

# A-Engrossed Senate Bill 222

Ordered by the Senate April 17  
Including Senate Amendments dated April 17

Sponsored by Senator HASS, Representatives DEMBROW, READ, Senator BATES; Senators BEYER, STARR, STEINER HAYWARD, Representatives BENTZ, GELSER, JOHNSON (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.

*[Expands purposes for which grants awarded for accelerated college credit programs may be used.]*

*[Allows community colleges to award scholarships to students who are participating in accelerated college credit program.]*

*[Establishes requirement that, beginning July 1, 2019, students must have six credits that qualify for credit at post-secondary institution in order to receive high school diploma.]*

*[Directs Teacher Standards and Practices Commission to adopt rules to take into consideration teaching experience gained by teachers through accelerated college credit programs for purposes of issuing or renewing licenses and endorsements.]*

*[Appropriates moneys from General Fund to Department of Education for purpose of funding grant program.]*

*[Declares emergency, effective July 1, 2013.]*

**Directs Oregon Student Access Commission and Department of Education to administer strategic investments to give students skills and resources to more quickly earn college credit and be more likely to be successful in post-secondary education. Directs Oregon Education Investment Board to develop for strategic investments timelines, performance measures and data requirements. Appropriates moneys to commission and department for purposes of making strategic investments.**

**Establishes Accelerated Learning Committee. Directs committee to examine methods to encourage and enable students to obtain college credits while still in high school. Sunsets committee on date of convening of 2015 regular session of Legislative Assembly.**

**Restricts additional courses that school district or public charter school may require student to complete for high school diploma.**

**Directs community college district to collaborate with interested school districts within boundaries of community college district to facilitate delivery of accelerated college credit program.**

**Declares emergency, effective on passage.**

## A BILL FOR AN ACT

1  
2 Relating to accelerated college credit programs; creating new provisions; amending ORS 329.451 and  
3 341.450 and section 10, chapter 519, Oregon Laws 2011; appropriating money; and declaring an  
4 emergency.

5 Whereas Oregon has embraced the goal of having, by 2025, at least 40 percent of adult  
6 Oregonians earn a bachelor's degree or higher, at least 40 percent of adult Oregonians earn an  
7 associate's degree or post-secondary credential, and the remaining 20 percent or less of all adult  
8 Oregonians earn a high school diploma, an extended diploma, a modified diploma or the equivalent  
9 of a high school diploma; and

10 Whereas studies show that students who earn college credit while in high school enroll in  
11 post-secondary institutions at higher rates than their peers; and

12 Whereas studies show that students who earn college credit while in high school succeed in  
13 post-secondary institutions at higher rates than their peers; and

**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 Whereas studies show that students who earn college credit while in high school earn higher  
2 grade point averages at post-secondary institutions than their peers; and

3 Whereas the Oregon Education Investment Board, through the achievement compact process,  
4 encourages the acquisition of college credits while in high school; and

5 Whereas Oregon students are increasingly burdened with debt from loans for post-secondary  
6 institutions; and

7 Whereas reducing the time needed to earn a degree can make attending a post-secondary insti-  
8 tution more affordable for students and their families; and

9 Whereas there is a shortage of qualified teachers to provide instruction in accelerated college  
10 credit programs; now, therefore,

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

12 **SECTION 1. (1) Strategic investments shall be made as provided by this section to give**  
13 **students the skills and resources needed to more quickly earn college credit and be more**  
14 **likely to be successful in post-secondary education.**

15 **(2)(a) The Oregon Student Access Commission shall administer a scholarship fund to help**  
16 **students pay for first-year college courses and for expenses incurred in relation to acceler-**  
17 **ated college credit programs. The commission shall give priority to underserved students**  
18 **who meet criteria identified by the commission by rule.**

19 **(b) The Department of Education shall administer a program that enables consortiums**  
20 **to design and deliver individualized, innovative and flexible ways of providing academic con-**  
21 **tent, awarding high school and college credit and providing developmental education for**  
22 **students in high school or in the first two years of post-secondary education. Each consor-**  
23 **tium must include at least three school districts, at least one education service district, at**  
24 **least one community college and at least one public or private university.**

