

SB 1557-1
(LC 37)
2/8/18 (DRG/ps)

Requested by Senator THATCHER

**PROPOSED AMENDMENTS TO
SENATE BILL 1557**

1 On page 1 of the printed bill, delete lines 5 through 29 and delete pages
2 2 through 5 and insert:

3 **“SECTION 1.** ORS 341.499 is amended to read:

4 “341.499. (1) A student at a community college who is a member of the
5 military, a member of the commissioned corps of the National Oceanic and
6 Atmospheric Administration or a member of the Public Health Service of the
7 United States Department of Health and Human Services detailed by proper
8 authority for duty with the Army or Navy of the United States and who is
9 ordered to federal or state active duty for more than 30 consecutive days has
10 the following rights:

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

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

15 “(B) Receive a grade of incomplete and, upon release from active duty,
16 complete the course in accordance with the community college’s practice for
17 completion of incomplete courses; or

18 “(C) Continue and complete the course for full credit, subject to the pro-
19 visions of subsection (3) of this section;

20 “(b) The right to a credit described in ORS 341.502 for all amounts paid
21 for room, board, tuition and fees;

1 “(c) If the student elects to withdraw from the community college, the
2 right to be readmitted and reenrolled at the community college within one
3 year after release from active duty without a requirement of redetermination
4 of admission eligibility; and

5 “(d) The right to continuation of scholarships and grants awarded to the
6 student that were funded by the community college or the Office of Student
7 Access and Completion before the student was ordered to active duty.

8 “(2) If the student elects to withdraw from a course under subsection
9 (1)(a)(A) of this section, the community college may not:

10 “(a) Give the student academic credit for the course from which the stu-
11 dent withdraws;

12 “(b) Give the student a failing grade or a grade of incomplete or make
13 any other negative annotation on the student’s record; or

14 “(c) Alter the student’s grade point average due to the student’s with-
15 drawal from the course.

16 “(3) A student who elects to continue and complete a course for full credit
17 under subsection (1)(a)(C) of this section is subject to the following condi-
18 tions:

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

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

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

28 “(4) **If a student at a community college who is a member of the**
29 **military, a member of the commissioned corps of the National Oceanic**
30 **and Atmospheric Administration or a member of the Public Health**

1 **Service of the United States Department of Health and Human Ser-**
2 **vices detailed by proper authority for duty with the Army or Navy of**
3 **the United States is ordered to federal or state active duty for 30 or**
4 **fewer consecutive days and misses a course session, assignment, ex-**
5 **amination or other course work due to serving on active duty or re-**
6 **ceiving medical treatment for an injury sustained on active duty:**

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

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

20 **“(b) The student’s grade may not be adversely impacted solely due**
21 **to the late completion of an assignment, examination or other course**
22 **work if the assignment, examination or other course work is timely**
23 **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 med-**
26 **ical treatment shall be counted as excused absences and may not ad-**
27 **versely impact the student’s grade for the course or rank in the**
28 **student’s class.**

29 **“[(4)] (5) Boards of education of community college districts shall adopt**
30 **rules for the administration of this section.**

1 **“(6) Nothing in this section prevents a community college from**
2 **providing rights in addition to those provided in this section to stu-**
3 **dents who are ordered to federal or state active duty.**

4 “[(5)] (7) As used in this section, ‘member of the military’ means a person
5 who is a member of:

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

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

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

11 “352.293. (1) A student at a public university listed in ORS 352.002 who
12 is a member of the military, a member of the commissioned corps of the
13 National Oceanic and Atmospheric Administration or a member of the Public
14 Health Service of the United States Department of Health and Human Ser-
15 vices detailed by proper authority for duty with the Army or Navy of the
16 United States and who is ordered to federal or state active duty for more
17 than 30 consecutive days has the following rights:

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

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

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

25 “(C) Continue and complete the course for full credit, subject to the pro-
26 visions of subsection (3) of this section;

27 “(b) The right to a credit described in ORS 352.296 for all amounts paid
28 for room, board, tuition and fees;

29 “(c) If the student elects to withdraw from the public university, the right
30 to be readmitted and reenrolled at the public university within one year after

1 release from active duty without a requirement of redetermination of admis-
2 sion eligibility; and

3 “(d) The right to continuation of scholarships and grants awarded to the
4 student that were funded by the public university or the Higher Education
5 Coordinating Commission before the student was ordered to active duty.

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

8 “(a) Give the student academic credit for the course from which the stu-
9 dent withdraws;

10 “(b) Give the student a failing grade or a grade of incomplete or make
11 any other negative annotation on the student’s record; or

12 “(c) Alter the student’s grade point average due to the student’s with-
13 drawal from the course.

