

SENATE AMENDMENTS TO SENATE BILL 1557

By COMMITTEE ON EDUCATION

February 15

- 1 On page 1 of the printed bill, delete lines 5 through 29 and delete pages 2 through 5 and insert:
2 “**SECTION 1.** ORS 341.499 is amended to read:
3 “341.499. (1) A student at a community college who is a member of the military, a member of
4 the commissioned corps of the National Oceanic and Atmospheric Administration or a member of
5 the Public Health Service of the United States Department of Health and Human Services detailed
6 by proper authority for duty with the Army or Navy of the United States and who is ordered to
7 federal or state active duty for more than 30 consecutive days has the following rights:
8 “(a) With regard to a course in which the student is enrolled and for which the student has paid
9 tuition and fees, the right to:
10 “(A) Withdraw from the course, subject to the provisions of subsection (2) of this section;
11 “(B) Receive a grade of incomplete and, upon release from active duty, complete the course in
12 accordance with the community college’s practice for completion of incomplete courses; or
13 “(C) Continue and complete the course for full credit, subject to the provisions of subsection (3)
14 of this section;
15 “(b) The right to a credit described in ORS 341.502 for all amounts paid for room, board, tuition
16 and fees;
17 “(c) If the student elects to withdraw from the community college, the right to be readmitted
18 and reenrolled at the community college within one year after release from active duty without a
19 requirement of redetermination of admission eligibility; and
20 “(d) The right to continuation of scholarships and grants awarded to the student that were
21 funded by the community college or the Office of Student Access and Completion before the student
22 was ordered to active duty. **The Higher Education Coordinating Commission may adopt rules**
23 **for the administration of this paragraph.**
24 “(2) If the student elects to withdraw from a course under subsection (1)(a)(A) of this section,
25 the community college may not:
26 “(a) Give the student academic credit for the course from which the student withdraws;
27 “(b) Give the student a failing grade or a grade of incomplete or make any other negative an-
28 notation on the student’s record; or
29 “(c) Alter the student’s grade point average due to the student’s withdrawal from the course.
30 “(3) A student who elects to continue and complete a course for full credit under subsection
31 (1)(a)(C) of this section is subject to the following conditions:
32 “(a) Course sessions the student misses due to active duty shall be counted as excused absences
33 and may not adversely impact the student’s grade for the course or rank in the student’s class.
34 “(b) The student may not be automatically excused from completing course assignments due
35 during the period the student serves on active duty.

1 “(c) A letter grade or a grade of pass may be awarded only if, in the opinion of the teacher of
2 the course, the student completes sufficient work and demonstrates sufficient progress toward
3 meeting course requirements to justify the grade.

4 “(4) If a student at a community college who is a member of the military, a member of
5 the commissioned corps of the National Oceanic and Atmospheric Administration or a
6 member of the Public Health Service of the United States Department of Health and Human
7 Services detailed by proper authority for duty with the Army or Navy of the United States
8 is ordered to federal or state active duty for 30 or fewer consecutive days and misses a
9 course session, assignment, examination or other course work due to serving on active duty
10 or receiving medical treatment for an injury sustained on active duty:

11 “(a)(A) In accordance with a policy or practice of the community college for excused
12 absences, the student may complete any missed course assignment, examination or other
13 course work after the student has returned from active duty or medical treatment and has
14 been provided a reasonable amount of time to complete the assignment or other course work
15 or prepare for and take the examination; or

16 “(B) The teacher may award a letter grade or grade of pass without requiring the student
17 to complete the missed assignment, examination or other course work if the teacher deter-
18 mines that the student has completed sufficient work and demonstrated sufficient progress
19 toward meeting course requirements to justify the student’s grade without completion of the
20 missed assignment, examination or other course work;

21 “(b) The student’s grade may not be adversely impacted solely due to the late completion
22 of an assignment, examination or other course work if the assignment, examination or other
23 course work is timely completed under the provisions of paragraph (a)(A) of this subsection;
24 and

25 “(c) Course sessions the student misses due to active duty or medical treatment shall
26 be counted as excused absences and may not adversely impact the student’s grade for the
27 course or rank in the student’s class.

28 “[4] (5) Boards of education of community college districts shall adopt rules for the adminis-
29 tration of this section.

30 “(6) Nothing in this section prevents a community college from providing rights in addi-
31 tion to those provided in this section to students who are ordered to federal or state active
32 duty.

33 “[5] (7) As used in this section, ‘member of the military’ means a person who is a member of:

34 “(a) The Oregon National Guard or the National Guard of any other state or territory; or

35 “(b) The reserves of the Army, Navy, Air Force, Marine Corps or Coast Guard of the United
36 States.

