

House Bill 4095

Sponsored by Representatives STOUT, MCINTIRE; Representative DIEHL (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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Requires a student to meet reading, writing and math standards before getting a diploma. Changes the law for diplomas in 2025. Makes changes to the law when the Governor signs the bill. (Flesch Readability Score: 61.1).

Requires a student to demonstrate proficiency in specified Essential Learning Skills prior to the student being awarded a high school diploma or a modified diploma. Applies to diplomas awarded on or after January 1, 2025.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to graduation requirements; creating new provisions; amending ORS 327.190, 329.007,
3 329.451, 336.585, 336.590, 336.680 and 343.331; and declaring an emergency.

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

5 **SECTION 1.** ORS 329.007 is amended to read:

6 329.007. As used in this chapter, unless the context requires otherwise:

7 (1) "Academic content standards" means expectations of student knowledge and skills adopted
8 by the State Board of Education under ORS 329.045.

9 (2) "Administrator" includes all persons whose duties require an administrative license.

10 [(3) "*Board*" or "*state board*" means the State Board of Education.]

11 [(4)] (3) "Community learning center" means a school-based or school-linked program providing
12 informal meeting places and coordination for community activities, adult education, child care, in-
13 formation and referral and other services as described in ORS 329.157. "Community learning
14 center" includes, but is not limited to, a community school program as defined in ORS 336.505,
15 family resource centers as described in ORS 417.725, full service schools, lighted schools and 21st
16 century community learning centers.

17 [(5) "*Department*" means the Department of Education.]

18 (4) "**Essential Learning Skills**" means **process skills, as identified by the State Board of**
19 **Education by rule, that:**

20 (a) **Cross academic disciplines;**

21 (b) **Can be applied in a variety of courses, subjects and settings; and**

22 (c) **Are embedded in academic content standards.**

23 [(6)] (5) "Higher education and career path skills" means instruction that provides guidance on:

24 (a) Applying for jobs, including preparing a resume or filling out a job application and develop-
25 ing job interview skills;

26 (b) Applying for admission to a post-secondary institution of education, including applying for
27 financial aid and scholarships;

28 (c) Applying for post-secondary learning and job training opportunities and programs that do not

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 require a four-year degree, including apprenticeships and how to meet the prerequisites for those
 2 opportunities and programs;

3 (d) Developing career-related skills, including improving employability skills, taking advantage
 4 of community-based experiential learning and gaining knowledge of career opportunities; and

5 (e) Seeking assistance, including accessing community resources and acting as a self-advocate
 6 for mental, physical and financial well-being.

7 [(7)] (6) “History, geography, economics and civics” includes, but is not limited to, Oregon
 8 Studies.

9 [(8)] (7) “Language arts” includes reading, writing and other communications in any language,
 10 including English.

11 [(9)] (8) “Oregon Studies” means history, geography, economics and civics specific to the State
 12 of Oregon. Oregon Studies instruction in Oregon government shall include municipal, county, tribal
 13 and state government, as well as the electoral and legislative processes.

14 [(10)] (9) “Parents” means parents or guardians of students who are covered by this chapter.

15 [(11)] (10) “Personal financial education” means instruction that provides guidance on:

16 (a) Credit scores, including how to build credit, the costs and benefits of borrowing money on
 17 credit and the long-term impacts of high or low credit scores;

18 (b) Investments, asset building and debt, including how to open a bank account, different types
 19 of bank accounts, compound interest, the total cost of loan repayment, comparing investment options
 20 and types of investments and understanding different types of retirement accounts;

21 (c) Strategies for creating a budget, tracking and modifying spending patterns and understanding
 22 insurance products, including exploring common costs associated with rentals and home ownership;

23 (d) Taxes, including accessing tax credits, understanding tax cycles, being familiar with state
 24 and federal tax forms and being familiar with federal, state, regional and local taxes; and

25 (e) Building financial well-being, including evaluating the impact of behavioral economics and
 26 the psychology of money, explaining trends in financial health and evaluating consumer skills, in-
 27 cluding fraud and identity theft prevention.

28 [(12)] (11) “Public charter school” has the meaning given that term in ORS 338.005.

29 [(13)] (12) “School district” means a school district as defined in ORS 332.002, a state-operated
 30 school or any legally constituted combination of such entities.

31 [(14)] (13) “Teacher” means any licensed employee of a school district who has direct responsi-
 32 bility for instruction, coordination of educational programs or supervision of students and who is
 33 compensated for such services from public funds. “Teacher” does not include a school nurse, as
 34 defined in ORS 342.455, or a person whose duties require an administrative license.

35 [(15)] (14) “The arts” includes, but is not limited to, literary arts, performing arts and visual
 36 arts.

37 [(16)] (15) “World languages” includes sign language, heritage languages and languages other
 38 than a student’s primary language.

39 [(17)] (16) “21st Century Schools Council” means a council established pursuant to ORS 329.704.

40 **SECTION 2.** ORS 329.007, as amended by section 6, chapter 253, Oregon Laws 2019, section 3,
 41 chapter 178, Oregon Laws 2021, and section 4, chapter 564, Oregon Laws 2023, is amended to read:
 42 329.007. As used in this chapter, unless the context requires otherwise:

43 (1) “Academic content standards” means expectations of student knowledge and skills adopted
 44 by the State Board of Education under ORS 329.045.

45 (2) “Administrator” includes all persons whose duties require an administrative license.

1 [(3) *“Board” or “state board” means the State Board of Education.*]

2 [(4)] (3) “Community learning center” means a school-based or school-linked program providing
 3 informal meeting places and coordination for community activities, adult education, child care, in-
 4 formation and referral and other services as described in ORS 329.157. “Community learning
 5 center” includes, but is not limited to, a community school program as defined in ORS 336.505,
 6 family resource centers as described in ORS 417.725, full service schools, lighted schools and 21st
 7 century community learning centers.

