

SENATE AMENDMENTS TO SENATE BILL 222

By COMMITTEE ON EDUCATION AND WORKFORCE DEVELOPMENT

April 17

1 On page 1 of the printed bill, line 2, delete the comma.

2 In line 3, delete “340.300, 340.320 and 341.485” and insert “and 341.450 and section 10, chapter
3 519, Oregon Laws 2011”.

4 Delete lines 24 and 25 and delete pages 2 through 6 and insert:

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

8 **“(2)(a) The Oregon Student Access Commission shall administer a scholarship fund to
9 help students pay for first-year college courses and for expenses incurred in relation to ac-
10 celerated college credit programs. The commission shall give priority to underserved stu-
11 dents who meet criteria identified by the commission by rule.**

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

18 **“(3) The Oregon Education Investment Board shall develop timelines, performance
19 measures and other requirements related to the accumulation and evaluation of data col-
20 lected in relation to the strategic investments described in subsection (2) of this section.**

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

23 **“(a) Further distribute the moneys; or**

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

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

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

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

33 **“(c) The board may delegate any of the board’s authority established under this section
34 to the Chief Education Officer.**

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

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

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

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

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

17 “(4) Moneys for strategic investments that are made as provided by this section shall be dis-
18 tributed to the Oregon Student Access Commission and the Department of Education to:

19 “(a) Further distribute the moneys; or

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

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

24 “(6)(a) The board shall establish requirements for the recipients of moneys distributed as stra-
25 tegic investments.

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

29 “(c) The board may delegate any of the board’s authority established under this section to the
30 [*Chief Education Officer*] **Superintendent of Public Instruction**.

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

33 “**Sec. 10. (1)** Sections 1, 2, 3, 5, 6 and 7, chapter 519, Oregon Laws 2011, are repealed on March
34 15, 2016.

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

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

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

39 “**(a) The Chief Education Officer.**

40 “**(b) Six members appointed as follows:**

41 “**(A) The President of the Senate shall appoint two members from among members of the**
42 **Senate.**

43 “**(B) The Speaker of the House of Representatives shall appoint two members from**
44 **among members of the House of Representatives.**

45 “**(C) The Governor shall appoint two members.**

1 **“(3) The committee shall examine methods to encourage and enable students to obtain**
2 **college credits while still in high school. The committee shall emphasize the alignment of**
3 **funding, assessments and procedures between high schools and post-secondary institutions**
4 **of higher education to encourage efficiencies and to make post-secondary education more**
5 **affordable for families.**

6 **“(4) A majority of the members of the committee constitutes a quorum for the trans-**
7 **action of business.**

8 **“(5) Official action by the committee requires the approval of a majority of the members**
9 **of the committee.**

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

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

13 **“(8) The committee shall meet at times and places specified by the call of the chairperson**
14 **or of a majority of the members of the committee.**

15 **“(9) The committee may adopt rules necessary for the operation of the committee.**

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

18 **“(11) The Oregon Education Investment Board shall provide staff support to the com-**
19 **mittee.**

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

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

28 **“SECTION 5. Section 4 of this 2013 Act is repealed on the date of the convening of the**
29 **2015 regular session of the Legislative Assembly as specified in ORS 171.010.**

30 **“SECTION 6. In addition to and not in lieu of any other appropriation, there is appro-**
31 **priated to the Oregon Student Access Commission, for the biennium beginning July 1, 2013,**
32 **out of the General Fund, the amount of \$3,000,000, which shall be expended for strategic in-**
33 **vestments made for the purposes described in section 1 (2)(a) of this 2013 Act.**

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

38 **“SECTION 8. ORS 329.451 is amended to read:**

39 **“329.451. (1)(a) At or before grade 12, a school district or public charter school shall award a**
40 **high school diploma to a student who completes the requirements established by subsection (2) of**
41 **this section.**

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

1 “(c) A school district or public charter school may not deny a student who has the documented
2 history described in subsection (6)(b) or (7)(b) and (c) of this section the opportunity to pursue a
3 diploma with more stringent requirements than a modified diploma or an extended diploma for the
4 sole reason that the student has the documented history.

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

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

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

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

12 “[c] (C) Four credits of English.

13 “(b) **If a school district or public charter school requires a student to complete more than**
14 **24 total credits, as provided by paragraph (a)(A) of this subsection, the school district or**
15 **public charter school may only require the student to complete additional credits for:**

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

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

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

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

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

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

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

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

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

34 “(B) The student, if the student is 18 years of age or older or is emancipated pursuant to ORS
35 419B.550 to 419B.558.

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

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

43 “(a) Satisfy the requirements for a modified diploma established by the State Board of Education;
44 and

45 “(b) Have a documented history of an inability to maintain grade level achievement due to sig-

1 nificant learning and instructional barriers or have a documented history of a medical condition that
2 creates a barrier to achievement.

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

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

10 “(A) Two credits of mathematics;

11 “(B) Two credits of English;

12 “(C) Two credits of science;

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

14 “(E) One credit of health;

15 “(F) One credit of physical education; and

16 “(G) One credit of the arts or a second language;

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

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

22 “(B) Have a serious illness or injury that occurs after grade eight, that changes the student’s
23 ability to participate in grade level activities and that results in the student participating in alter-
24 nate assessments.

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

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

31 “(a) Four years after starting grade nine; or

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

34 “(10)(a) A student may satisfy the requirements described in subsection (6), (7) or (8) of this
35 section in less than four years if consent is provided in the manner described in subsection (5)(a)
36 of this section.

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

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

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

45 “(11)(a) A student who receives a modified diploma, an extended diploma or an alternative cer-

1 tificate shall:

2 “(A) Have the option of participating in a high school graduation ceremony with the class of the
3 student; and

4 “(B) Have access to instructional hours, hours of transition services and hours of other services
5 that are designed to:

6 “(i) Meet the unique needs of the student; and

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

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

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

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

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

22 “(i) The school district’s duty to comply with the requirements of paragraph (a)(B) of this sub-
23 section; and

24 “(ii) The prohibition against a school district’s unilaterally decreasing the total number of hours
25 of instruction and services to which the student has access.

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

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

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

40 “(12) A school district or public charter school shall:

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

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

45 “(c) Beginning in grade five, annually provide information to the parents or guardians of a stu-

1 dent taking an alternate assessment of the availability of a modified diploma, an extended diploma
2 and an alternative certificate and the requirements for the diplomas and certificate.

3 **“SECTION 9. (1) The amendments to ORS 329.451 by section 8 of this 2013 Act become**
4 **operative July 1, 2015.**

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

7 **“SECTION 10.** ORS 341.450 is amended to read:

8 “341.450. Every community college district shall encourage high school students to start early
9 on a college education by:

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

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

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

18 “341.450. Every community college district shall encourage high school students to start early
19 on a college education by:

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

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

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

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