

# Senate Bill 222

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

Expands purposes for which grants awarded for accelerated college credit programs may be used.

Allows community colleges to award scholarships to students who are participating in accelerated college credit program.

Establishes requirement that, beginning July 1, 2019, students must have six credits that qualify for credit at post-secondary institution in order to receive high school diploma.

Directs Teacher Standards and Practices Commission to adopt rules to take into consideration teaching experience gained by teachers through accelerated college credit programs for purposes of issuing or renewing licenses and endorsements.

Appropriates moneys from General Fund to Department of Education for purpose of funding grant program.

Declares emergency, effective July 1, 2013.

## A BILL FOR AN ACT

1  
2 Relating to accelerated college credit programs; creating new provisions; amending ORS 329.451,  
3 340.300, 340.320 and 341.485; appropriating money; and declaring an emergency.

4 Whereas Oregon has embraced the goal of having, by 2025, at least 40 percent of adult  
5 Oregonians earn a bachelor's degree or higher, at least 40 percent of adult Oregonians earn an  
6 associate's degree or post-secondary credential, and the remaining 20 percent or less of all adult  
7 Oregonians earn a high school diploma, an extended diploma, a modified diploma or the equivalent  
8 of a high school diploma; and

9 Whereas studies show that students who earn college credit while in high school enroll in  
10 post-secondary institutions at higher rates than their peers; and

11 Whereas studies show that students who earn college credit while in high school succeed in  
12 post-secondary institutions at higher rates than their peers; and

13 Whereas studies show that students who earn college credit while in high school earn higher  
14 grade point averages at post-secondary institutions than their peers; and

15 Whereas the Oregon Education Investment Board, through the achievement compact process,  
16 encourages the acquisition of college credits while in high school; and

17 Whereas Oregon students are increasingly burdened with debt from loans for post-secondary  
18 institutions; and

19 Whereas reducing the time needed to earn a degree can make attending a post-secondary insti-  
20 tution more affordable for students and their families; and

21 Whereas there is a shortage of qualified teachers to provide instruction in accelerated college  
22 credit programs; now, therefore,

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

24 **SECTION 1.** ORS 340.300 is amended to read:

25 340.300. (1) As used in this section, "accelerated college credit programs" [*includes*] **means** dual

**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 credit programs, two-plus-two programs, advanced placement programs, [and] International  
 2 Baccalaureate programs, **early college programs, the Expanded Options Program and any other**  
 3 **programs through which high school students may earn college credit or become eligible to**  
 4 **earn college credit.**

5 (2) Each school district shall:

6 (a) Provide students in grades 9 through 12 with accelerated college credit programs including,  
 7 but not limited to, accelerated college credit programs related to English, mathematics and science;  
 8 or

9 (b) Ensure that students in grades 9 through 12 have online access to accelerated college credit  
 10 programs including, but not limited to, accelerated college credit programs related to English,  
 11 mathematics and science.

12 **SECTION 2.** ORS 340.320 is amended to read:

13 340.320. (1) As used in this section, “accelerated college credit programs” [includes] **means** dual  
 14 credit programs, two-plus-two programs, advanced placement programs, [and] International  
 15 Baccalaureate programs, **early college programs, the Expanded Options Program and any other**  
 16 **programs through which high school students may earn college credit or become eligible to**  
 17 **earn college credit.**

18 (2) The Department of Education shall administer a grant program that provides grants for the  
 19 purposes of:

20 (a) Providing education or training to teachers who will provide or are providing instruction in  
 21 accelerated college credit programs;

22 **(b) Recruiting and retaining teachers, including faculty from community colleges and**  
 23 **public universities, who will provide or are providing instruction in accelerated college credit**  
 24 **programs;**

25 **(c) Developing and maintaining partnerships between teachers at high schools and faculty**  
 26 **from community colleges and public universities for the purpose of providing instruction in**  
 27 **accelerated college credit programs;**

28 **(d) Providing professional development for teachers and faculty who provide instruction**  
 29 **in accelerated college credit programs;**

30 [(b)] **(e) Assisting students in paying for tuition, books, materials and other costs, other than**  
 31 **test fees, related to accelerated college credit programs; [and]**

32 [(c)] **(f) Providing classroom supplies for accelerated college credit programs[.]; and**

33 **(g) Providing technical expertise or supplies to increase the accessibility of college credit**  
 34 **programs.**

35 (3) Any school district, community college district or [state institution of higher education] **public**  
 36 **universities** in this state may individually or jointly apply for a grant under this section.