8 [(5) *“Department” means the Department of Education.*]

9 (4) **“Essential Learning Skills” means process skills, as identified by the State Board of
 10 Education by rule, that:**

11 (a) **Cross academic disciplines;**

12 (b) **Can be applied in a variety of courses, subjects and settings; and**

13 (c) **Are embedded in academic content standards.**

14 [(6)] (5) “Higher education and career path skills” means instruction that provides guidance on:

15 (a) Applying for jobs, including preparing a resume or filling out a job application and develop-
 16 ing job interview skills;

17 (b) Applying for admission to a post-secondary institution of education, including applying for
 18 financial aid and scholarships;

19 (c) Applying for post-secondary learning and job training opportunities and programs that do not
 20 require a four-year degree, including apprenticeships and how to meet the prerequisites for those
 21 opportunities and programs;

22 (d) Developing career-related skills, including improving employability skills, taking advantage
 23 of community-based experiential learning and gaining knowledge of career opportunities; and

24 (e) Seeking assistance, including accessing community resources and acting as a self-advocate
 25 for mental, physical and financial well-being.

26 [(7)] (6) “History, geography, economics and civics” includes, but is not limited to, Holocaust
 27 and genocide studies and Oregon Studies.

28 [(8)] (7) “Holocaust and genocide studies” means studies on the Holocaust, genocide and other
 29 acts of mass violence that comply with the requirements described in ORS 329.494.

30 [(9)] (8) “Language arts” includes reading, writing and other communications in any language,
 31 including English.

32 [(10)] (9) “Oregon Studies” means history, geography, economics and civics specific to the State
 33 of Oregon. Oregon Studies instruction in Oregon government shall include municipal, county, tribal
 34 and state government, as well as the electoral and legislative processes.

35 [(11)] (10) “Parents” means parents or guardians of students who are covered by this chapter.

36 [(12)] (11) “Personal financial education” means instruction that provides guidance on:

37 (a) Credit scores, including how to build credit, the costs and benefits of borrowing money on
 38 credit and the long-term impacts of high or low credit scores;

39 (b) Investments, asset building and debt, including how to open a bank account, different types
 40 of bank accounts, compound interest, the total cost of loan repayment, comparing investment options
 41 and types of investments and understanding different types of retirement accounts;

42 (c) Strategies for creating a budget, tracking and modifying spending patterns and understanding
 43 insurance products, including exploring common costs associated with rentals and home ownership;

44 (d) Taxes, including accessing tax credits, understanding tax cycles, being familiar with state
 45 and federal tax forms and being familiar with federal, state, regional and local taxes; and

1 (e) Building financial well-being, including evaluating the impact of behavioral economics and
 2 the psychology of money, explaining trends in financial health and evaluating consumer skills, in-
 3 cluding fraud and identity theft prevention.

4 [(13)] (12) “Public charter school” has the meaning given that term in ORS 338.005.

5 [(14)] (13) “School district” means a school district as defined in ORS 332.002, a state-operated
 6 school or any legally constituted combination of such entities.

7 [(15)] (14) “Teacher” means any licensed employee of a school district who has direct responsi-
 8 bility for instruction, coordination of educational programs or supervision of students and who is
 9 compensated for such services from public funds. “Teacher” does not include a school nurse, as
 10 defined in ORS 342.455, or a person whose duties require an administrative license.

11 [(16)] (15) “The arts” includes, but is not limited to, literary arts, performing arts and visual
 12 arts.

13 [(17)] (16) “World languages” includes sign language, heritage languages and languages other
 14 than a student’s primary language.

15 [(18)] (17) “21st Century Schools Council” means a council established pursuant to ORS 329.704.

16 **SECTION 3.** ORS 329.451 is amended to read:

17 329.451. (1)(a) At or before grade 12, a school district or public charter school shall award a high
 18 school diploma to a student who completes the requirements established by [subsection (2)] **sub-**
 19 **sections (2) and (3)** of this section.

20 (b) A school district or public charter school shall award a modified diploma to a student who
 21 satisfies the requirements established by [subsection (7)] **subsections (3) and (7)** of this section, an
 22 extended diploma to a student who satisfies the requirements established by subsection (8) of this
 23 section or a certificate of attendance to a student who satisfies the requirements established by
 24 subsection (9) of this section.

25 (c) A school district or public charter school may not deny a student who has the documented
 26 history described in subsection (7)(b) or (8)(b) of this section the opportunity to pursue a diploma
 27 with more stringent requirements than a modified diploma or an extended diploma.

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

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

- 33 (A) Twenty-four total credits;
- 34 (B) Three credits of mathematics; and
- 35 (C) Four credits of language arts.

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

- 39 (A) Subjects for which the State Board of Education has established academic content standards
 40 under ORS 329.045;
- 41 (B) Courses provided as part of a career and technical education program; or
- 42 (C) Courses that provide, or qualify to provide, credit at post-secondary institutions of education.

43 (c)(A) A school district or public charter school that requires students to satisfy any require-
 44 ments not specified by paragraph (a) of this subsection or by rule of the State Board of Education
 45 must grant to a student a waiver of the requirements established by the school district or public

1 charter school if the student is or, at any time from grade 9 to 12, was:

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

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

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

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

9 (v) A child of a migrant worker, as determined under rules adopted by the State Board of Edu-
10 cation;

11 (vi) Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education
12 Program; or

13 (vii) Enrolled in an approved recovery school under ORS 336.680.

14 (B)(i) For any student identified under subparagraph (A) of this paragraph, a school district or
15 public charter school must accept any credits earned by the student in an educational program in
16 this state and apply those credits toward requirements specified by paragraph (a) of this subsection
17 or by rule of the State Board of Education if the credits satisfied those requirements in that edu-
18 cational program in this state.

19 (ii) As used in this subparagraph, “educational program in this state” means an educational
20 program that is:

21 (I) Provided by a school district, a public charter school, an approved recovery school, the
22 Youth Corrections Education Program or the Juvenile Detention Education Program; or

23 (II) Funded as provided by ORS 343.243 for students in a long term care or treatment facility
24 described in ORS 343.961 or a hospital identified in ORS 343.261.

