

## SENATE AMENDMENTS TO SENATE BILL 513

By COMMITTEE ON EDUCATION

April 1

1 On page 1 of the printed bill, line 2, after the second semicolon insert “and” and after  
2 “329.451” insert a period and delete the rest of the line and line 3.

3 After line 3, insert:

4 “Whereas civic knowledge and engagement are essential to maintaining a representative de-  
5 mocracy; and

6 “Whereas it is essential to the future health of our country and this state that all Oregonians  
7 be knowledgeable about democratic principles and practices; and

8 “Whereas the most recent civics assessment of the National Assessment of Educational Progress  
9 indicates that only 24 percent of high school seniors test at or above proficiency level in civics, and  
10 that more than one-third of high school seniors lack even a basic grasp of the structure and opera-  
11 tion of American government; and

12 “Whereas students who have a clear and full understanding of the rights and responsibilities  
13 of participants in a democracy are more likely to exercise and defend those rights and responsibil-  
14 ities; and

15 “Whereas independent studies demonstrate that well-designed civics education programs foster  
16 an understanding and appreciation of democracy and the skills for participation in a democratic  
17 society; and

18 “Whereas required civics education would help students in this state to acquire and learn the  
19 use of skills, knowledge and attitudes that will prepare them to be competent and responsible par-  
20 ticipants in their communities and in our democratic processes throughout their lives; and

21 “Whereas required civics education will advance equity in this state by ensuring that students  
22 from historically disenfranchised groups have the skills and knowledge to actively and effectively  
23 participate in their communities; and

24 “Whereas Americans of all backgrounds overwhelmingly agree that providing civics education  
25 is the measure that would have the most positive impact on strengthening our national common  
26 identity; and

27 “Whereas providing civics education and promoting good citizenship and understanding of fun-  
28 damental principles should be a core mission of the schools of this state; now, therefore,”.

29 Delete lines 5 through 31 and delete pages 2 through 5 and insert:

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

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

34 “(b) A school district or public charter school shall award a modified diploma to a student who  
35 satisfies the requirements established by subsection (7) of this section, an extended diploma to a

1 student who satisfies the requirements established by subsection (8) of this section or an alternative  
2 certificate to a student who satisfies the requirements established by subsection (9) of this section.

3 “(c) A school district or public charter school may not deny a student who has the documented  
4 history described in subsection (7)(b) or (8)(b) of this section the opportunity to pursue a diploma  
5 with more stringent requirements than a modified diploma or an extended diploma for the sole rea-  
6 son that the student has the documented history.

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

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

13 “[A] *Twenty-four total credits;*]

14 “[B] (A) Three credits of mathematics; *[and]*

15 “[C] (B) Four credits of English[.]; **and**

16 **“(C) One half-credit of civics.**

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

20 “(A) Subjects for which the State Board of Education has established academic content stan-  
21 dards under ORS 329.045;

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

23 “(C) Courses that provide, or qualify to provide, credit at post-secondary institutions of educa-  
24 tion.

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

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

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

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

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

36 “(v) A child of a migrant worker, as determined under rules adopted by the State Board of Ed-  
37 ucation; or

38 “(vi) Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education  
39 Program.

40 “(B) For any student identified under subparagraph (A) of this paragraph, a school district or  
41 public charter school must accept any credits earned by the student in another school district or  
42 public charter school and apply those credits toward requirements specified by paragraph (a) of this  
43 subsection or by rule of the State Board of Education if the credits satisfied those requirements in  
44 that other school district or public charter school.

45 “(3) A student providing work samples to demonstrate proficiency in Essential Learning Skills

1 as may be required under subsection (2) of this section must be allowed to use accommodations de-  
2 scribed in the student's individualized education program or the student's plan developed in ac-  
3 cordance with section 504 of the Rehabilitation Act of 1978, 29 U.S.C. 794. As used in this  
4 subsection, the term 'accommodations':

5 "(a) Includes, but is not limited to:

6 "(A) Additional time to demonstrate proficiency.

7 "(B) The ability to demonstrate proficiency in an alternative location that is secure and  
8 proctored.

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

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

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

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

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

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

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

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

25 "(B) The student, if the student is 18 years of age or older or is emancipated pursuant to ORS  
26 419B.550 to 419B.558.