25 **(3) The Oregon Education Investment Board shall develop timelines, performance meas-**  
26 **ures and other requirements related to the accumulation and evaluation of data collected in**  
27 **relation to the strategic investments described in subsection (2) of this section.**

28 **(4) Moneys for strategic investments that are made as provided by this section shall be**  
29 **distributed to the Oregon Student Access Commission and the Department of Education to:**

30 **(a) Further distribute the moneys; or**

31 **(b) Administer other programs that are consistent with the purposes of the moneys.**

32 **(5) Any recipient of moneys distributed as a strategic investment must provide separate**  
33 **accounting for the moneys and may use the moneys only for the purposes for which the**  
34 **moneys are provided.**

35 **(6)(a) The board shall establish requirements for the recipients of moneys distributed as**  
36 **strategic investments.**

37 **(b) The board may develop timelines, performance measures and other requirements re-**  
38 **lated to the accumulation and evaluation of data collected in relation to a recipient that re-**  
39 **ceives moneys as a strategic investment.**

40 **(c) The board may delegate any of the board's authority established under this section**  
41 **to the Chief Education Officer.**

42 **SECTION 2. Section 1 of this 2013 Act is amended to read:**

43 **Sec. 1. (1) Strategic investments shall be made as provided by this section to give students the**  
44 **skills and resources needed to more quickly earn college credit and be more likely to be successful**  
45 **in post-secondary education.**

1 (2)(a) The Oregon Student Access Commission shall administer a scholarship fund to help stu-  
2 dents pay for first-year college courses and for expenses incurred in relation to accelerated college  
3 credit programs. The commission shall give priority to underserved students who meet criteria  
4 identified by the commission by rule.

5 (b) The Department of Education shall administer a program that enables consortiums to design  
6 and deliver individualized, innovative and flexible ways of providing academic content, awarding  
7 high school and college credit and providing developmental education for students in high school  
8 or in the first two years of post-secondary education. Each consortium must include at least three  
9 school districts, at least one education service district, at least one community college and at least  
10 one public or private university.

11 (3) The [*Oregon Education Investment Board*] **State Board of Education** shall develop timelines,  
12 performance measures and other requirements related to the accumulation and evaluation of data  
13 collected in relation to the strategic investments described in subsection (2) of this section.

14 (4) Moneys for strategic investments that are made as provided by this section shall be distrib-  
15 uted to the Oregon Student Access Commission and the Department of Education to:

16 (a) Further distribute the moneys; or

17 (b) Administer other programs that are consistent with the purposes of the moneys.

18 (5) Any recipient of moneys distributed as a strategic investment must provide separate ac-  
19 counting for the moneys and may use the moneys only for the purposes for which the moneys are  
20 provided.

21 (6)(a) The board shall establish requirements for the recipients of moneys distributed as strategic  
22 investments.

23 (b) The board may develop timelines, performance measures and other requirements related to  
24 the accumulation and evaluation of data collected in relation to a recipient that receives moneys  
25 as a strategic investment.

26 (c) The board may delegate any of the board's authority established under this section to the  
27 [*Chief Education Officer*] **Superintendent of Public Instruction**.

28 **SECTION 3.** Section 10, chapter 519, Oregon Laws 2011, as amended by section 1, chapter 37,  
29 Oregon Laws 2012, is amended to read:

30 **Sec. 10.** (1) Sections 1, 2, 3, 5, 6 and 7, chapter 519, Oregon Laws 2011, are repealed on March  
31 15, 2016.

32 **(2) The amendments to section 1 of this 2013 Act by section 2 of this 2013 Act become**  
33 **operative on March 15, 2016.**

34 **SECTION 4. (1) The Accelerated Learning Committee is established.**

35 **(2) The committee consists of the following seven members:**

36 **(a) The Chief Education Officer.**

37 **(b) Six members appointed as follows:**

38 **(A) The President of the Senate shall appoint two members from among members of the**  
39 **Senate.**

40 **(B) The Speaker of the House of Representatives shall appoint two members from among**  
41 **members of the House of Representatives.**

42 **(C) The Governor shall appoint two members.**

43 **(3) The committee shall examine methods to encourage and enable students to obtain**  
44 **college credits while still in high school. The committee shall emphasize the alignment of**  
45 **funding, assessments and procedures between high schools and post-secondary institutions**

1 of higher education to encourage efficiencies and to make post-secondary education more  
2 affordable for families.