25 **(3)(a) In addition to the credit requirements described in subsection (2) of this section**
26 **and any other requirements established by the State Board of Education or by a school dis-**
27 **trict or public charter school, the board shall adopt proficiency standards for Essential**
28 **Learning Skills that must be demonstrated before a student is awarded a high school diploma**
29 **or a modified diploma. The proficiency standards must be demonstrated for, at a minimum,**
30 **the following:**

31 **(A) Reading and comprehending a variety of text;**

32 **(B) Writing clearly and accurately; and**

33 **(C) Applying mathematics in a variety of settings.**

34 **(b) The board shall adopt by rule assessment options for students to demonstrate profi-**
35 **ciency in Essential Learning Skills, as provided by paragraph (a) of this subsection.**

36 *[(3)]* **(c)** A student providing work samples to demonstrate proficiency in Essential Learning
37 Skills *[as may be required under subsection (2) of this section]* must be allowed to use accommodations
38 described in the student’s individualized education program or the student’s plan developed in ac-
39 cordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794. As used in this
40 *[subsection]* **paragraph**, the term “accommodations”:

41 *[(a)]* **(A)** Includes, but is not limited to:

42 *[(A)]* **(i)** Additional time to demonstrate proficiency.

43 *[(B)]* **(ii)** The ability to demonstrate proficiency in an alternative location that is secure and
44 proctored.

45 *[(C)]* **(iii)** The use of text-to-speech or speech-to-text technology or other assistive technology.

1 **[(b)] (B)** Does not include modifications that lower the proficiency standards or that are used
 2 solely to earn modified credit.

3 (4) A student may satisfy the requirements of *[subsection (2)]* **subsections (2) and (3)** of this
 4 section in less than four years. If a student satisfies the requirements of *[subsection (2)]* **subsections**
 5 **(2) and (3)** of this section and a school district or public charter school has received consent as
 6 provided by subsection (6) of this section, the school district or public charter school shall award
 7 a high school diploma to the student.

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

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

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

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

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

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

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

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

26 (a) Satisfy the requirements for a modified diploma established by **this section and** the State
 27 Board of Education; and

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

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

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

38 (A) Two credits of mathematics;

39 (B) Two credits of language arts;

40 (C) Two credits of science;

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

42 (E) One credit of health;

43 (F) One credit of physical education; and

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

45 (b) Have a documented history of:

1 (A) An inability to maintain grade level achievement due to significant learning and instruc-
2 tional barriers;

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

4 (C) A change in the student's ability to participate in grade level activities as a result of a se-
5 rious illness or injury that occurred after grade eight.

6 (9) A school district or public charter school shall award a certificate of attendance to a student
7 who does not satisfy the requirements for a high school diploma, a modified diploma or an extended
8 diploma if the student has maintained regular full-time attendance for at least four years beginning
9 in grade nine and meets requirements established by the board of the school district or public
10 charter school.

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

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

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

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

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

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

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

27 (12)(a) A student who qualifies to receive or receives a modified diploma, an extended diploma
28 or a certificate of attendance shall:

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

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

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

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

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

40 (c) For purposes of paragraph (a)(B) of this subsection, transition services and other services
41 designed to meet the unique needs of the student may be provided to the student through an inter-
42 agency agreement entered into by the school district if the individualized education program devel-
43 oped for the student indicates that the services may be provided by another agency. A school
44 district that enters into an interagency agreement as allowed under this paragraph retains the re-
45 sponsibility for ensuring that the student has access to the number of service hours required to be

1 provided to the student under this subsection. An agency is not required to change any eligibility
 2 criteria or enrollment standards prior to entering into an interagency agreement as provided by this
 3 paragraph.

4 (13) A school district or public charter school shall:

5 (a) Ensure that all students have on-site access to the appropriate resources and courses to
 6 achieve high school diplomas, modified diplomas and extended diplomas at each high school in the
 7 school district or at the public charter school.

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

9 (c)(A) Provide to the parents or guardians of a student who has the documented history de-
 10 scribed in subsection (8)(b) of this section:

11 (i) Information about the availability of high school diplomas, modified diplomas and extended
 12 diplomas and the requirements for the diplomas; and

13 (ii) A disclosure that a student awarded a certificate of attendance will not be counted as a high
 14 school graduate in any reporting for the state or school district and that a student awarded a cer-
 15 tificate of attendance may not indicate that the student received a high school diploma on applica-
 16 tions for employment, military service, financial aid, admittance to an institution of higher education
 17 or any other purpose.

18 (B) The information and disclosure required under subparagraph (A) of this paragraph must be
 19 provided annually:

20 (i) Beginning in grade five; or

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

23 (14) A school district or public charter school shall allow a student to participate in the high
 24 school graduation ceremony with the class of the student and to wear:

25 (a) Native American items of cultural significance as provided by ORS 332.112; or

26 (b) A dress uniform issued to the student by a branch of the Armed Forces of the United States
 27 if the student:

28 (A) Qualifies to receive a high school diploma, a modified diploma, an extended diploma or a
 29 certificate of attendance under this section; and

30 (B) Has completed basic training for, and is an active member of, a branch of the Armed Forces
 31 of the United States.

32 **SECTION 4.** ORS 329.451, as amended by section 1, chapter 175, Oregon Laws 2021, section 6,
 33 chapter 81, Oregon Laws 2022, section 3, chapter 202, Oregon Laws 2023, and section 9, chapter 513,
 34 Oregon Laws 2023, is amended to read:

35 329.451. (1)(a) At or before grade 12, a school district or public charter school shall award a high
 36 school diploma to a student who completes the requirements established by [*subsection (2)*] **sub-**
 37 **sections (2) and (3)** of this section.

38 (b) A school district or public charter school shall award a modified diploma to a student who
 39 satisfies the requirements established by [*subsection (7)*] **subsections (3) and (7)** of this section, an
 40 extended diploma to a student who satisfies the requirements established by subsection (8) of this
 41 section or a certificate of attendance to a student who satisfies the requirements established by
 42 subsection (9) 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 (7)(b) or (8)(b) of this section the opportunity to pursue a diploma
 45 with more stringent requirements than a modified diploma or an extended diploma.

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

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

- 7 (A) Three credits of mathematics;
- 8 (B) Four credits of language arts; and
- 9 (C) One half-credit of civics.

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

- 13 (A) Subjects for which the State Board of Education has established academic content standards
 14 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 education.