37 “**SECTION 2.** ORS 352.293 is amended to read:

38 “352.293. (1) A student at a public university listed in ORS 352.002 who is a member of the
39 military, a member of the commissioned corps of the National Oceanic and Atmospheric Adminis-
40 tration or a member of the Public Health Service of the United States Department of Health and
41 Human Services detailed by proper authority for duty with the Army or Navy of the United States
42 and who is ordered to federal or state active duty for more than 30 consecutive days has the fol-
43 lowing rights:

44 “(a) With regard to a course in which the student is enrolled and for which the student has paid
45 tuition and fees, the right to:

1 “(A) Withdraw from the course, subject to the provisions of subsection (2) of this section;

2 “(B) Receive a grade of incomplete and, upon release from active duty, complete the course in

3 accordance with the practice of the public university for completion of incomplete courses; or

4 “(C) Continue and complete the course for full credit, subject to the provisions of subsection (3)

5 of this section;

6 “(b) The right to a credit described in ORS 352.296 for all amounts paid for room, board, tuition

7 and fees;

8 “(c) If the student elects to withdraw from the public university, the right to be readmitted and

9 reenrolled at the public university within one year after release from active duty without a re-

10 quirement of redetermination of admission eligibility; and

11 “(d) The right to continuation of scholarships and grants awarded to the student that were

12 funded by the public university or the Higher Education Coordinating Commission before the stu-

13 dent was ordered to active duty. **The commission may adopt rules for the administration of this**

14 **paragraph.**

15 “(2) If the student elects to withdraw from a course under subsection (1)(a)(A) of this section,

16 the public university may not:

17 “(a) Give the student academic credit for the course from which the student withdraws;

18 “(b) Give the student a failing grade or a grade of incomplete or make any other negative an-

19 notation on the student’s record; or

20 “(c) Alter the student’s grade point average due to the student’s withdrawal from the course.

21 “(3) A student who elects to continue and complete a course for full credit under subsection

22 (1)(a)(C) of this section is subject to the following conditions:

23 “(a) Course sessions the student misses due to active duty shall be counted as excused absences

24 and may not adversely impact the student’s grade for the course or rank in the student’s class.

25 “(b) The student may not be automatically excused from completing course assignments due

26 during the period the student serves on active duty.

27 “(c) A letter grade or a grade of pass may be awarded only if, in the opinion of the teacher of

28 the course, the student completes sufficient work and demonstrates sufficient progress toward

29 meeting course requirements to justify the grade.

30 “(4) **If a student at a public university listed in ORS 352.002 who is a member of the**

31 **military, a member of the commissioned corps of the National Oceanic and Atmospheric**

32 **Administration or a member of the Public Health Service of the United States Department**

33 **of Health and Human Services detailed by proper authority for duty with the Army or Navy**

34 **of the United States is ordered to federal or state active duty for 30 or fewer consecutive**

35 **days and misses a course session, assignment, examination or other course work due to**

36 **servicing on active duty or receiving medical treatment for an injury sustained on active duty:**

37 “(a)(A) **In accordance with a policy or practice of the public university for excused ab-**

38 **sences, the student may complete any missed course assignment, examination or other**

39 **course work after the student has returned from active duty or medical treatment and has**

40 **been provided a reasonable amount of time to complete the assignment or other course work**

41 **or prepare for and take the examination; or**

42 “(B) **The teacher may award a letter grade or grade of pass without requiring the student**

43 **to complete the missed assignment, examination or other course work if the teacher deter-**

44 **mines that the student has completed sufficient work and demonstrated sufficient progress**

45 **toward meeting course requirements to justify the student’s grade without completion of the**

1 missed assignment, examination or other course work;

2 “(b) The student’s grade may not be adversely impacted solely due to the late completion
3 of an assignment, examination or other course work if the assignment, examination or other
4 course work is timely completed under the provisions of paragraph (a)(A) of this subsection;
5 and

6 “(c) Course sessions the student misses due to active duty or medical treatment shall
7 be counted as excused absences and may not adversely impact the student’s grade for the
8 course or rank in the student’s class.

9 “[4] (5) The Higher Education Coordinating Commission and the governing board of a public
10 university listed in ORS 352.002 shall adopt standards for the administration of this section.

11 “(6) Nothing in this section prevents a public university from providing rights in addition
12 to those provided in this section to students who are ordered to federal or state active duty.

13 “[5] (7) As used in this section, ‘member of the military’ means a person who is a member of:

14 “(a) The Oregon National Guard or the National Guard of any other state or territory; or

15 “(b) The reserves of the Army, Navy, Air Force, Marine Corps or Coast Guard of the United
16 States.

