

# House Bill 4137

Sponsored by Representatives REYNOLDS, ANDERSEN, DEXTER, PHAM H; Representatives BOWMAN, CRAMER, GOMBERG, HARTMAN, MANNIX, NATHANSON, NOSSE, WRIGHT, Senators DEMBROW, KNOPP, MEEK, PATTERSON (Presession 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Allows a student who has finished an IB program to not have to meet some requirements for a high school diploma. (Flesch Readability Score: 64.6).

Directs the State Board of Education to adopt rules by which a student who has completed an International Baccalaureate program may satisfy certain requirements for a high school diploma in this state.

## A BILL FOR AN ACT

1  
2 Relating to high school diploma requirements; amending ORS 329.451.

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

4 **SECTION 1.** ORS 329.451 is amended to read:

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

8 (b) A school district or public charter school shall award a modified diploma to a student who  
9 satisfies the requirements established by subsection (7) of this section, an extended diploma to a  
10 student who satisfies the requirements established by subsection (8) of this section or a certificate  
11 of attendance to a student who satisfies the requirements established by subsection (9) of this sec-  
12 tion.

13 (c) A school district or public charter school may not deny a student who has the documented  
14 history described in subsection (7)(b) or (8)(b) of this section the opportunity to pursue a diploma  
15 with more stringent requirements than a modified diploma or an extended diploma.

16 (d) A school district or public charter school may award a modified diploma or extended diploma  
17 to a student only upon receiving consent as provided by subsection (6) of this section.

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

21 (A) Twenty-four total credits;

22 (B) Three credits of mathematics; and

23 (C) Four credits of language arts.

24 (b) If a school district or public charter school requires a student to complete more than 24 total  
25 credits, as provided by paragraph (a)(A) of this subsection, the school district or public charter  
26 school may only require the student to complete additional credits for:

27 (A) Subjects for which the State Board of Education has established academic content standards  
28 under ORS 329.045;

**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 (B) Courses provided as part of a career and technical education program; or

2 (C) Courses that provide, or qualify to provide, credit at post-secondary institutions of education.

3 (c)(A) A school district or public charter school that requires students to satisfy any require-  
 4 ments not specified by paragraph (a) of this subsection or by rule of the State Board of Education  
 5 must grant to a student a waiver of the requirements established by the school district or public  
 6 charter school if the student is or, at any time from grade 9 to 12, was:

7 (i) A foster child, as defined in ORS 30.297;

8 (ii) Homeless, as determined under rules adopted by the State Board of Education based on  
 9 standards adopted by the Department of Human Services;

10 (iii) A runaway, as determined under rules adopted by the State Board of Education based on  
 11 standards adopted by the Department of Human Services;

12 (iv) A child in a military family covered by the Interstate Compact on Educational Opportunity  
 13 for Military Children, as determined under rules adopted by the State Board of Education;

14 (v) A child of a migrant worker, as determined under rules adopted by the State Board of Edu-  
 15 cation;

16 (vi) Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education  
 17 Program; or

18 (vii) Enrolled in an approved recovery school under ORS 336.680.

19 (B)(i) For any student identified under subparagraph (A) of this paragraph, a school district or  
 20 public charter school must accept any credits earned by the student in an educational program in  
 21 this state and apply those credits toward requirements specified by paragraph (a) of this subsection  
 22 or by rule of the State Board of Education if the credits satisfied those requirements in that edu-  
 23 cational program in this state.

24 (ii) As used in this subparagraph, “educational program in this state” means an educational  
 25 program that is:

26 (I) Provided by a school district, a public charter school, an approved recovery school, the  
 27 Youth Corrections Education Program or the Juvenile Detention Education Program; or

28 (II) Funded as provided by ORS 343.243 for students in a long term care or treatment facility  
 29 described in ORS 343.961 or a hospital identified in ORS 343.261.