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

- 21 (i) A foster child, as defined in ORS 30.297;
- 22 (ii) Homeless, as determined under rules adopted by the State Board of Education based on
 23 standards adopted by the Department of Human Services;
- 24 (iii) A runaway, as determined under rules adopted by the State Board of Education based on
 25 standards adopted by the Department of Human Services;
- 26 (iv) A child in a military family covered by the Interstate Compact on Educational Opportunity
 27 for Military Children, as determined under rules adopted by the State Board of Education;
- 28 (v) A child of a migrant worker, as determined under rules adopted by the State Board of Edu-
 29 cation;
- 30 (vi) Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education
 31 Program; or
- 32 (vii) Enrolled in an approved recovery school under ORS 336.680.

33 (B)(i) For any student identified under subparagraph (A) of this paragraph, a school district or
 34 public charter school must accept any credits earned by the student in an educational program in
 35 this state and apply those credits toward requirements specified by paragraph (a) of this subsection
 36 or by rule of the State Board of Education if the credits satisfied those requirements in that edu-
 37 cational program in this state.

38 (ii) As used in this subparagraph, “educational program in this state” means an educational
 39 program that is:

- 40 (I) Provided by a school district, a public charter school, an approved recovery school, the
 41 Youth Corrections Education Program or the Juvenile Detention Education Program; or
- 42 (II) Funded as provided by ORS 343.243 for students in a long term care or treatment facility
 43 described in ORS 343.961 or a hospital identified in ORS 343.261.

44 **(3)(a) In addition to the credit requirements described in subsection (2) of this section**
 45 **and any other requirements established by the State Board of Education or by a school dis-**

1 **trict or public charter school, the board shall adopt proficiency standards for Essential**
 2 **Learning Skills that must be demonstrated before a student is awarded a high school diploma**
 3 **or a modified diploma. The proficiency standards must be demonstrated for, at a minimum,**
 4 **the following:**

- 5 (A) **Reading and comprehending a variety of text;**
- 6 (B) **Writing clearly and accurately; and**
- 7 (C) **Applying mathematics in a variety of settings.**

8 (b) **The board shall adopt by rule assessment options for students to demonstrate profi-**
 9 **ciency in Essential Learning Skills, as provided by paragraph (a) of this subsection.**

10 [(3)] (c) A student providing work samples to demonstrate proficiency in Essential Learning
 11 Skills [*as may be required under subsection (2) of this section*] must be allowed to use accommodations
 12 described in the student’s individualized education program or the student’s plan developed in ac-
 13 cordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794. As used in this
 14 [*subsection*] **paragraph**, the term “accommodations”:

15 [(a)] (A) Includes, but is not limited to:

16 [(A)] (i) Additional time to demonstrate proficiency.

17 [(B)] (ii) The ability to demonstrate proficiency in an alternative location that is secure and
 18 proctored.

19 [(C)] (iii) The use of text-to-speech or speech-to-text technology or other assistive technology.

20 [(b)] (B) Does not include modifications that lower the proficiency standards or that are used
 21 solely to earn modified credit.

22 (4) A student may satisfy the requirements of [*subsection (2)*] **subsections (2) and (3)** of this
 23 section in less than four years. If a student satisfies the requirements of [*subsection (2)*] **subsections**
 24 **(2) and (3)** of this section and a school district or public charter school has received consent as
 25 provided by subsection (6) of this section, the school district or public charter school shall award
 26 a high school diploma to the student.

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

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

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

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

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

36 (B) The student, if the student is 18 years of age or older or is emancipated pursuant to ORS
 37 419B.550 to 419B.558.

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

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

45 (a) Satisfy the requirements for a modified diploma established by **this section and** the State

1 Board of Education; and

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

5 (8) A school district or public charter school shall award an extended diploma only to students
 6 who have demonstrated the inability to meet the full set of academic content standards for a high
 7 school diploma with reasonable 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 credits, which may not
 10 include more than six credits earned in a self-contained special education classroom and shall in-
 11 clude:

- 12 (A) Two credits of mathematics;
- 13 (B) Two credits of language arts;
- 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 learning and instruc-
 21 tional 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 activities as a result of a se-
 24 rious illness or injury that occurred after grade eight.

25 (9) A school district or public charter school shall award a certificate of attendance 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 has maintained regular full-time attendance for at least four years beginning
 28 in grade nine and 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 subsection (7), (8) or (9)
 31 of this section by the later of:

- 32 (a) Four years after starting grade nine; or
- 33 (b) The student reaching the age of 21 years, if the student is entitled to a public education until
 34 the age of 21 years under state or federal law.

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

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

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

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

1 (12)(a) A student who qualifies to receive or receives a modified diploma, an extended diploma
 2 or a certificate of attendance shall:

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

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

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

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

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

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

23 (13) A school district or public charter school shall:

24 (a) Ensure that all students have on-site access to the appropriate resources and courses to
 25 achieve high school diplomas, modified diplomas and extended diplomas at each high school in the
 26 school district or at the public charter school.

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

28 (c)(A) Provide to the parents or guardians of a student who has the documented history de-
 29 scribed in subsection (8)(b) of this section:

30 (i) Information about the availability of high school diplomas, modified diplomas and extended
 31 diplomas and the requirements for the diplomas; and

32 (ii) A disclosure that a student awarded a certificate of attendance will not be counted as a high
 33 school graduate in any reporting for the state or school district and that a student awarded a cer-
 34 tificate of attendance may not indicate that the student received a high school diploma on applica-
 35 tions for employment, military service, financial aid, admittance to an institution of higher education
 36 or any other purpose.

37 (B) The information and disclosure required under subparagraph (A) of this paragraph must be
 38 provided annually:

39 (i) Beginning in grade five; or

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

42 (14) A school district or public charter school shall allow a student to participate in the high
 43 school graduation ceremony with the class of the student and to wear:

44 (a) Native American items of cultural significance as provided by ORS 332.112; or

45 (b) A dress uniform issued to the student by a branch of the Armed Forces of the United States

1 if the student:

2 (A) Qualifies to receive a high school diploma, a modified diploma, an extended diploma or a
3 certificate of attendance under this section; and

4 (B) Has completed basic training for, and is an active member of, a branch of the Armed Forces
5 of the United States.