17 “**SECTION 3.** ORS 353.200 is amended to read:

18 “353.200. (1) A student at the Oregon Health and Science University who is a member of the
19 military, a member of the commissioned corps of the National Oceanic and Atmospheric Adminis-
20 tration or a member of the Public Health Service of the United States Department of Health and
21 Human Services detailed by proper authority for duty with the Army or Navy of the United States
22 and who is ordered to federal or state active duty for more than 30 consecutive days has the fol-
23 lowing rights:

24 “(a) With regard to a course in which the student is enrolled and for which the student has paid
25 tuition and fees, the right to:

26 “(A) Withdraw from the course, subject to the provisions of subsection (2) of this section;

27 “(B) Receive a grade of incomplete and, upon release from active duty, complete the course in
28 accordance with the practice of the university for completion of incomplete courses; or

29 “(C) Continue and complete the course for full credit, subject to the provisions of subsection (3)
30 of this section;

31 “(b) The right to a credit described in ORS 353.202 for all amounts paid for room, board, tuition
32 and fees;

33 “(c) If the student elects to withdraw from the university, the right to be readmitted and
34 reenrolled at the university within one year after release from active duty without a requirement
35 of redetermination of admission eligibility; and

36 “(d) The right to continuation of scholarships and grants awarded to the student that were
37 funded by the university or the Higher Education Coordinating Commission before the student was
38 ordered to active duty. **The commission may adopt rules for the administration of this para-**
39 **graph.**

40 “(2) If the student elects to withdraw from a course under subsection (1)(a)(A) of this section,
41 the university may not:

42 “(a) Give the student academic credit for the course from which the student withdraws;

43 “(b) Give the student a failing grade or a grade of incomplete or make any other negative an-
44 notation on the student’s record; or

45 “(c) Alter the student’s grade point average due to the student’s withdrawal from the course.

1 “(3) A student who elects to continue and complete a course for full credit under subsection
2 (1)(a)(C) of this section is subject to the following conditions:

3 “(a) Course sessions the student misses due to active duty shall be counted as excused absences
4 and may not adversely impact the student’s grade for the course or rank in the student’s class.

5 “(b) The student may not be automatically excused from completing course assignments due
6 during the period the student serves on active duty.

7 “(c) A letter grade or a grade of pass may be awarded only if, in the opinion of the teacher of
8 the course, the student completes sufficient work and demonstrates sufficient progress toward
9 meeting course requirements to justify the grade.

10 “(4) **If a student at the university who is a member of the military, a member of the**
11 **commissioned corps of the National Oceanic and Atmospheric Administration or a member**
12 **of the Public Health Service of the United States Department of Health and Human Services**
13 **detailed by proper authority for duty with the Army or Navy of the United States is ordered**
14 **to federal or state active duty for 30 or fewer consecutive days and misses a course session,**
15 **assignment, examination or other course work due to serving on active duty or receiving**
16 **medical treatment for an injury sustained on active duty:**

17 “(a)(A) **In accordance with a policy or practice of the university for excused absences,**
18 **the student may complete any missed course assignment, examination or other course work**
19 **after the student has returned from active duty or medical treatment and has been provided**
20 **a reasonable amount of time to complete the assignment or other course work or prepare**
21 **for and take the examination; or**

22 “(B) **The teacher may award a letter grade or grade of pass without requiring the student**
23 **to complete the missed assignment, examination or other course work if the teacher deter-**
24 **mines that the student has completed sufficient work and demonstrated sufficient progress**
25 **toward meeting course requirements to justify the student’s grade without completion of the**
26 **missed assignment, examination or other course work;**

27 “(b) **The student’s grade may not be adversely impacted solely due to the late completion**
28 **of an assignment, examination or other course work if the assignment, examination or other**
29 **course work is timely completed under the provisions of paragraph (a)(A) of this subsection;**
30 **and**

31 “(c) **Course sessions the student misses due to active duty or medical treatment shall**
32 **be counted as excused absences and may not adversely impact the student’s grade for the**
33 **course or rank in the student’s class.**

34 “[4] (5) **The Oregon Health and Science University Board of Directors shall adopt rules for the**
35 **administration of this section.**

36 “(6) **Nothing in this section prevents the university from providing rights in addition to**
37 **those provided in this section to students who are ordered to federal or state active duty.**

38 “[5] (7) **As used in this section, ‘member of the military’ means a person who is a member of:**

39 “(a) **The Oregon National Guard or the National Guard of any other state or territory; or**

40 “(b) **The reserves of the Army, Navy, Air Force, Marine Corps or Coast Guard of the United**
41 **States.**

42 “**SECTION 4. The amendments to ORS 341.499, 352.293 and 353.200 by sections 1 to 3 of**
43 **this 2018 Act first apply to students who are ordered to active duty after the beginning of**
44 **the 2018-2019 academic year.**

45 “**SECTION 5. This 2018 Act being necessary for the immediate preservation of the public**

1 **peace, health and safety, an emergency is declared to exist, and this 2018 Act takes effect**
2 **on its passage.”**

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