30 **(d)(A) The State Board of Education shall adopt rules by which a student who has com-  
 31 pleted an International Baccalaureate program may satisfy the credit requirements pre-  
 32 scribed by paragraph (a) of this subsection and any or all of the requirements established  
 33 by rule of the State Board of Education under paragraph (a) of this subsection. The rules:**

34 **(i) Must provide that the student has satisfied those requirements if the student has  
 35 satisfied:**

36 **(I) All of the requirements for an International Baccalaureate Diploma Programme or  
 37 an International Baccalaureate Career-related Programme; and**

38 **(II) Any other requirements prescribed by the board by rule for a student who has com-  
 39 pleted an International Baccalaureate program.**

40 **(ii) May provide that, only for the purpose of satisfying requirements as provided by this  
 41 paragraph, a person who is not an external International Baccalaureate examiner may grade  
 42 assessments or examinations for either program.**

43 **(B) Nothing in this paragraph prohibits a school district or public charter school from  
 44 establishing requirements that are in addition to the credit requirements prescribed by par-  
 45 agraph (a) of this subsection or any requirements established by rule under paragraph (a)**

1 **of this subsection or subparagraph (A) of this paragraph.**

2 **(C) When establishing requirements under this paragraph, the board or a school district**  
 3 **or public charter school shall attempt not to establish requirements that may discourage**  
 4 **access to or participation in the International Baccalaureate program.**

5 (3) A student providing work samples to demonstrate proficiency in Essential Learning Skills  
 6 as may be required under subsection (2) of this section must be allowed to use accommodations de-  
 7 scribed in the student’s individualized education program or the student’s plan developed in ac-  
 8 cordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794. As used in this  
 9 subsection, the term “accommodations”:

10 (a) Includes, but is not limited to:

11 (A) Additional time to demonstrate proficiency.

12 (B) The ability to demonstrate proficiency in an alternative location that is secure and  
 13 proctored.

14 (C) The use of text-to-speech or speech-to-text technology or other assistive technology.

15 (b) Does not include modifications that lower the proficiency standards or that are used solely  
 16 to earn modified credit.

17 (4) A student may satisfy the requirements of subsection (2) of this section in less than four  
 18 years. If a student satisfies the requirements of subsection (2) of this section and a school district  
 19 or public charter school has received consent as provided by subsection (6) of this section, the  
 20 school district or public charter school shall award a high school diploma to the student.

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

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

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

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

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

30 (B) The student, if the student is 18 years of age or older or is emancipated pursuant to ORS  
 31 419B.550 to 419B.558.

32 (b) For the purpose of awarding a modified diploma or extended diploma as provided by sub-  
 33 section (1)(d) of this section or of awarding a high school diploma as provided by subsection (4) of  
 34 this section, consent must be received during the school year for which the diploma will be awarded.

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

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

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

44 (8) A school district or public charter school shall award an extended diploma only to students  
 45 who have demonstrated the inability to meet the full set of academic content standards for a high

1 school diploma with reasonable modifications and accommodations. To be eligible for an extended  
2 diploma, a student must:

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

- 6 (A) Two credits of mathematics;
- 7 (B) Two credits of language arts;
- 8 (C) Two credits of science;
- 9 (D) Three credits of history, geography, economics or civics;
- 10 (E) One credit of health;
- 11 (F) One credit of physical education; and
- 12 (G) One credit of the arts or a world language; and

13 (b) Have a documented history of:

14 (A) An inability to maintain grade level achievement due to significant learning and instruc-  
15 tional barriers;

16 (B) A medical condition that creates a barrier to achievement; or

17 (C) A change in the student's ability to participate in grade level activities as a result of a se-  
18 rious illness or injury that occurred after grade eight.

19 (9) A school district or public charter school shall award a certificate of attendance to a student  
20 who does not satisfy the requirements for a high school diploma, a modified diploma or an extended  
21 diploma if the student has maintained regular full-time attendance for at least four years beginning  
22 in grade nine and meets requirements established by the board of the school district or public  
23 charter school.