6 **SECTION 5.** ORS 329.451, as amended by section 1, chapter 175, Oregon Laws 2021, section 6,
7 chapter 81, Oregon Laws 2022, section 3, chapter 202, Oregon Laws 2023, section 9, chapter 513,
8 Oregon Laws 2023, and section 1, chapter 564, Oregon Laws 2023, is amended to read:

9 329.451. (1)(a) At or before grade 12, a school district or public charter school shall award a high
10 school diploma to a student who completes the requirements established by [subsection (2)] **sub-**
11 **sections (2) and (3)** of this section.

12 (b) A school district or public charter school shall award a modified diploma to a student who
13 satisfies the requirements established by [subsection (7)] **subsections (3) and (7)** of this section, an
14 extended diploma to a student who satisfies the requirements established by subsection (8) of this
15 section or a certificate of attendance to a student who satisfies the requirements established by
16 subsection (9) of this section.

17 (c) A school district or public charter school may not deny a student who has the documented
18 history described in subsection (7)(b) or (8)(b) of this section the opportunity to pursue a diploma
19 with more stringent requirements than a modified diploma or an extended diploma.

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

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

- 26 (A) Three credits of mathematics;
- 27 (B) Four credits of language arts;
- 28 (C) One half-credit of civics;
- 29 (D) One half-credit of higher education and career path skills; and
- 30 (E) One half-credit of personal financial education.

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

- 34 (A) Subjects for which the State Board of Education has established academic content standards
35 under ORS 329.045;
- 36 (B) Courses provided as part of a career and technical education program; or
- 37 (C) Courses that provide, or qualify to provide, credit at post-secondary institutions of education.

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

- 42 (i) A foster child, as defined in ORS 30.297;
- 43 (ii) Homeless, as determined under rules adopted by the State Board of Education based on
44 standards adopted by the Department of Human Services;
- 45 (iii) A runaway, as determined under rules adopted by the State Board of Education based on

1 standards adopted by the Department of Human Services;

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

4 (v) A child of a migrant worker, as determined under rules adopted by the State Board of Edu-
5 cation;

6 (vi) Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education
7 Program; or

8 (vii) Enrolled in an approved recovery school under ORS 336.680.

9 (B)(i) For any student identified under subparagraph (A) of this paragraph, a school district or
10 public charter school must accept any credits earned by the student in an educational program in
11 this state and apply those credits toward requirements specified by paragraph (a) of this subsection
12 or by rule of the State Board of Education if the credits satisfied those requirements in that edu-
13 cational program in this state.

14 (ii) As used in this subparagraph, “educational program in this state” means an educational
15 program that is:

16 (I) Provided by a school district, a public charter school, an approved recovery school, the
17 Youth Corrections Education Program or the Juvenile Detention Education Program; or

18 (II) Funded as provided by ORS 343.243 for students in a long term care or treatment facility
19 described in ORS 343.961 or a hospital identified in ORS 343.261.

20 (d) The State Board of Education may adopt by rule requirements for courses, including teachers
21 of courses, related to higher education and career path skills and personal financial education that
22 allow the courses to satisfy multiple credit requirements for a high school diploma, including math-
23 ematics.

24 **(3)(a) In addition to the credit requirements described in subsection (2) of this section
25 and any other requirements established by the State Board of Education or by a school dis-
26 trict or public charter school, the board shall adopt proficiency standards for Essential
27 Learning Skills that must be demonstrated before a student is awarded a high school diploma
28 or a modified diploma. The proficiency standards must be demonstrated for, at a minimum,
29 the following:**

30 **(A) Reading and comprehending a variety of text;**

31 **(B) Writing clearly and accurately; and**

32 **(C) Applying mathematics in a variety of settings.**

33 **(b) The board shall adopt by rule assessment options for students to demonstrate profi-
34 ciency in Essential Learning Skills, as provided by paragraph (a) of this subsection.**

35 [(3)] (c) A student providing work samples to demonstrate proficiency in Essential Learning
36 Skills [as may be required under subsection (2) of this section] must be allowed to use accommodations
37 described in the student’s individualized education program or the student’s plan developed in ac-
38 cordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794. As used in this
39 [subsection] **paragraph**, the term “accommodations”:

40 [(a)] (A) Includes, but is not limited to:

41 [(A)] (i) Additional time to demonstrate proficiency.

42 [(B)] (ii) The ability to demonstrate proficiency in an alternative location that is secure and
43 proctored.

44 [(C)] (iii) The use of text-to-speech or speech-to-text technology or other assistive technology.

45 [(b)] (B) Does not include modifications that lower the proficiency standards or that are used

1 solely to earn modified credit.

2 (4) A student may satisfy the requirements of [subsection (2)] **subsections (2) and (3)** of this
 3 section in less than four years. If a student satisfies the requirements of [subsection (2)] **subsections**
 4 **(2) and (3)** of this section and a school district or public charter school has received consent as
 5 provided by subsection (6) of this section, the school district or public charter school shall award
 6 a high school diploma to the student.

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

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

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

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

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

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

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

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

25 (a) Satisfy the requirements for a modified diploma established by **this section and** the State
 26 Board of Education; and

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

30 (8) A school district or public charter school shall award an extended 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 an extended
 33 diploma, a student must:

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

37 (A) Two credits of mathematics;

38 (B) Two credits of language arts;

39 (C) Two credits of science;

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

41 (E) One credit of health;

42 (F) One credit of physical education; and

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

44 (b) Have a documented history of:

45 (A) An inability to maintain grade level achievement due to significant learning and instruc-

1 tional barriers;

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

3 (C) A change in the student's ability to participate in grade level activities as a result of a se-
4 rious illness or injury that occurred after grade eight.

5 (9) A school district or public charter school shall award a certificate of attendance to a student
6 who does not satisfy the requirements for a high school diploma, a modified diploma or an extended
7 diploma if the student has maintained regular full-time attendance for at least four years beginning
8 in grade nine and meets requirements established by the board of the school district or public
9 charter school.

10 (10) A student shall have the opportunity to satisfy the requirements of subsection (7), (8) or (9)
11 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 to a public education until
14 the age of 21 years under state or federal law.