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

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

34 "(a) Satisfy the requirements for a modified diploma established by the State Board of Education;  
35 and

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

39 "(8) A school district or public charter school shall award an extended 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 an extended  
42 diploma, a student must:

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

1 “(A) Two credits of mathematics;  
2 “(B) Two credits of English;  
3 “(C) Two credits of science;  
4 “(D) Three credits of history, geography, economics or civics;  
5 “(E) One credit of health;  
6 “(F) One credit of physical education; and  
7 “(G) One credit of the arts or a world language; and  
8 “(b) Have a documented history of:  
9 “(A) An inability to maintain grade level achievement due to significant learning and instruc-  
10 tional barriers;  
11 “(B) A medical condition that creates a barrier to achievement; or  
12 “(C) A change in the student’s ability to participate in grade level activities as a result of a  
13 serious illness or injury that occurred after grade eight.  
14 “(9) A school district or public charter school shall award an alternative certificate to a student  
15 who does not satisfy the requirements for a high school diploma, a modified diploma or an extended  
16 diploma if the student meets requirements established by the board of the school district or public  
17 charter school.  
18 “(10) A student shall have the opportunity to satisfy the requirements of subsection (7), (8) or  
19 (9) of this section by the later of:  
20 “(a) Four years after starting grade nine; or  
21 “(b) The student reaching the age of 21 years, if the student is entitled to a public education  
22 until the age of 21 years under state or federal law.  
23 “(11)(a) A student may satisfy the requirements described in subsection (7), (8) or (9) of this  
24 section in less than four years if consent is provided in the manner described in subsection (6)(a)  
25 of this section.  
26 “(b) The consent provided under this subsection must be written and must clearly state that the  
27 parent, guardian or student is waiving the time allowed under subsection (10) of this section. A  
28 consent may not be used to allow a student to satisfy the requirements of subsection (7), (8) or (9)  
29 of this section in less than three years.  
30 “(c) A copy of all consents provided under this subsection for students in a school district must  
31 be forwarded to the district superintendent.  
32 “(d) Each school district must provide to the Superintendent of Public Instruction information  
33 about the number of consents provided during a school year.  
34 “(12)(a) A student who qualifies to receive or receives a modified diploma, an extended diploma  
35 or an alternative certificate shall:  
36 “(A) Have the option of participating in a high school graduation ceremony with the class of the  
37 student; and  
38 “(B) Have access to instructional hours, hours of transition services and hours of other services  
39 that are designed to:  
40 “(i) Meet the unique needs of the student; and  
41 “(ii) When added together, provide a total number of hours of instruction and services to the  
42 student that equals at least the total number of instructional hours that is required to be provided  
43 to students who are attending a public high school.  
44 “(b)(A) The number of instructional hours, hours of transition services and hours of other ser-  
45 vices that are appropriate for a student shall be determined by the student’s individualized education

1 program team. Based on the student's needs and performance level, the student's individualized ed-  
2 ucation program team may decide that the student will not access the total number of hours of in-  
3 struction and services to which the student has access under paragraph (a)(B) of this subsection.

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

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

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

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

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

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

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

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

29 "(13) A school district or public charter school shall:

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

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

34 "(c) Annually provide, to the parents or guardians of a student who has the documented history  
35 described in subsection (8)(b) of this section, information about the availability of a modified di-  
36 ploma, an extended diploma and an alternative certificate and the requirements for the diplomas and  
37 certificate:

38 "(A) Beginning in grade five; or

39 "(B) Beginning after a documented history described in subsection (8)(b) of this section has been  
40 established.

41 "(14) A school district or public charter school shall allow a student to participate in the high  
42 school graduation ceremony with the class of the student and to wear a dress uniform issued to the  
43 student by a branch of the Armed Forces of the United States if the student:

44 "(a) Qualifies to receive a high school diploma, a modified diploma, an extended diploma or an  
45 alternative certificate under this section; and

1           “(b) Has completed basic training for, and is an active member of, a branch of the Armed Forces  
2 of the United States.

3           “**SECTION 2. (1) The amendments to ORS 329.451 by section 1 of this 2021 Act become**  
4 **operative on January 1, 2026.**

5           “**(2) The amendments to ORS 329.451 by section 1 of this 2021 Act first apply to high**  
6 **school diplomas awarded on or after January 1, 2026.”.**

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