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

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

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

29 (11)(a) A student may satisfy the requirements described in subsection (7), (8) or (9) of this sec-  
30 tion in less than four years if consent is provided in the manner described in subsection (6)(a) of this  
31 section.

32 (b) The consent provided under this subsection must be written and must clearly state that the  
33 parent, guardian or student is waiving the time allowed under subsection (10) of this section. A  
34 consent may not be used to allow a student to satisfy the requirements of subsection (7), (8) or (9)  
35 of this section in less than three years.

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

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

40 (12)(a) A student who qualifies to receive or receives a modified diploma, an extended diploma  
41 or a certificate of attendance shall:

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

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

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

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

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

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

17 (13) A school district or public charter school shall:

18 (a) Ensure that all students have on-site access to the appropriate resources and courses to  
19 achieve high school diplomas, modified diplomas and extended diplomas at each high school in the  
20 school district or at the public charter school.

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

22 (c)(A) Provide to the parents or guardians of a student who has the documented history de-  
23 scribed in subsection (8)(b) of this section:

24 (i) Information about the availability of high school diplomas, modified diplomas and extended  
25 diplomas and the requirements for the diplomas; and

26 (ii) A disclosure that a student awarded a certificate of attendance will not be counted as a high  
27 school graduate in any reporting for the state or school district and that a student awarded a cer-  
28 tificate of attendance may not indicate that the student received a high school diploma on applica-  
29 tions for employment, military service, financial aid, admittance to an institution of higher education  
30 or any other purpose.

31 (B) The information and disclosure required under subparagraph (A) of this paragraph must be  
32 provided annually:

33 (i) Beginning in grade five; or

34 (ii) Beginning after a documented history described in subsection (8)(b) of this section has been  
35 established.

36 (14) A school district or public charter school shall allow a student to participate in the high  
37 school graduation ceremony with the class of the student and to wear:

38 (a) Native American items of cultural significance as provided by ORS 332.112; or

39 (b) A dress uniform issued to the student by a branch of the Armed Forces of the United States  
40 if the student:

41 (A) Qualifies to receive a high school diploma, a modified diploma, an extended diploma or a  
42 certificate of attendance under this section; and

43 (B) Has completed basic training for, and is an active member of, a branch of the Armed Forces  
44 of the United States.

45 **SECTION 2.** ORS 329.451, as amended by section 1, chapter 175, Oregon Laws 2021, section 6,

1 chapter 81, Oregon Laws 2022, section 3, chapter 202, Oregon Laws 2023, and section 9, chapter 513,  
2 Oregon Laws 2023, is amended to read:

3 329.451. (1)(a) At or before grade 12, a school district or public charter school shall award a high  
4 school diploma to a student who completes the requirements established by subsection (2) of this  
5 section.

6 (b) A school district or public charter school shall award a modified diploma to a student who  
7 satisfies the requirements established by subsection (7) of this section, an extended diploma to a  
8 student who satisfies the requirements established by subsection (8) of this section or a certificate  
9 of attendance to a student who satisfies the requirements established by subsection (9) of this sec-  
10 tion.

11 (c) A school district or public charter school may not deny a student who has the documented  
12 history described in subsection (7)(b) or (8)(b) of this section the opportunity to pursue a diploma  
13 with more stringent requirements than a modified diploma or an extended diploma.

14 (d) A school district or public charter school may award a modified diploma or extended diploma  
15 to a student only upon receiving consent as provided by subsection (6) of this section.

16 (2)(a) In order to receive a high school diploma from a school district or public charter school,  
17 a student must satisfy the requirements established by the State Board of Education and the school  
18 district or public charter school and, while in grades 9 through 12, must complete at least 24 total  
19 credits, which must include at least:

20 (A) Three credits of mathematics;

21 (B) Four credits of language arts; and

22 (C) One half-credit of civics.