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

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

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

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

26 (12)(a) A student who qualifies to receive or receives a modified diploma, an extended diploma
27 or a certificate of attendance shall:

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

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

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

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

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

39 (c) For purposes of paragraph (a)(B) of this subsection, transition services and other services
40 designed to meet the unique needs of the student may be provided to the student through an inter-
41 agency agreement entered into by the school district if the individualized education program devel-
42 oped for the student indicates that the services may be provided by another agency. A school
43 district that enters into an interagency agreement as allowed under this paragraph retains the re-
44 sponsibility for ensuring that the student has access to the number of service hours required to be
45 provided to the student under this subsection. An agency is not required to change any eligibility

1 criteria or enrollment standards prior to entering into an interagency agreement as provided by this
 2 paragraph.

3 (13) A school district or public charter school shall:

4 (a) Ensure that all students have on-site access to the appropriate resources and courses to
 5 achieve high school diplomas, modified diplomas and extended diplomas at each high school in the
 6 school district or at the public charter school.

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

8 (c)(A) Provide to the parents or guardians of a student who has the documented history de-
 9 scribed in subsection (8)(b) of this section:

10 (i) Information about the availability of high school diplomas, modified diplomas and extended
 11 diplomas and the requirements for the diplomas; and

12 (ii) A disclosure that a student awarded a certificate of attendance will not be counted as a high
 13 school graduate in any reporting for the state or school district and that a student awarded a cer-
 14 tificate of attendance may not indicate that the student received a high school diploma on applica-
 15 tions for employment, military service, financial aid, admittance to an institution of higher education
 16 or any other purpose.

17 (B) The information and disclosure required under subparagraph (A) of this paragraph must be
 18 provided annually:

19 (i) Beginning in grade five; or

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

22 (14) A school district or public charter school shall allow a student to participate in the high
 23 school graduation ceremony with the class of the student and to wear:

24 (a) Native American items of cultural significance as provided by ORS 332.112; or

25 (b) A dress uniform issued to the student by a branch of the Armed Forces of the United States
 26 if the student:

27 (A) Qualifies to receive a high school diploma, a modified diploma, an extended diploma or a
 28 certificate of attendance under this section; and

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

31 **SECTION 6.** ORS 327.190 is amended to read:

32 327.190. (1) As used in this section:

33 (a) “Disaggregated” means separated based on the student groups identified in ORS 327.180
 34 (2)(b).

35 (b) “Five-year completion rate” means the percentage of students who received a high school
 36 diploma, a modified diploma or an extended diploma or who received a certificate for passing an
 37 approved high school equivalency test such as the General Educational Development test (GED)
 38 within five years of the student beginning the ninth grade.

39 (c) “High school diploma” means a diploma that is awarded to a student upon satisfaction of the
 40 requirements prescribed by ORS 329.451 (2) **and** (3).

41 (d) “Ninth-grade on-track rates” means the percentage of students who, at the end of the summer
 42 following the year the students began ninth grade, completed one quarter of the credits required for
 43 high school graduation.

44 (e) “On-time graduation rate” means the percentage of students who received a high school di-
 45 ploma or a modified diploma within four years of the students beginning the ninth grade.

1 (f) “Regular attendance rates” means the percentage of students who are absent, as determined
 2 by Department of Education policy, for less than 10 percent of the school days for which the stu-
 3 dents are enrolled.

4 (g) “Third-grade reading proficiency rate” means the percentage of students in the third grade
 5 who are determined to be proficient or above in English language arts, as determined under rules
 6 adopted by the State Board of Education.

7 (2) The Department of Education shall review all applications for grants from the Student In-
 8 vestment Account that comply with the requirements prescribed by ORS 327.185.

9 (3) If an application complies with the requirements of ORS 327.185, the department shall col-
 10 laborate with the grant recipient to develop applicable longitudinal performance growth targets. The
 11 longitudinal performance growth targets must:

12 (a) Be based on data available for longitudinal analysis;

13 (b) Be developed based on guidance established by the department; and

14 (c) Use the following applicable metrics:

15 (A) On-time graduation rates and five-year completion rates, including:

16 (i) The overall on-time graduation rate and five-year completion rate.

17 (ii) Gaps in disaggregated on-time graduation rates and five-year completion rates.

18 (B) Ninth-grade on-track rates, including:

19 (i) The overall ninth-grade on-track rate.

20 (ii) Gaps in disaggregated ninth-grade on-track rates.

21 (C) Third-grade reading proficiency rates, including:

22 (i) The overall third-grade reading proficiency rate.

23 (ii) Gaps in disaggregated third-grade reading proficiency rates.

24 (D) Regular attendance rates, including:

25 (i) The overall regular attendance rate.

26 (ii) Gaps in disaggregated regular attendance rates.

27 (4) In addition to the metrics identified in subsection (3) of this section, the following may be
 28 used to develop applicable performance growth targets:

29 (a) Local metrics; and

30 (b) Targets related to student mental and behavioral health needs, as established by the State
 31 Board of Education by rule.

32 (5) When developing performance growth targets, the department and grant recipient shall:

33 (a) Review disaggregated student data;

34 (b) Apply a process adopted by the department for the purpose of strategically developing equi-
 35 table policies and programs; and

36 (c) Identify which student groups identified in ORS 327.180 (2)(b) are most at risk of not meeting
 37 performance growth targets.

38 (6)(a) After developing performance growth targets, the department and grant recipient shall
 39 enter into a grant agreement. The grant agreement must include applicable performance growth
 40 targets for measuring the academic growth of the students of the grant recipient.

41 (b) A grant agreement is not valid until approved by the governing body of the grant recipient
 42 at an open meeting following:

43 (A) Provision of the plan at the main office of the grant recipient and on the grant recipient’s
 44 website;

45 (B) Oral presentation of the plan by an administrator of the grant recipient to the governing

1 body of the grant recipient; and

2 (C) Opportunity for the public to comment on the plan at an open meeting.

3 (7) Any agreements between a public charter school and a grant recipient that is a school dis-
4 trict shall become part of the grant agreement.

5 **SECTION 7.** ORS 336.585 is amended to read:

6 336.585. (1) As used in this section:

7 (a) “Juvenile Detention Education Program” means the program defined in ORS 326.695.

