



Oregon  
Tina Kotek, Governor



OREGON  
DEPARTMENT OF  
EDUCATION

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**Colt Gill**

Director of the Department of Education

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**TO: Chair Dembrow & Members of the Senate Education Committee**

**DATE: Mar 16, 2023**

**FROM: Zoe Larmer, Government Relations Director**

**RE: Question posed around SB 992**

Chair Dembrow and Members of the Senate Education Committee,

Thank you so much for the opportunity to discuss SB 992, which focuses on student transcripts, modified credits, and certificates of attendance requirements. We are happy to continue providing information and collaborating with you for the benefit of all Oregon students. If you need further clarification, please don't hesitate to contact me.

With gratitude,  
Zoe Larmer

**Question: As drafted, does the bill impact our current graduation framework? What impact would it have on the modified diploma?**

***Response:***

Oregon must meet Federal requirements related to diplomas. States may exceed these requirements, but cannot conflict with them. Oregon's current diploma options (Oregon Diploma, Modified Oregon Diploma, and Extended Diploma) function cohesively due to the determination that a Modified Oregon Diploma is "substantially similar" to the Oregon Diploma. As presently drafted, SB 992 is likely to result in unintended consequences for Oregon's diploma options, particularly impacting students pursuing Modified Diplomas. By defining modification, modified course, modified credit, and substantially modified; defining the Oregon diploma and standard credit; and adding prescribed opportunities for students to demonstrate mastery of standard course material, SB 992 distinctly changes a Modified Diploma, making its requirements less stringent than an Oregon Diploma.

Consequently, the bill significantly alters Oregon's current graduation framework by eliminating the substantial similarity between the Modified Oregon Diploma and the Oregon Diploma, which has allowed the former to be considered a regular diploma for graduation purposes. A Modified Diploma no longer being regarded as a regular diploma – as it would be under SB 992 due to the considerable changes to modifying credit requirements – could affect students' post-school options, including



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eligibility for federal student aid. Under the current framework, in effect, Oregon uses both the Oregon Diploma and the Modified Diploma as a regular diploma, and the Extended Diploma as the alternative diploma. When the Elementary and Secondary Education Act was reauthorized as the Every Student Succeeds Act, requirements related to diploma options changed.

The Every Student Succeeds Act establishes two types of diplomas: a regular diploma and an alternative diploma. States set the specific requirements for their regular and alternative diplomas.

The federal government defines a regular high school diploma as:

*...the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E) of the ESEA. A regular high school diploma does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential. 34 CFR § 300.102(a)(3)(iv)*

Under federal guidelines, states can also issue “alternative diplomas” for students with the most significant cognitive disabilities. These alternative diplomas are intended to be aligned to alternate academic achievement standards, which are assessed using an alternate assessment (in Oregon, the Extended Assessment).

Federal guidance related to alternative diplomas defines them as follows:

in accordance with Section 8101(23) and (25) of the ESEA, as amended by the ESSA, which states that it must be (1) standards-based, (2) aligned with the State/entity requirements for the regular high school diploma; and (3) obtained within the time period for which the State/entity ensures the availability of a free appropriate public education under section 612(a)(1) of the Individuals with Disabilities Education Act (IDEA). Only students with the most significant cognitive disabilities assessed using the alternate assessment aligned to alternate academic achievement standards under section 1111(b)(2)(D) are eligible for the State-defined alternate diploma. ([OSEP](#), 2020, p. 4)



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Though states have significant latitude to define diploma options for their students, a Modified Oregon diploma, especially as proposed under SB 992, does not meet what the federal government calls a “regular high school diploma” nor an “alternative diploma.”

ODE believes the legislative intent of SB 992 is to establish clear boundaries for modified credit instruction and assessment changes, focusing on minimal rather than maximum levels of modification. As currently written, the bill may significantly impact the determination that a Modified Diploma is “substantially similar” to an Oregon Diploma. To better align with the bill’s intent, suggestions include:

- Consider aligning the definitions of accommodation and modification with current rules and guidance (e.g., [Oregon Accessibility Manual](#) (see Section 1.2 on page 9)).
- Consider clearly aligning the modifications definition to outcomes and not Universal Design for Learning (UDL) or course presentation, as it is only modification of outcomes that impact whether or not a credit is a modified credit.
- Consider defining the maximum level of modification that would count towards a modified course credit.

### **Question: What is the significance of a certification of attendance?**

#### ***Response:***

A Certificate of Attendance is a document that acknowledges a student’s participation in an educational program, event, or course. It signifies that the student was present and engaged in the learning process but does not necessarily indicate that they achieved a specific level of academic proficiency or mastery.

In the context of high school education, a Certificate of Attendance may be issued to students who do not meet the requirements for an Oregon Diploma, Modified Oregon Diploma, or Extended Oregon Diploma due to various reasons. While a Certificate of Attendance acknowledges a student’s involvement in their education, it is not equivalent to a high school diploma and may have limited value when it comes to post-secondary education or employment opportunities.

It is essential to recognize that a Certificate of Attendance may impact a student’s future prospects, as many colleges, universities, and employers require a high school diploma or its equivalent, such as a GED, for admission or employment. Additionally, a Certificate of Attendance may affect a student’s eligibility for financial aid or scholarships, as many programs require a high school diploma or its equivalent as a prerequisite.