23 (b) If a school district or public charter school requires a student to complete more than 24 total  
24 credits, as provided by paragraph (a) of this subsection, the school district or public charter school  
25 may only require the student to complete additional credits for:

26 (A) Subjects for which the State Board of Education has established academic content standards  
27 under ORS 329.045;

28 (B) Courses provided as part of a career and technical education program; or

29 (C) Courses that provide, or qualify to provide, credit at post-secondary institutions of education.

30 (c)(A) A school district or public charter school that requires students to satisfy any require-  
31 ments not specified by paragraph (a) of this subsection or by rule of the State Board of Education  
32 must grant to a student a waiver of the requirements established by the school district or public  
33 charter school if the student is or, at any time from grade 9 to 12, was:

34 (i) A foster child, as defined in ORS 30.297;

35 (ii) Homeless, as determined under rules adopted by the State Board of Education based on  
36 standards adopted by the Department of Human Services;

37 (iii) A runaway, as determined under rules adopted by the State Board of Education based on  
38 standards adopted by the Department of Human Services;

39 (iv) A child in a military family covered by the Interstate Compact on Educational Opportunity  
40 for Military Children, as determined under rules adopted by the State Board of Education;

41 (v) A child of a migrant worker, as determined under rules adopted by the State Board of Edu-  
42 cation;

43 (vi) Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education  
44 Program; or

45 (vii) Enrolled in an approved recovery school under ORS 336.680.

1 (B)(i) For any student identified under subparagraph (A) of this paragraph, a school district or  
2 public charter school must accept any credits earned by the student in an educational program in  
3 this state and apply those credits toward requirements specified by paragraph (a) of this subsection  
4 or by rule of the State Board of Education if the credits satisfied those requirements in that edu-  
5 cational program in this state.

6 (ii) As used in this subparagraph, “educational program in this state” means an educational  
7 program that is:

8 (I) Provided by a school district, a public charter school, an approved recovery school, the  
9 Youth Corrections Education Program or the Juvenile Detention Education Program; or

10 (II) Funded as provided by ORS 343.243 for students in a long term care or treatment facility  
11 described in ORS 343.961 or a hospital identified in ORS 343.261.

12 **(d)(A) The State Board of Education shall adopt rules by which a student who has com-  
13 pleted an International Baccalaureate program may satisfy the credit requirements pre-  
14 scribed by paragraph (a) of this subsection and any or all of the requirements established  
15 by rule of the State Board of Education under paragraph (a) of this subsection. The rules:**

16 **(i) Must provide that the student has satisfied those requirements if the student has  
17 satisfied:**

18 **(I) All of the requirements for an International Baccalaureate Diploma Programme or  
19 an International Baccalaureate Career-related Programme; and**

20 **(II) Any other requirements prescribed by the board by rule for a student who has com-  
21 pleted an International Baccalaureate program.**

22 **(ii) May provide that, only for the purpose of satisfying requirements as provided by this  
23 paragraph, a person who is not an external International Baccalaureate examiner may grade  
24 assessments or examinations for either program.**

25 **(B) Nothing in this paragraph prohibits a school district or public charter school from  
26 establishing requirements that are in addition to the credit requirements prescribed by par-  
27 agraph (a) of this subsection or any requirements established by rule under paragraph (a)  
28 of this subsection or subparagraph (A) of this paragraph.**

29 **(C) When establishing requirements under this paragraph, the board or a school district  
30 or public charter school shall attempt not to establish requirements that may discourage  
31 access to or participation in the International Baccalaureate program.**

32 (3) A student providing work samples to demonstrate proficiency in Essential Learning Skills  
33 as may be required under subsection (2) of this section must be allowed to use accommodations de-  
34 scribed in the student’s individualized education program or the student’s plan developed in ac-  
35 cordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794. As used in this  
36 subsection, the term “accommodations”:

37 (a) Includes, but is not limited to:

38 (A) Additional time to demonstrate proficiency.

39 (B) The ability to demonstrate proficiency in an alternative location that is secure and  
40 proctored.