8 (b) “Resident district” means the school district in which the parents or legal guardian, if any,
9 of a child resided at the time of the child’s enrollment in the Juvenile Detention Education Program.
10 If the child has no parents or legal guardian, or none can be located, the resident district is the
11 school district in which the child is physically located.

12 (2)(a) The Department of Education shall provide or cause to be provided appropriate education
13 for children enrolled in an educational program under the Juvenile Detention Education Program.
14 The Superintendent of Public Instruction may contract with a school district or education service
15 district to provide or cause to be provided appropriate education to children enrolled in an educa-
16 tional program under the Juvenile Detention Education Program. For the purpose of this section,
17 an appropriate education includes transition services from the Juvenile Detention Education Pro-
18 gram into school settings and workforce preparation programs and any necessary ongoing support
19 for a transition.

20 (b) An education service district that provides education as provided by this subsection and that
21 awards high school diplomas:

22 (A) May not impose requirements for a high school diploma that are in addition to the require-
23 ments prescribed by ORS 329.451 (2)(a) **or** (3) or by rule of the State Board of Education; and

24 (B) Must accept any credits previously earned by children in another school or educational
25 program in this state and apply those credits toward the requirements prescribed by ORS 329.451
26 (2)(a) **or** (3) or by rule of the State Board of Education.

27 (3) The superintendent shall pay the costs of providing education to children enrolled in an ed-
28 ucational program under the Juvenile Detention Education Program from the State School Fund
29 grant allocated for that purpose under ORS 327.026.

30 (4) The State Board of Education shall adopt by rule standards to be applied to the operation
31 of the Juvenile Detention Education Program, including standards that allow a school district or an
32 education service district under contract with the superintendent to:

33 (a) Implement an assessment system as provided by ORS 329.485.

34 (b) Administer a nationally normed assessment as provided by ORS 329.488.

35 (c) Participate in the beginning teacher and administrator mentorship program established by
36 ORS 329.788 to 329.820.

37 (d) Receive funds under ORS chapter 329.

38 (5) The superintendent shall ensure that the resident district of each child enrolled in an edu-
39 cational program under the Juvenile Detention Education Program is notified, if the resident district
40 can be reasonably identified. The purposes of the notification include, but are not limited to:

41 (a) Removing the child from the resident district’s census;

42 (b) Facilitating transfers of the child’s educational records; and

43 (c) Facilitating planning for the child’s possible return to the resident district.

44 **SECTION 8.** ORS 336.590 is amended to read:

45 336.590. (1) As used in this section, “Youth Corrections Education Program” means the program

1 defined in ORS 326.695.

2 (2) The Department of Education shall provide or cause to be provided appropriate education
3 for children enrolled in an educational program under the Youth Corrections Education
4 Program. The Superintendent of Public Instruction may contract with a school district or education
5 service district to provide or cause to be provided appropriate education to children enrolled in an
6 educational program under the Youth Corrections Education Program. For the purpose of this sec-
7 tion, an appropriate education includes transition services from the Youth Corrections Education
8 Program into school settings and workforce preparation programs and any necessary ongoing sup-
9 port for a transition.

10 (3) The superintendent shall pay the costs of providing education to children enrolled in an ed-
11 ucational program under the Youth Corrections Education Program from the State School Fund
12 grant allocated for that purpose under ORS 327.026.

13 (4) The State Board of Education shall adopt by rule standards to be applied to the operation
14 of the Youth Corrections Education Program, including standards that allow a school district or an
15 education service district under contract with the superintendent to:

16 (a) Award high school diplomas, modified diplomas, extended diplomas and certificates of at-
17 tendance as provided by ORS 329.451 and 339.877. An education service district that awards high
18 school diplomas as provided by this paragraph:

19 (A) May not impose requirements for a high school diploma that are in addition to the require-
20 ments prescribed by ORS 329.451 (2)(a) **or** (3) or by rule of the State Board of Education; and

21 (B) Must accept any credits previously earned by children in another school or educational
22 program in this state and apply those credits toward the requirements prescribed by ORS 329.451
23 (2)(a) **or** (3) or by rule of the State Board of Education.

24 (b) Implement an assessment system as provided by ORS 329.485.

25 (c) Administer a nationally normed assessment as provided by ORS 329.488.

26 (d) Participate in the beginning teacher and administrator mentorship program established by
27 ORS 329.788 to 329.820.

28 (e) Receive funds under ORS chapter 329.

29 **SECTION 9.** ORS 336.680 is amended to read:

30 336.680. (1) As used in this section, "approved recovery school" means a school that is under
31 an agreement with the Department of Education to provide students enrolled in the school with a
32 holistic approach to:

33 (a) Educational services for grades 9 through 12; and

34 (b) Health care services related to recovery from substance use disorders.

35 (2) The department shall provide or cause to be provided appropriate education for students
36 enrolled in an approved recovery school. For the purpose of paying the costs of providing education
37 to students enrolled in an approved recovery school, the Superintendent of Public Instruction shall
38 make the following:

39 (a) Payments from amounts available from the State School Fund under ORS 327.029.

40 (b) Payments from the Statewide Education Initiatives Account, as provided by rule adopted by
41 the State Board of Education in collaboration with the advisory committee convened under ORS
42 336.685. The rules adopted as provided by this paragraph may include a minimum amount, a maxi-
43 mum amount or both for approved recovery schools.

44 (3) The Superintendent of Public Instruction may contract with a school district, an education
45 service district or a public charter school to provide or cause to be provided appropriate education

1 to students enrolled in an approved recovery school. Unless otherwise specified, any educational
 2 services provided under a contract entered into under this subsection shall be paid as described in
 3 this section and not by any other state moneys distributed based on average daily membership that
 4 are available to the school district, education service district or public charter school for the pur-
 5 pose of providing educational services.