3 (4) A majority of the members of the committee constitutes a quorum for the transaction  
4 of business.

5 (5) Official action by the committee requires the approval of a majority of the members  
6 of the committee.

7 (6) The committee shall elect one of its members to serve as chairperson.

8 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
9 ment to become immediately effective.

10 (8) The committee shall meet at times and places specified by the call of the chairperson  
11 or of a majority of the members of the committee.

12 (9) The committee may adopt rules necessary for the operation of the committee.

13 (10) The committee shall submit a report, and may include recommendations for legis-  
14 lation, to the interim legislative committees on education no later than October 1, 2014.

15 (11) The Oregon Education Investment Board shall provide staff support to the commit-  
16 tee.

17 (12) Notwithstanding ORS 171.072, members of the committee who are members of the  
18 Legislative Assembly are not entitled to mileage expenses or a per diem and serve as volun-  
19 teers on the committee. Other members of the committee are not entitled to compensation  
20 or reimbursement for expenses and serve as volunteers on the committee.

21 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist  
22 the committee in the performance of its duties and, to the extent permitted by laws relating  
23 to confidentiality, to furnish such information and advice as the members of the committee  
24 consider necessary to perform their duties.

25 **SECTION 5.** Section 4 of this 2013 Act is repealed on the date of the convening of the 2015  
26 regular session of the Legislative Assembly as specified in ORS 171.010.

27 **SECTION 6.** In addition to and not in lieu of any other appropriation, there is appropri-  
28 ated to the Oregon Student Access Commission, for the biennium beginning July 1, 2013, out  
29 of the General Fund, the amount of \$3,000,000, which shall be expended for strategic invest-  
30 ments made for the purposes described in section 1 (2)(a) of this 2013 Act.

31 **SECTION 7.** In addition to and not in lieu of any other appropriation, there is appropri-  
32 ated to the Department of Education, for the biennium beginning July 1, 2013, out of the  
33 General Fund, the amount of \$5,000,000, which shall be expended for strategic investments  
34 made for the purpose described in section 1 (2)(b) of this 2013 Act.

35 **SECTION 8.** ORS 329.451 is amended to read:

36 329.451. (1)(a) At or before grade 12, a school district or public charter school shall award a high  
37 school diploma to a student who completes the requirements established by subsection (2) of this  
38 section.

39 (b) A school district or public charter school shall award a modified diploma to a student who  
40 satisfies the requirements established by subsection (6) of this section, an extended diploma to a  
41 student who satisfies the requirements established by subsection (7) of this section or an alternative  
42 certificate to a student who satisfies the requirements established by subsection (8) of this section.

43 (c) A school district or public charter school may not deny a student who has the documented  
44 history described in subsection (6)(b) or (7)(b) and (c) of this section the opportunity to pursue a  
45 diploma with more stringent requirements than a modified diploma or an extended diploma for the

1 sole reason that the student has the documented history.

2 (d) A school district or public charter school may award a modified diploma or extended diploma  
3 to a student only upon receiving consent as provided by subsection (5) of this section.

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

7 [(a)] (A) Twenty-four total credits;

8 [(b)] (B) Three credits of mathematics; and

9 [(c)] (C) Four credits of English.

10 (b) **If a school district or public charter school requires a student to complete more than**  
11 **24 total credits, as provided by paragraph (a)(A) of this subsection, the school district or**  
12 **public charter school may only require the student to complete additional credits for:**

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

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

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

18 (3) A student may satisfy the requirements of subsection (2) of this section in less than four  
19 years. If a student satisfies the requirements of subsection (2) of this section and a school district  
20 or public charter school has received consent as provided by subsection (5) of this section, the  
21 school district or public charter school shall award a high school diploma to the student.

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

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

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

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

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

31 (B) The student, if the student is 18 years of age or older or is emancipated pursuant to ORS  
32 419B.550 to 419B.558.