41 (C) The use of text-to-speech or speech-to-text technology or other assistive technology.

42 (b) Does not include modifications that lower the proficiency standards or that are used solely  
43 to earn modified credit.

44 (4) A student may satisfy the requirements of subsection (2) of this section in less than four  
45 years. If a student satisfies the requirements of subsection (2) of this section and a school district

1 or public charter school has received consent as provided by subsection (6) of this section, the  
 2 school district or public charter school shall award a high school diploma to the student.

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

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

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

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

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

12 (B) The student, if the student is 18 years of age or older or is emancipated pursuant to ORS  
 13 419B.550 to 419B.558.

14 (b) For the purpose of awarding a modified diploma or extended diploma as provided by sub-  
 15 section (1)(d) of this section or of awarding a high school diploma as provided by subsection (4) of  
 16 this section, consent must be received during the school year for which the diploma will be awarded.

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

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

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

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

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

33 (A) Two credits of mathematics;

34 (B) Two credits of language arts;

35 (C) Two credits of science;

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

37 (E) One credit of health;

38 (F) One credit of physical education; and

39 (G) One credit of the arts or a world language; and

40 (b) Have a documented history of:

41 (A) An inability to maintain grade level achievement due to significant learning and instruc-  
 42 tional barriers;

43 (B) A medical condition that creates a barrier to achievement; or

44 (C) A change in the student's ability to participate in grade level activities as a result of a se-  
 45 rious illness or injury that occurred after grade eight.



1 (9) A school district or public charter school shall award a certificate of attendance to a student  
 2 who does not satisfy the requirements for a high school diploma, a modified diploma or an extended  
 3 diploma if the student has maintained regular full-time attendance for at least four years beginning  
 4 in grade nine and meets requirements established by the board of the school district or public  
 5 charter school.

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

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

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

11 (11)(a) A student may satisfy the requirements described in subsection (7), (8) or (9) of this sec-  
 12 tion in less than four years if consent is provided in the manner described in subsection (6)(a) of this  
 13 section.

14 (b) The consent provided under this subsection must be written and must clearly state that the  
 15 parent, guardian or student is waiving the time allowed under subsection (10) of this section. A  
 16 consent may not be used to allow a student to satisfy the requirements of subsection (7), (8) or (9)  
 17 of this section in less than three years.

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

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

22 (12)(a) A student who qualifies to receive or receives a modified diploma, an extended diploma  
 23 or a certificate of attendance shall:

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

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

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

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

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

35 (c) For purposes of paragraph (a)(B) of this subsection, transition services and other services  
 36 designed to meet the unique needs of the student may be provided to the student through an inter-  
 37 agency agreement entered into by the school district if the individualized education program devel-  
 38 oped for the student indicates that the services may be provided by another agency. A school  
 39 district that enters into an interagency agreement as allowed under this paragraph retains the re-  
 40 sponsibility for ensuring that the student has access to the number of service hours required to be  
 41 provided to the student under this subsection. An agency is not required to change any eligibility  
 42 criteria or enrollment standards prior to entering into an interagency agreement as provided by this  
 43 paragraph.

44 (13) A school district or public charter school shall:

45 (a) Ensure that all students have on-site access to the appropriate resources and courses to

1 achieve high school diplomas, modified diplomas and extended diplomas at each high school in the  
 2 school district or at the public charter school.

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

4 (c)(A) Provide to the parents or guardians of a student who has the documented history de-  
 5 scribed in subsection (8)(b) of this section:

6 (i) Information about the availability of high school diplomas, modified diplomas and extended  
 7 diplomas and the requirements for the diplomas; and

8 (ii) A disclosure that a student awarded a certificate of attendance will not be counted as a high  
 9 school graduate in any reporting for the state or school district and that a student awarded a cer-  
 10 tificate of attendance may not indicate that the student received a high school diploma on applica-  
 11 tions for employment, military service, financial aid, admittance to an institution of higher education  
 12 or any other purpose.

