

SB 513-2
(LC 1299)
3/18/21 (HRL/ps)

Requested by SENATE COMMITTEE ON EDUCATION

**PROPOSED AMENDMENTS TO
SENATE BILL 513**

1 On page 1 of the printed bill, line 2, after “and” delete the rest of the line
2 and line 3 and insert “declaring an emergency.”.

3 After line 3, insert:

4 “Whereas civic knowledge and engagement are essential to maintaining
5 a representative democracy; and

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

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

14 “Whereas students who have a clear and full understanding of the rights
15 and responsibilities of participants in a democracy are more likely to exer-
16 cise and defend those rights and responsibilities; and

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

20 “Whereas required civics education would help students in this state to
21 acquire and learn the use of skills, knowledge and attitudes that will prepare

1 them to be competent and responsible participants in their communities and
2 in our democratic processes throughout their lives; and

3 “Whereas required civics education will advance equity in this state by
4 ensuring that students from historically disenfranchised groups have the
5 skills and knowledge to actively and effectively participate in their commu-
6 nities; and

7 “Whereas Americans of all backgrounds overwhelmingly agree that pro-
8 viding civics education is the measure that would have the most positive
9 impact on strengthening our national common identity; and

10 “Whereas providing civics education and promoting good citizenship and
11 an understanding of fundamental principles should be a core mission of the
12 schools of this state; now, therefore,”.

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

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

15 “329.451. (1)(a) At or before grade 12, a school district or public charter
16 school shall award a high school diploma to a student who completes the
17 requirements established by subsection (2) of this section.

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

24 “(c) A school district or public charter school may not deny a student
25 who has the documented history described in subsection (7)(b) or (8)(b) of
26 this section the opportunity to pursue a diploma with more stringent re-
27 quirements than a modified diploma or an extended diploma for the sole
28 reason that the student has the documented history.

29 “(d) A school district or public charter school may award a modified di-
30 ploma or extended diploma to a student only upon receiving consent as pro-

1 vided by subsection (6) of this section.

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

7 “[*(A) Twenty-four total credits;*]

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

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

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

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

15 “(A) Subjects for which the State Board of Education has established ac-
16 ademic content standards under ORS 329.045;

17 “(B) Courses provided as part of a career and technical education pro-
18 gram; or

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

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

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

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

29 “(iii) A runaway, as determined under rules adopted by the State Board
30 of Education based on standards adopted by the Department of Human Ser-

1 vices;

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

5 “(v) A child of a migrant worker, as determined under rules adopted by
6 the State Board of Education; or

7 “(vi) Enrolled in the Youth Corrections Education Program or the Juve-
8 nile Detention Education Program.

9 “(B) For any student identified under subparagraph (A) of this paragraph,
10 a school district or public charter school must accept any credits earned by
11 the student in another school district or public charter school and apply
12 those credits toward requirements specified by paragraph (a) of this sub-
13 section or by rule of the State Board of Education if the credits satisfied
14 those requirements in that other school district or public charter school.

15 “(3) A student providing work samples to demonstrate proficiency in Es-
16 sential Learning Skills as may be required under subsection (2) of this sec-
17 tion must be allowed to use accommodations described in the student’s
18 individualized education program or the student’s plan developed in accord-
19 ance with section 504 of the Rehabilitation Act of 1978, 29 U.S.C. 794. As
20 used in this subsection, the term ‘accommodations’:

21 “(a) Includes, but is not limited to:

22 “(A) Additional time to demonstrate proficiency.

23 “(B) The ability to demonstrate proficiency in an alternative location that
24 is secure and proctored.

25 “(C) The use of text-to-speech or speech-to-text technology or other
26 assistive technology.

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

29 “(4) A student may satisfy the requirements of subsection (2) of this sec-
30 tion in less than four years. If a student satisfies the requirements of sub-

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

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

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

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

12 “(i) Is under 18 years of age and is not emancipated pursuant to ORS
13 419B.550 to 419B.558; or

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

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

19 “(b) For the purpose of awarding a modified diploma or extended diploma
20 as provided by subsection (1)(d) of this section or of awarding a high school
21 diploma as provided by subsection (4) of this section, consent must be re-
22 ceived during the school year for which the diploma will be awarded.

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

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

30 “(b) Have a documented history of an inability to maintain grade level

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

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

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

12 “(A) Two credits of mathematics;

13 “(B) Two credits of English;

14 “(C) Two credits of science;

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

16 “(E) One credit of health;

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

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

19 “(b) Have a documented history of:

20 “(A) An inability to maintain grade level achievement due to significant
21 learning and instructional barriers;

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

23 “(C) A change in the student’s ability to participate in grade level activ-
24 ities as a result of a serious illness or injury that occurred after grade eight.

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

30 “(10) A student shall have the opportunity to satisfy the requirements of

1 subsection (7), (8) or (9) of this section by the later of:

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

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

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

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

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

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

18 “(12)(a) A student who qualifies to receive or receives a modified diploma,
19 an extended diploma or an alternative certificate shall:

20 “(A) Have the option of participating in a high school graduation cere-
21 mony with the class of the student; and

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

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

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

29 “(b)(A) The number of instructional hours, hours of transition services
30 and hours of other services that are appropriate for a student shall be de-

1 terminated by the student’s individualized education program team. Based on
2 the student’s needs and performance level, the student’s individualized edu-
3 cation program team may decide that the student will not access the total
4 number of hours of instruction and services to which the student has access
5 under paragraph (a)(B) of this subsection.

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

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

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

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

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

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

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

27 “(d) For purposes of paragraph (a)(B) of this subsection, transition ser-
28 vices and other services designed to meet the unique needs of the student
29 may be provided to the student through an interagency agreement entered
30 into by the school district if the individualized education program developed

1 for the student indicates that the services may be provided by another
2 agency. A school district that enters into an interagency agreement as al-
3 lowed under this paragraph retains the responsibility for ensuring that the
4 student has access to the number of service hours required to be provided
5 to the student under this subsection. An agency is not required to change
6 any eligibility criteria or enrollment standards prior to entering into an
7 interagency agreement as provided by this paragraph.

8 “(13) A school district or public charter school shall:

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

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

14 “(c) Annually provide, to the parents or guardians of a student who has
15 the documented history described in subsection (8)(b) of this section, infor-
16 mation about the availability of a modified diploma, an extended diploma and
17 an alternative certificate and the requirements for the diplomas and certif-
18 icate:

19 “(A) Beginning in grade five; or

20 “(B) Beginning after a documented history described in subsection (8)(b)
21 of this section has been established.

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

26 “(a) Qualifies to receive a high school diploma, a modified diploma, an
27 extended diploma or an alternative certificate under this section; and

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

30 **“SECTION 2. (1) The amendments to ORS 329.451 by section 1 of this**

1 **2021 Act become operative on January 1, 2026.**

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

4 **“SECTION 3. No later than January 1, 2022, the State Board of Ed-**
5 **ucation shall:**

6 **“(1) Review the academic content standards for civics that have**
7 **been adopted for students in grades 9 through 12 to ensure that the**
8 **standards include:**

9 **“(a) Voting rights and how to vote;**

10 **“(b) Current and historical social movements; and**

11 **“(c) The roles of local governments and tribal governments.**

12 **“(2) Make any necessary revisions to the academic content stan-**
13 **dards for civics based on the review conducted under subsection (1)**
14 **of this section.**

15 **“SECTION 4. This 2021 Act being necessary for the immediate**
16 **preservation of the public peace, health and safety, an emergency is**
17 **declared to exist, and this 2021 Act takes effect on its passage.”.**

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