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

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

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

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

45 (7) A school district or public charter school shall award an extended diploma only to students

1 who have demonstrated the inability to meet the full set of academic content standards for a high  
2 school diploma with reasonable modifications and accommodations. To be eligible for an extended  
3 diploma, a student must:

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

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

14 (b) Have a documented history of an inability to maintain grade level achievement due to sig-  
15 nificant learning and instructional barriers or have a documented history of a medical condition that  
16 creates a barrier to achievement; and

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

19 (B) Have a serious illness or injury that occurs after grade eight, that changes the student's  
20 ability to participate in grade level activities and that results in the student participating in alter-  
21 nate assessments.

22 (8) A school district or public charter school shall award an alternative certificate to a student  
23 who does not satisfy the requirements for a high school diploma, a modified diploma or an extended  
24 diploma if the student meets requirements established by the board of the school district or public  
25 charter school.

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

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

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

31 (10)(a) A student may satisfy the requirements described in subsection (6), (7) or (8) of this sec-  
32 tion in less than four years if consent is provided in the manner described in subsection (5)(a) of this  
33 section.

34 (b) The consent provided under this subsection must be written and must clearly state that the  
35 parent, guardian or student is waiving the time allowed under subsection (9) of this section. A con-  
36 sent may not be used to allow a student to satisfy the requirements of subsection (6), (7) or (8) of  
37 this section in less than three years.

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

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

42 (11)(a) A student who receives a modified diploma, an extended diploma or an alternative cer-  
43 tificate shall:

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

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

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

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

7 (b)(A) The number of instructional hours, hours of transition services and hours of other ser-  
8 vices that are appropriate for a student shall be determined by the student's individualized education  
9 program team. Based on the student's needs and performance level, the student's individualized ed-  
10 ucation program team may decide that the student will not access the total number of hours of in-  
11 struction and services to which the student has access under paragraph (a)(B) of this subsection.

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

15 (c) If a student's individualized education program team decides that the student will not access  
16 the total number of hours of instruction and services to which the student has access under para-  
17 graph (a)(B) of this subsection, the school district shall annually:

18 (A) Provide the following information in writing to the parent or guardian of the student:

19 (i) The school district's duty to comply with the requirements of paragraph (a)(B) of this sub-  
20 section; and

21 (ii) The prohibition against a school district's unilaterally decreasing the total number of hours  
22 of instruction and services to which the student has access.

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

25 (C) Include in the individualized education program for the student a written statement that  
26 explains the reasons the student is not accessing the total number of hours of instruction and ser-  
27 vices to which the student has access under paragraph (a)(B) of this subsection.

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

37 (12) A school district or public charter school shall:

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

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

42 (c) Beginning in grade five, annually provide information to the parents or guardians of a stu-  
43 dent taking an alternate assessment of the availability of a modified diploma, an extended diploma  
44 and an alternative certificate and the requirements for the diplomas and certificate.

45 **SECTION 9. (1) The amendments to ORS 329.451 by section 8 of this 2013 Act become**

1 **operative July 1, 2015.**

2 **(2) The amendments to ORS 329.451 by section 8 of this 2013 Act first apply to students**  
3 **graduating on or after July 1, 2015.**

4 **SECTION 10.** ORS 341.450 is amended to read:

5 341.450. Every community college district shall encourage high school students to start early  
6 on a college education by:

7 (1) Implementing two-plus-two programs and other related programs[. *Each community college*  
8 *district shall make*] **and making** at least one such program available to each interested school dis-  
9 trict that is within the boundaries of the community college district.

10 **(2) Collaborating with interested school districts that are within the boundaries of the**  
11 **community college district to facilitate the delivery of two-plus-two programs and other re-**  
12 **lated programs.**

13 **SECTION 11.** ORS 341.450, as amended by section 5, chapter 639, Oregon Laws 2011, is  
14 amended to read:

15 341.450. Every community college district shall encourage high school students to start early  
16 on a college education by:

17 (1) Implementing a dual credit program, a two-plus-two program or another accelerated college  
18 credit program[. *Each community college district shall make*] **and making** at least one such program  
19 available to each interested school district that is within the boundaries of the community college  
20 district.

21 **(2) Collaborating with interested school districts that are within the boundaries of the**  
22 **community college district to facilitate the delivery of a dual credit program, a two-plus-two**  
23 **program or other accelerated college credit program.**

24 **SECTION 12.** This 2013 Act being necessary for the immediate preservation of the public  
25 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
26 **on its passage.**

27