13 (B) The information and disclosure required under subparagraph (A) of this paragraph must be  
 14 provided annually:

15 (i) Beginning in grade five; or

16 (ii) Beginning after a documented history described in subsection (8)(b) of this section has been  
 17 established.

18 (14) A school district or public charter school shall allow a student to participate in the high  
 19 school graduation ceremony with the class of the student and to wear:

20 (a) Native American items of cultural significance as provided by ORS 332.112; or

21 (b) A dress uniform issued to the student by a branch of the Armed Forces of the United States  
 22 if the student:

23 (A) Qualifies to receive a high school diploma, a modified diploma, an extended diploma or a  
 24 certificate of attendance under this section; and

25 (B) Has completed basic training for, and is an active member of, a branch of the Armed Forces  
 26 of the United States.

27 **SECTION 3.** ORS 329.451, as amended by section 1, chapter 175, Oregon Laws 2021, section 6,  
 28 chapter 81, Oregon Laws 2022, section 3, chapter 202, Oregon Laws 2023, section 9, chapter 513,  
 29 Oregon Laws 2023, and section 1, chapter 564, Oregon Laws 2023, is amended to read:

30 329.451. (1)(a) At or before grade 12, a school district or public charter school shall award a high  
 31 school diploma to a student who completes the requirements established by subsection (2) of this  
 32 section.

33 (b) A school district or public charter school shall award a modified diploma to a student who  
 34 satisfies the requirements established by subsection (7) of this section, an extended diploma to a  
 35 student who satisfies the requirements established by subsection (8) of this section or a certificate  
 36 of attendance to a student who satisfies the requirements established by subsection (9) of this sec-  
 37 tion.

38 (c) A school district or public charter school may not deny a student who has the documented  
 39 history described in subsection (7)(b) or (8)(b) of this section the opportunity to pursue a diploma  
 40 with more stringent requirements than a modified diploma or an extended diploma.

41 (d) A school district or public charter school may award a modified diploma or extended diploma  
 42 to a student only upon receiving consent as provided by subsection (6) of this section.

43 (2)(a) In order to receive a high school diploma from a school district or public charter school,  
 44 a student must satisfy the requirements established by the State Board of Education and the school  
 45 district or public charter school and, while in grades 9 through 12, must complete at least 24 total

1 credits, which must include at least:

- 2 (A) Three credits of mathematics;
- 3 (B) Four credits of language arts;
- 4 (C) One half-credit of civics;
- 5 (D) One half-credit of higher education and career path skills; and
- 6 (E) One half-credit of personal financial education.

7 (b) If a school district or public charter school requires a student to complete more than 24 total  
8 credits, as provided by paragraph (a) of this subsection, the school district or public charter school  
9 may only require the student to complete additional credits for:

10 (A) Subjects for which the State Board of Education has established academic content standards  
11 under ORS 329.045;

12 (B) Courses provided as part of a career and technical education program; or

13 (C) Courses that provide, or qualify to provide, credit at post-secondary institutions of education.

14 (c)(A) A school district or public charter school that requires students to satisfy any require-  
15 ments not specified by paragraph (a) of this subsection or by rule of the State Board of Education  
16 must grant to a student a waiver of the requirements established by the school district or public  
17 charter school if the student is or, at any time from grade 9 to 12, was:

18 (i) A foster child, as defined in ORS 30.297;

19 (ii) Homeless, as determined under rules adopted by the State Board of Education based on  
20 standards adopted by the Department of Human Services;

21 (iii) A runaway, as determined under rules adopted by the State Board of Education based on  
22 standards adopted by the Department of Human Services;

23 (iv) A child in a military family covered by the Interstate Compact on Educational Opportunity  
24 for Military Children, as determined under rules adopted by the State Board of Education;

25 (v) A child of a migrant worker, as determined under rules adopted by the State Board of Edu-  
26 cation;

27 (vi) Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education  
28 Program; or

29 (vii) Enrolled in an approved recovery school under ORS 336.680.

