

**PROPOSED AMENDMENTS TO
SENATE BILL 222**

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
3 section 10, chapter 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
6 by this section to give students the skills and resources needed to
7 more quickly earn college credit and be more likely to be successful
8 in post-secondary education.**

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

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

22 **“(3) The Oregon Education Investment Board shall develop**

1 **timelines, performance measures and other requirements related to**
2 **the accumulation and evaluation of data collected in relation to the**
3 **strategic investments described in subsection (2) of this section.**

4 **“(4) Moneys for strategic investments that are made as provided by**
5 **this section shall be distributed to the Oregon Student Access Com-**
6 **mission and the Department of Education to:**

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

8 **“(b) Administer other programs that are consistent with the pur-**
9 **poses of the moneys.**

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

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

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

19 **“(c) The board may delegate any of the board’s authority estab-**
20 **lished under this section to the Chief Education Officer.**

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

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

25 **“(2)(a) The Oregon Student Access Commission shall administer a schol-**
26 **arship fund to help students pay for first-year college courses and for ex-**
27 **penses incurred in relation to accelerated college credit programs. The**
28 **commission shall give priority to underserved students who meet criteria**
29 **identified by the commission by rule.**

30 **“(b) The Department of Education shall administer a program that ena-**

1 bles consortiums to design and deliver individualized, innovative and flexible
2 ways of providing academic content, awarding high school and college credit
3 and providing developmental education for students in high school or in the
4 first two years of post-secondary education. Each consortium must include
5 at least three school districts, at least one education service district, at least
6 one community college and at least one public or private university.

7 “(3) The [*Oregon Education Investment Board*] **State Board of Education**
8 shall develop timelines, performance measures and other requirements re-
9 lated to the accumulation and evaluation of data collected in relation to the
10 strategic investments described in subsection (2) of this section.

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

14 “(a) Further distribute the moneys; or

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

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

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

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

25 “(c) The board may delegate any of the board’s authority established un-
26 der this section to the [*Chief Education Officer*] **Superintendent of Public**
27 **Instruction.**

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

30 “**Sec. 10. (1)** Sections 1, 2, 3, 5, 6 and 7, chapter 519, Oregon Laws 2011,

1 are repealed on March 15, 2016.

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

4 **“SECTION 4. (1) The Accelerated Learning Committee is estab-**
5 **lished.**

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

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

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

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

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

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

14 **“(3) The committee shall examine methods to encourage and enable**
15 **students to obtain college credits while still in high school. The com-**
16 **mittee shall emphasize the alignment of funding, assessments and**
17 **procedures between high schools and post-secondary institutions of**
18 **higher education to encourage efficiencies and to make post-secondary**
19 **education more affordable for families.**

20 **“(4) A majority of the members of the committee constitutes a**
21 **quorum for the transaction of business.**

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

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

26 **“(7) If there is a vacancy for any cause, the appointing authority**
27 **shall make an appointment to become immediately effective.**

28 **“(8) The committee shall meet at times and places specified by the**
29 **call of the chairperson or of a majority of the members of the com-**
30 **mittee.**

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

3 **“(10) The committee shall submit a report, and may include rec-**
4 **ommendations for legislation, to the interim legislative committees**
5 **on education no later than October 1, 2014.**

6 **“(11) The Oregon Education Investment Board shall provide staff**
7 **support to the committee.**

8 **“(12) Notwithstanding ORS 171.072, members of the committee who**
9 **are members of the Legislative Assembly are not entitled to mileage**
10 **expenses or a per diem and serve as volunteers on the committee.**
11 **Other members of the committee are not entitled to compensation or**
12 **reimbursement for expenses and serve as volunteers on the committee.**

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

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

21 **“SECTION 6. In addition to and not in lieu of any other appropri-**
22 **ation, there is appropriated to the Oregon Student Access Commission,**
23 **for the biennium beginning July 1, 2013, out of the General Fund, the**
24 **amount of \$3,000,000, which shall be expended for strategic investments**
25 **made for the purposes described in section 1 (2)(a) of this 2013 Act.**

26 **“SECTION 7. In addition to and not in lieu of any other appropri-**
27 **ation, there is appropriated to the Department of Education, for the**
28 **biennium beginning July 1, 2013, out of the General Fund, the amount**
29 **of \$5,000,000, which shall be expended for strategic investments made**
30 **for the purpose described in section 1 (2)(b) of this 2013 Act.**

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

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

5 “(b) A school district or public charter school shall award a modified di-
6 ploma to a student who satisfies the requirements established by subsection
7 (6) of this section, an extended diploma to a student who satisfies the re-
8 quirements established by subsection (7) of this section or an alternative
9 certificate to a student who satisfies the requirements established by sub-
10 section (8) of this section.

