

**PROPOSED AMENDMENTS TO
SENATE BILL 222**

1 On page 1 of the printed bill, line 3, after “340.300,” insert “340.310,”.

2 On page 3, delete lines 25 through 45 and delete pages 4 and 5.

3 On page 6, delete lines 1 through 27 and insert:

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

5 “329.451. (1)(a) At or before grade 12, a school district or public charter
6 school shall award a high school diploma to a student who completes the
7 requirements established by subsection (2) of this section.

8 “(b) A school district or public charter school shall award a modified di-
9 ploma to a student who satisfies the requirements established by subsection
10 (6) of this section, an extended diploma to a student who satisfies the re-
11 quirements established by subsection (7) of this section or an alternative
12 certificate to a student who satisfies the requirements established by sub-
13 section (8) of this section.

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

19 “(d) A school district or public charter school may award a modified di-
20 ploma or extended diploma to a student only upon receiving consent as pro-
21 vided by subsection (5) of this section.

22 “(2)(a) In order to receive a high school diploma from a school district

1 or public charter school, a student must satisfy the requirements established
2 by the State Board of Education and the school district or public charter
3 school and, 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[.]; **and**

7 **“(D) Six quarter credits at a post-secondary institution, or an**
8 **equivalent number of credits, or the coursework that could result in**
9 **the equivalent number of credits.**

10 **“(b) The credit requirements described in paragraph (a)(B) to (D)**
11 **of this subsection shall be counted toward the credit requirement de-**
12 **scribed in paragraph (a)(A) of this subsection.**

13 “(3) A student may satisfy the requirements of subsection (2) of this sec-
14 tion in less than four years. If a student satisfies the requirements of sub-
15 section (2) of this section and a school district or public charter school has
16 received consent as provided by subsection (5) of this section, the school
17 district or public charter school shall award a high school diploma to the
18 student.

19 “(4) If a school district or public charter school has received consent as
20 provided by subsection (5) of this section, the school district or public char-
21 ter school may advance the student to the next grade level if the student has
22 satisfied the requirements for the student’s current grade level.

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

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

26 “(i) Is under 18 years of age and is not emancipated pursuant to ORS
27 419B.550 to 419B.558; or

28 “(ii) Has been determined not to have the ability to give informed consent
29 regarding the student’s education pursuant to a protective proceeding under
30 ORS chapter 125; or

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

3 “(b) For the purpose of awarding a modified diploma or extended diploma
4 as provided by subsection (1)(d) of this section or of awarding a high school
5 diploma as provided by subsection (3) of this section, consent must be re-
6 ceived during the school year for which the diploma will be awarded.

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

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

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

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

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

26 “(A) Two credits of mathematics;

27 “(B) Two credits of English;

28 “(C) Two credits of science;

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

30 “(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
4 achievement due to significant learning and instructional barriers or have
5 a documented history of a medical condition that creates a barrier to
6 achievement; and

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

9 “(B) Have a serious illness or injury that occurs after grade eight, that
10 changes the student’s ability to participate in grade level activities and that
11 results in the student participating in alternate assessments.

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

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

19 “(a) Four years after starting grade nine; or

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

22 “(10)(a) A student may satisfy the requirements described in subsection
23 (6), (7) or (8) of this section in less than four years if consent is provided in
24 the manner described in subsection (5)(a) of this section.

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

30 “(c) A copy of all consents provided under this subsection for students in

1 a school district must be forwarded to the district superintendent.

2 “(d) Each school district must provide to the Superintendent of Public
3 Instruction information about the number of consents provided during a
4 school year.

5 “(11)(a) A student who receives a modified diploma, an extended diploma
6 or an alternative certificate shall:

7 “(A) Have the option of participating in a high school graduation cere-
8 mony with the class of the student; and

9 “(B) Have access to instructional hours, hours of transition services and
10 hours of other services that are designed to:

11 “(i) Meet the unique needs of the student; and

12 “(ii) When added together, provide a total number of hours of instruction
13 and services to the student that equals at least the total number of instruc-
14 tional hours that is required to be provided to students who are attending
15 a public high school.

16 “(b)(A) The number of instructional hours, hours of transition services
17 and hours of other services that are appropriate for a student shall be de-
18 termined by the student’s individualized education program team. Based on
19 the student’s needs and performance level, the student’s individualized edu-
20 cation program team may decide that the student will not access the total
21 number of hours of instruction and services to which the student has access
22 under paragraph (a)(B) of this subsection.

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

26 “(c) If a student’s individualized education program team decides that the
27 student will not access the total number of hours of instruction and services
28 to which the student has access under paragraph (a)(B) of this subsection,
29 the school district shall annually:

30 “(A) Provide the following information in writing to the parent or

1 guardian of the student:

2 “(i) The school district’s duty to comply with the requirements of para-
3 graph (a)(B) of this subsection; and

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

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

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

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

25 “(12) A school district or public charter school shall:

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

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

1 “(c) Beginning in grade five, annually provide information to the parents
2 or guardians of a student taking an alternate assessment of the availability
3 of a modified diploma, an extended diploma and an alternative certificate and
4 the requirements for the diplomas and certificate.”

5 On page 6, after line 38, insert:

6 **“SECTION 8.** ORS 340.310, as amended by section 10, chapter 104, Oregon
7 Laws 2012, is amended to read:

8 “340.310. (1) The Higher Education Coordinating Commission shall de-
9 velop statewide standards for dual credit programs to be implemented by
10 public high schools, community colleges and [*state institutions of higher ed-*
11 *ucation*] **public universities** within the Oregon University System.

12 **“(2)** The standards **developed as provided by this section** must establish
13 the manner by which:

14 **“(a)** A student may, upon completion of a course, earn course credit both
15 for high school and for a community college or [*state institution of higher*
16 *education*] **a public university** within the Oregon University System; and

17 **“(b)** Teachers of courses that are part of a dual credit program will work
18 together to determine the quality of the program and to ensure the alignment
19 of the content, objectives and outcomes of individual courses.

20 **“(3)** **In addition to the requirements of subsection (2) of this section,**
21 **the standards must prescribe the minimum qualifications that a**
22 **teacher employed by a school district must meet in order for a course**
23 **taught by the teacher to earn credit at a community college or a**
24 **public university within the Oregon University System. The standards**
25 **must require that a community college or a public university within**
26 **the Oregon University System award credits for courses taught by a**
27 **teacher who is licensed by the Teacher Standards and Practices Com-**
28 **mission and who has at least:**

29 **“(a)** **A baccalaureate degree in education and a master’s degree in**
30 **the subject for which the credits are awarded; or**

1 **“(b) A baccalaureate degree in the subject for which the credits are**
2 **awarded and a master’s degree in education.**

3 “[(2)] (4) Each public high school, community college and [*state institution*
4 *of higher education*] **public university** within the Oregon University System
5 that provides a dual credit program must implement the statewide standards
6 developed under subsection (1) of this section.

7 “[(3)] (5) Each school district, community college and [*state institution of*
8 *higher education*] **public university** within the Oregon University System
9 that provides a dual credit program shall submit an annual report to the
10 Higher Education Coordinating Commission on the academic performance
11 of students enrolled in a dual credit program. The Higher Education Coor-
12 dinating Commission shall establish the required contents of the report,
13 which must provide sufficient information to allow the commission to deter-
14 mine the quality of the dual credit program.”.

15 In line 39, delete “8” and insert “9”.

16 In line 43, delete “9” and insert “10”.

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