30 (B)(i) For any student identified under subparagraph (A) of this paragraph, a school district or  
31 public charter school must accept any credits earned by the student in an educational program in  
32 this state and apply those credits toward requirements specified by paragraph (a) of this subsection  
33 or by rule of the State Board of Education if the credits satisfied those requirements in that edu-  
34 cational program in this state.

35 (ii) As used in this subparagraph, "educational program in this state" means an educational  
36 program that is:

37 (I) Provided by a school district, a public charter school, an approved recovery school, the  
38 Youth Corrections Education Program or the Juvenile Detention Education Program; or

39 (II) Funded as provided by ORS 343.243 for students in a long term care or treatment facility  
40 described in ORS 343.961 or a hospital identified in ORS 343.261.

41 (d) The State Board of Education may adopt by rule requirements for courses, including teachers  
42 of courses, related to higher education and career path skills and personal financial education that  
43 allow the courses to satisfy multiple credit requirements for a high school diploma, including math-  
44 ematics.

45 **(e)(A) The State Board of Education shall adopt rules by which a student who has com-**

1 **pleted an International Baccalaureate program may satisfy the credit requirements pre-**  
 2 **scribed by paragraph (a) of this subsection and any or all of the requirements established**  
 3 **by rule of the State Board of Education under paragraph (a) of this subsection. The rules:**

4 (i) **Must provide that the student has satisfied those requirements if the student has**  
 5 **satisfied:**

6 (I) **All of the requirements for an International Baccalaureate Diploma Programme or**  
 7 **an International Baccalaureate Career-related Programme; and**

8 (II) **Any other requirements prescribed by the board by rule for a student who has com-**  
 9 **pleted an International Baccalaureate program.**

10 (ii) **May provide that, only for the purpose of satisfying requirements as provided by this**  
 11 **paragraph, a person who is not an external International Baccalaureate examiner may grade**  
 12 **assessments or examinations for either program.**

13 (B) **Nothing in this paragraph prohibits a school district or public charter school from**  
 14 **establishing requirements that are in addition to the credit requirements prescribed by par-**  
 15 **agraph (a) of this subsection or any requirements established by rule under paragraph (a)**  
 16 **of this subsection or subparagraph (A) of this paragraph.**

17 (C) **When establishing requirements under this paragraph, the board or a school district**  
 18 **or public charter school shall attempt not to establish requirements that may discourage**  
 19 **access to or participation in the International Baccalaureate program.**

20 (3) **A student providing work samples to demonstrate proficiency in Essential Learning Skills**  
 21 **as may be required under subsection (2) of this section must be allowed to use accommodations de-**  
 22 **scribed in the student’s individualized education program or the student’s plan developed in ac-**  
 23 **cordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794. As used in this**  
 24 **subsection, the term “accommodations”:**

25 (a) **Includes, but is not limited to:**

26 (A) **Additional time to demonstrate proficiency.**

27 (B) **The ability to demonstrate proficiency in an alternative location that is secure and**  
 28 **proctored.**

29 (C) **The use of text-to-speech or speech-to-text technology or other assistive technology.**

30 (b) **Does not include modifications that lower the proficiency standards or that are used solely**  
 31 **to earn modified credit.**

32 (4) **A student may satisfy the requirements of subsection (2) of this section in less than four**  
 33 **years. If a student satisfies the requirements of subsection (2) of this section and a school district**  
 34 **or public charter school has received consent as provided by subsection (6) of this section, the**  
 35 **school district or public charter school shall award a high school diploma to the student.**

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

39 (6)(a) **For the purpose of receiving consent as provided by subsections (1)(d), (4) and (5) of this**  
 40 **section, consent shall be provided by:**

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

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

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

45 (B) **The student, if the student is 18 years of age or older or is emancipated pursuant to ORS**

1 419B.550 to 419B.558.

