 3 of this 2013 Act become**  
33 **operative July 1, 2015.**

34 **(2) The amendments to ORS 329.451 by section 3 of this 2013 Act first apply to students**  
35 **graduating on or after July 1, 2015.**

36 **SECTION 5.** ORS 341.450 is amended to read:

37 341.450. Every community college district shall encourage high school students to start early  
38 on a college education by:

39 (1) Implementing two-plus-two programs and other related programs[. *Each community college*  
40 *district shall make*] **and making** at least one such program available to each interested school dis-  
41 trict that is within the boundaries of the community college district.

42 **(2) Collaborating with interested school districts that are within the boundaries of the**  
43 **community college district to facilitate the delivery of two-plus-two programs and other re-**  
44 **lated programs.**

45 **SECTION 6.** ORS 341.450, as amended by section 5, chapter 639, Oregon Laws 2011, is amended

1 to read:

2 341.450. Every community college district shall encourage high school students to start early  
3 on a college education by:

4 (1) Implementing a dual credit program, a two-plus-two program or another accelerated college  
5 credit program[. *Each community college district shall make*] **and making** at least one such program  
6 available to each interested school district that is within the boundaries of the community college  
7 district.

8 (2) **Collaborating with interested school districts that are within the boundaries of the**  
9 **community college district to facilitate the delivery of a dual credit program, a two-plus-two**  
10 **program or other accelerated college credit program.**

11 **SECTION 7. This 2013 Act being necessary for the immediate preservation of the public**  
12 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
13 **on its passage.**

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