37 (4) If a grant is awarded for the purpose of providing education or training to teachers who will  
 38 provide or are providing instruction in an accelerated college credit program:

39 (a) The amount of the grant may not exceed one-third of the total cost of the education or  
 40 training; and

41 (b) The department may award the grant on the condition that the teacher, school district,  
 42 community college district and [state institution of higher education] **public university** pay the bal-  
 43 ance of the cost of the education or training in a proportion agreed to by the teacher, districts and  
 44 [institution] **university.**

45 (5) For the purposes described in subsection (2) of this section, the department may:

1 (a) Accept contributions of funds and assistance from the United States Government and its  
 2 agencies or from any other source, public or private, and agree to conditions placed on the funds  
 3 not inconsistent with the purposes of subsection (2) of this section; and

4 (b) Enter into agreements with school districts, community college districts and [*state institutions*  
 5 *of higher education*] **public universities** related to the funding to provide education or training to  
 6 teachers who will provide or are providing instruction in an accelerated college credit program.

7 (6) All funds received by the department under this section shall be paid into the Accelerated  
 8 College Credit Account established under ORS 340.330 to be used for the purposes described in  
 9 subsection (2) of this section.

10 **SECTION 3.** ORS 341.485 is amended to read:

11 341.485. (1) In addition to any other scholarships provided by law, the board **of education of a**  
 12 **community college district** may award tuition and fee-exempting scholarships in the college to  
 13 students **who are:**

14 (a) Applying for enrollment [*or who are*];

15 (b) Enrolled in the college[.]; **or**

16 (c) **Participating in an accelerated college credit program described in ORS 340.300.**

17 (2) **For students who are not participating in an accelerated college credit program,**  
 18 scholarships shall be awarded on the basis of the student's:

19 (a) Demonstrated ability to profit either from career and technical education or from college  
 20 transfer courses; and

21 (b) Need for financial assistance.

22 (3) In addition to the qualifications specified in subsection (2) of this section, the board awarding  
 23 the scholarship may prescribe qualifications that are of such nature that scholarships awarded under  
 24 this section will benefit both the student and the people of this state.

25 **SECTION 4.** ORS 329.451 is amended to read:

26 329.451. (1)(a) At or before grade 12, a school district or public charter school shall award a high  
 27 school diploma to a student who completes the requirements established by subsection (2) of this  
 28 section.

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

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

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

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

42 (a) Twenty-four total credits, **six credits of which must qualify for college credit at a post-**  
 43 **secondary institution;**

44 (b) Three credits of mathematics; and

45 (c) Four credits of English.

1 (3) 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 received consent as provided by subsection (5) of this section, the  
 4 school district or public charter school shall award a high school diploma to the student.

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

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

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

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

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

14 (B) The student, if the student is 18 years of age or older or is emancipated pursuant to ORS  
 15 419B.550 to 419B.558.

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

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

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

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

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

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

35 (A) Two credits of mathematics;

36 (B) Two credits of English;

37 (C) Two credits of science;

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

39 (E) One credit of health;

40 (F) One credit of physical education; and

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

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

45 (c)(A) Participate in an alternate assessment beginning no later than grade six and lasting for

1 two or more assessment cycles; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28 **SECTION 5. (1) The amendments to ORS 329.451 by section 4 of this 2013 Act become**  
29 **operative July 1, 2019.**

30 **(2) The amendments to ORS 329.451 by section 4 of this 2013 Act first apply to students**  
31 **graduating on or after July 1, 2019.**

32 **SECTION 6. Section 7 of this 2013 Act is added to and made a part of ORS chapter 342.**

33 **SECTION 7. (1) As used in this section, "accelerated college credit programs" has the**  
34 **meaning given that term in ORS 340.300.**

35 **(2) The Teacher Standards and Practices Commission shall adopt rules that, for purposes**  
36 **of issuing or renewing licenses and endorsements, take into consideration experience gained**  
37 **by teachers in relation to accelerated college credit programs, including teaching experience**  
38 **and experience from teaching partnerships.**

39 **SECTION 8. In addition to and not in lieu of any other appropriation, there is appropri-**  
40 **ated to the Department of Education, for the biennium beginning July 1, 2013, out of the**  
41 **General Fund, the amount of \$\_\_\_\_\_ , which shall be deposited in the Accelerated College**  
42 **Credit Account established under ORS 340.330.**

43 **SECTION 9. This 2013 Act being necessary for the immediate preservation of the public**  
44 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
45 **July 1, 2013.**