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

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

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

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

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

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

- 21 (A) Two credits of mathematics;
- 22 (B) Two credits of language arts;
- 23 (C) Two credits of science;
- 24 (D) Three credits of history, geography, economics or civics;
- 25 (E) One credit of health;
- 26 (F) One credit of physical education; and
- 27 (G) One credit of the arts or a world language; and

28 (b) Have a documented history of:

29 (A) An inability to maintain grade level achievement due to significant learning and instruc-  
 30 tional barriers;

31 (B) A medical condition that creates a barrier to achievement; or

32 (C) A change in the student's ability to participate in grade level activities as a result of a se-  
 33 rious illness or injury that occurred after grade eight.

34 (9) A school district or public charter school shall award a certificate of attendance to a student  
 35 who does not satisfy the requirements for a high school diploma, a modified diploma or an extended  
 36 diploma if the student has maintained regular full-time attendance for at least four years beginning  
 37 in grade nine and meets requirements established by the board of the school district or public  
 38 charter school.

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

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

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

44 (11)(a) A student may satisfy the requirements described in subsection (7), (8) or (9) of this sec-  
 45 tion in less than four years if consent is provided in the manner described in subsection (6)(a) of this

1 section.

2 (b) The consent provided under this subsection must be written and must clearly state that the  
 3 parent, guardian or student is waiving the time allowed under subsection (10) of this section. A  
 4 consent may not be used to allow a student to satisfy the requirements of subsection (7), (8) or (9)  
 5 of this section in less than three years.

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

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

10 (12)(a) A student who qualifies to receive or receives a modified diploma, an extended diploma  
 11 or a certificate of attendance shall:

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

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

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

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

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

23 (c) For purposes of paragraph (a)(B) of this subsection, transition services and other services  
 24 designed to meet the unique needs of the student may be provided to the student through an inter-  
 25 agency agreement entered into by the school district if the individualized education program devel-  
 26 oped for the student indicates that the services may be provided by another agency. A school  
 27 district that enters into an interagency agreement as allowed under this paragraph retains the re-  
 28 sponsibility for ensuring that the student has access to the number of service hours required to be  
 29 provided to the student under this subsection. An agency is not required to change any eligibility  
 30 criteria or enrollment standards prior to entering into an interagency agreement as provided by this  
 31 paragraph.

32 (13) A school district or public charter school shall:

33 (a) Ensure that all students have on-site access to the appropriate resources and courses to  
 34 achieve high school diplomas, modified diplomas and extended diplomas at each high school in the  
 35 school district or at the public charter school.

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

37 (c)(A) Provide to the parents or guardians of a student who has the documented history de-  
 38 scribed in subsection (8)(b) of this section:

39 (i) Information about the availability of high school diplomas, modified diplomas and extended  
 40 diplomas and the requirements for the diplomas; and

41 (ii) A disclosure that a student awarded a certificate of attendance will not be counted as a high  
 42 school graduate in any reporting for the state or school district and that a student awarded a cer-  
 43 tificate of attendance may not indicate that the student received a high school diploma on applica-  
 44 tions for employment, military service, financial aid, admittance to an institution of higher education  
 45 or any other purpose.

1 (B) The information and disclosure required under subparagraph (A) of this paragraph must be  
2 provided annually:

3 (i) Beginning in grade five; or

4 (ii) Beginning after a documented history described in subsection (8)(b) of this section has been  
5 established.

6 (14) A school district or public charter school shall allow a student to participate in the high  
7 school graduation ceremony with the class of the student and to wear:

8 (a) Native American items of cultural significance as provided by ORS 332.112; or

9 (b) A dress uniform issued to the student by a branch of the Armed Forces of the United States  
10 if the student:

11 (A) Qualifies to receive a high school diploma, a modified diploma, an extended diploma or a  
12 certificate of attendance under this section; and

13 (B) Has completed basic training for, and is an active member of, a branch of the Armed Forces  
14 of the United States.

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