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

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

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

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

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

25 “[(c)] (C) Four credits of English.

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

30 **“(A) Subjects for which the State Board of Education has estab-**

1 **lished academic content standards under ORS 329.045;**

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

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

6 “(3) A student may satisfy the requirements of subsection (2) of this sec-
7 tion in less than four years. If a student satisfies the requirements of sub-
8 section (2) of this section and a school district or public charter school has
9 received consent as provided by subsection (5) of this section, the school
10 district or public charter school shall award a high school diploma to the
11 student.

12 “(4) If a school district or public charter school has received consent as
13 provided by subsection (5) of this section, the school district or public char-
14 ter school may advance the student to the next grade level if the student has
15 satisfied the requirements for the student’s current grade level.

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

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

19 “(i) Is under 18 years of age and is not emancipated pursuant to ORS
20 419B.550 to 419B.558; or

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

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

26 “(b) For the purpose of awarding a modified diploma or extended diploma
27 as provided by subsection (1)(d) of this section or of awarding a high school
28 diploma as provided by subsection (3) of this section, consent must be re-
29 ceived during the school year for which the diploma will be awarded.

30 “(6) A school district or public charter school shall award a modified di-

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

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

7 “(b) Have a documented history of an inability to maintain grade level
8 achievement due to significant learning and instructional barriers or have
9 a documented history of a medical condition that creates a barrier to
10 achievement.

11 “(7) A school district or public charter school shall award an extended
12 diploma only to students who have demonstrated the inability to meet the
13 full set of academic content standards for a high school diploma with rea-
14 sonable modifications and accommodations. To be eligible for an extended
15 diploma, a student must:

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

19 “(A) Two credits of mathematics;

20 “(B) Two credits of English;

21 “(C) Two credits of science;

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

23 “(E) One credit of health;

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

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

26 “(b) Have a documented history of an inability to maintain grade level
27 achievement due to significant learning and instructional barriers or have
28 a documented history of a medical condition that creates a barrier to
29 achievement; and

30 “(c)(A) Participate in an alternate assessment beginning no later than

1 grade six and lasting for two or more assessment cycles; or

2 “(B) Have a serious illness or injury that occurs after grade eight, that
3 changes the student’s ability to participate in grade level activities and that
4 results in the student participating in alternate assessments.

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

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

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

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

15 “(10)(a) A student may satisfy the requirements described in subsection
16 (6), (7) or (8) of this section in less than four years if consent is provided in
17 the manner described in subsection (5)(a) of this section.

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

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

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

28 “(11)(a) A student who receives a modified diploma, an extended diploma
29 or an alternative certificate shall:

30 “(A) Have the option of participating in a high school graduation cere-

1 mony with the class of the student; and

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

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

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

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

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

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

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

25 “(i) The school district’s duty to comply with the requirements of para-
26 graph (a)(B) of this subsection; and

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

30 “(B) Obtain a signed acknowledgment from the parent or guardian of the

1 student that the parent or guardian received the information described in
2 subparagraph (A) of this paragraph.

3 “(C) Include in the individualized education program for the student a
4 written statement that explains the reasons the student is not accessing the
5 total number of hours of instruction and services to which the student has
6 access under paragraph (a)(B) of this subsection.

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

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

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

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

24 “(c) Beginning in grade five, annually provide information to the parents
25 or guardians of a student taking an alternate assessment of the availability
26 of a modified diploma, an extended diploma and an alternative certificate and
27 the requirements for the diplomas and certificate.

28 **“SECTION 9. (1) The amendments to ORS 329.451 by section 8 of this**
29 **2013 Act become operative July 1, 2015.**

30 **“(2) The amendments to ORS 329.451 by section 8 of this 2013 Act**

1 **first apply to students graduating on or after July 1, 2015.**

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

3 “341.450. Every community college district shall encourage high school
4 students to start early on a college education by:

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

9 **“(2) Collaborating with interested school districts that are within**
10 **the boundaries of the community college district to facilitate the de-**
11 **livery of two-plus-two programs and other related programs.**

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

14 “341.450. Every community college district shall encourage high school
15 students to start early on a college education by:

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

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

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

28