14 “(3) A student who elects to continue and complete a course for full credit
15 under subsection (1)(a)(C) of this section is subject to the following condi-
16 tions:

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

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

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

26 “(4) **If a student at a public university listed in ORS 352.002 who is**
27 **a member of the military, a member of the commissioned corps of the**
28 **National Oceanic and Atmospheric Administration or a member of the**
29 **Public Health Service of the United States Department of Health and**
30 **Human Services detailed by proper authority for duty with the Army**

1 or Navy of the United States is ordered to federal or state active duty
2 for 30 or fewer consecutive days and misses a course session, assign-
3 ment, examination or other course work due to serving on active duty
4 or receiving medical treatment for an injury sustained on active duty:

5 “(a)(A) In accordance with a policy or practice of the public uni-
6 versity for excused absences, the student may complete any missed
7 course assignment, examination or other course work after the stu-
8 dent has returned from active duty or medical treatment and has been
9 provided a reasonable amount of time to complete the assignment or
10 other course work or prepare for and take the examination; or

11 “(B) The teacher may award a letter grade or grade of pass without
12 requiring the student to complete the missed assignment, examination
13 or other course work if the teacher determines that the student has
14 completed sufficient work and demonstrated sufficient progress toward
15 meeting course requirements to justify the student’s grade without
16 completion of the missed assignment, examination or other course
17 work;

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

23 “(c) Course sessions the student misses due to active duty or med-
24 ical treatment shall be counted as excused absences and may not ad-
25 versely impact the student’s grade for the course or rank in the
26 student’s class.

27 “[~~(4)~~] (5)(a) [*The Higher Education Coordinating Commission and*] The
28 governing board of a public university listed in ORS 352.002 shall adopt
29 standards for the administration of this section; and

30 “(b) The commission shall adopt rules for the administration of this

1 **section.**

2 “(6) Nothing in this section prevents a public university from pro-
3 viding rights in addition to those provided in this section to students
4 who are ordered to federal or state active duty.

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

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

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

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

12 “353.200. (1) A student at the Oregon Health and Science University who
13 is a member of the military, a member of the commissioned corps of the
14 National Oceanic and Atmospheric Administration or a member of the Public
15 Health Service of the United States Department of Health and Human Ser-
16 vices detailed by proper authority for duty with the Army or Navy of the
17 United States and who is ordered to federal or state active duty for more
18 than 30 consecutive days has the following rights:

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

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

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

26 “(C) Continue and complete the course for full credit, subject to the pro-
27 visions of subsection (3) of this section;

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

30 “(c) If the student elects to withdraw from the university, the right to be

1 readmitted and reenrolled at the university within one year after release
2 from active duty without a requirement of redetermination of admission el-
3 igibility; and

4 “(d) The right to continuation of scholarships and grants awarded to the
5 student that were funded by the university or the Higher Education Coordi-
6 nating Commission before the student was ordered to active duty.

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

9 “(a) Give the student academic credit for the course from which the stu-
10 dent withdraws;

11 “(b) Give the student a failing grade or a grade of incomplete or make
12 any other negative annotation on the student’s record; or

13 “(c) Alter the student’s grade point average due to the student’s with-
14 drawal from the course.

15 “(3) A student who elects to continue and complete a course for full credit
16 under subsection (1)(a)(C) of this section is subject to the following condi-
17 tions:

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

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

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

27 **“(4) If a student at the university who is a member of the military,**
28 **a member of the commissioned corps of the National Oceanic and At-**
29 **mospheric Administration or a member of the Public Health Service**
30 **of the United States Department of Health and Human Services de-**

1 **tailed by proper authority for duty with the Army or Navy of the**
2 **United States is ordered to federal or state active duty for 30 or fewer**
3 **consecutive days and misses a course session, assignment, examina-**
4 **tion or other course work due to serving on active duty or receiving**
5 **medical treatment for an injury sustained on active duty:**

6 **“(a)(A) In accordance with a policy or practice of the university for**
7 **excused absences, the student may complete any missed course as-**
8 **ignment, examination or other course work after the student has re-**
9 **turned from active duty or medical treatment and has been provided**
10 **a reasonable amount of time to complete the assignment or other**
11 **course work or prepare for and take the examination; or**

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

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

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

28 **“[(4)] (5) The Oregon Health and Science University Board of Directors**
29 **shall adopt rules for the administration of this section.**

30 **“(6) Nothing in this section prevents the university from providing**

1 **rights in addition to those provided in this section to students who are**
2 **ordered to federal or state active duty.**

3 “[5] (7) As used in this section, ‘member of the military’ means a person
4 who is a member of:

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

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

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

12 **“SECTION 5. This 2018 Act being necessary for the immediate**
13 **preservation of the public peace, health and safety, an emergency is**
14 **declared to exist, and this 2018 Act takes effect on its passage.”.**

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