6 (4) The State Board of Education shall adopt by rule the standards for a recovery school to
 7 become and operate as an approved recovery school. The standards must provide that:

8 (a) The recovery school must align, to the extent identified by the board, with standards for
 9 accreditation established by a nonprofit accrediting organization composed of representatives of re-
 10 recovery schools and individuals who support the growth of recovery schools. The standards must in-
 11 clude requirements that:

12 (A) The recovery school, in compliance with timelines established by the department, be ac-
 13 credited by a nonprofit accrediting organization that establishes standards for recovery schools.
 14 Nothing in this subparagraph requires the recovery school to be accredited at the time the super-
 15 intendent first enters into a contract with the recovery school.

16 (B) Student enrollment in the recovery school is voluntary. No school district or state or local
 17 agency may compel or otherwise require a student to enroll in a recovery school. Students enrolled
 18 in an approved recovery school may not be counted in determining the number of pupils in average
 19 daily membership for purposes of ORS 334.175 (5).

20 (C) All students who reside in this state and who meet the eligibility criteria established under
 21 subsection (8) of this section may enroll in an approved recovery school if space is available. If
 22 space is not available, the approved recovery school may prioritize for enrollment student groups
 23 identified in ORS 327.180 (2)(b).

24 (D) The school district, education service district or public charter school with which the de-
 25 partment has entered into a contract for a recovery school must agree to award high school diplo-
 26 mas, modified diplomas, extended diplomas and alternative certificates as provided by ORS 329.451
 27 and 339.877. An entity that awards high school diplomas as provided by this subparagraph:

28 (i) May not impose requirements for a high school diploma that are in addition to the require-
 29 ments prescribed by ORS 329.451 (2)(a) **or (3)** or by rule of the State Board of Education; and

30 (ii) Must accept any credits previously earned by students in another school or educational
 31 program in this state and apply those credits toward the requirements prescribed by ORS 329.451
 32 (2)(a) **or (3)** or by rule of the State Board of Education.

33 (E) Except as provided by subparagraph (F) of this paragraph, the recovery school must satisfy
 34 the same laws that apply to public charter schools under ORS 338.115.

35 (F) All administrators and teachers at the recovery school must be licensed by the Teacher
 36 Standards and Practices Commission.

37 (b) Recovery schools will be approved, to the greatest extent practicable, in a manner that:

38 (A) Represents a geographic distribution across this state; and

39 (B) Takes into consideration the needs for services by the community in which the recovery
 40 school would be located.

41 (5) Any school that provides the services of a recovery school may enter into a contract with
 42 the superintendent to become an approved recovery school, including schools already providing the
 43 services of a recovery school and schools that are proposing to provide the services of a recovery
 44 school.

45 (6) An approved recovery school may enter into agreements with other entities, including

1 community-based organizations and federally recognized tribes of this state, for the purposes of
 2 providing educational and health care services to students enrolled in the approved recovery school.

3 (7)(a) The department shall be responsible for:

4 (A) Identifying, locating and evaluating students enrolled in an approved recovery school who
 5 may be in need of special education and related services; and

6 (B) Ensuring that eligible students receive special education and related services.

7 (b) For the purpose of this subsection, the department may enter into a contract with a school
 8 district or an education service district.

9 (8) The department shall establish eligibility criteria for students to enroll in an approved re-
 10 recovery school, based on input from the advisory committee convened under ORS 336.685 and based
 11 on research from a nonprofit organization composed of representatives of recovery schools and in-
 12 dividuals who support the growth of recovery schools and other relevant organizations.

13 (9) For the purposes of administering this section:

14 (a) The State Board of Education shall adopt any necessary rules.

15 (b) The department shall collaborate with the Oregon Health Authority, the Youth Development
 16 Division, the Alcohol and Drug Policy Commission, the Oregon Youth Authority, the Department
 17 of Human Services and local public health and mental health authorities or providers and shall co-
 18 ordinate, to the greatest extent practicable, funding of services provided in relation to approved
 19 recovery schools.

20 (10) Each biennium, the Department of Education shall prepare a report on the progress, suc-
 21 cesses and challenges of approved recovery schools and submit that report to:

22 (a) The interim committees of the Legislative Assembly related to education; and

23 (b) The advisory committee convened under ORS 336.685.

24 **SECTION 10.** ORS 343.331 is amended to read:

25 343.331. ORS 343.322, 343.324, 343.326 and 343.328 do not apply to any of the following:

26 (1) Any abbreviated school days that are a component of discipline imposed in compliance with
 27 ORS 339.250, 339.252 or 343.155 (5) or that are the result of a placement made as provided by ORS
 28 343.177.

29 (2) A student's exclusion from schools due to the student's immunization status or due to the
 30 student's exposure to a restrictable disease, as provided by ORS 433.235 to 433.284.

31 (3) The exclusion of a student from schools or the closure or restriction of access to schools due
 32 to actions taken under a public health emergency authorized under ORS 433.441 to 433.452.

33 (4) A student who has fulfilled all state requirements for graduation with a high school diploma,
 34 as described in ORS 329.451 (2) **and** (3), when the parent or foster parent has agreed to the abbrev-
 35 iated school day program.

36 (5) A student enrolled in a program described in ORS 336.585, 336.590, 339.129, 343.261, 343.961
 37 (1)(c)(A)(i) or 346.010, if the student has meaningful access to the same number of hours of instruc-
 38 tion and educational services as the majority of other students enrolled in the same program as the
 39 student.

40 (6) A student whose parent or foster parent has notified an education service district that the
 41 student is being taught by a parent, legal guardian or private teacher under ORS 339.035.

42 (7) A student who is excluded from, or limited access to, school due to a court order.

43 (8) A high school student who is voluntarily enrolled in an alternative education program in
 44 compliance with ORS 336.635, the Expanded Options Program under ORS 340.005 to 340.090 or an
 45 accelerated college credit program as defined in ORS 340.300, when:

1 (a) The majority of the students of the program are not students with disabilities;

2 (b) The student is not restricted to attending fewer hours of instruction and educational services
3 than the number of hours of instruction and educational services attended by the majority of stu-
4 dents without disabilities who are in the same grade and who attend the same program; and

5 (c) For an alternative education program in which the student is enrolled under ORS 336.635,
6 the school district informs the parent or foster parent, in writing and in a language and format ac-
7 cessible to the parent or foster parent, that upon written request of the parent or foster parent, the
8 student will be immediately restored to a school that allows the student to access the same number
9 of hours of instruction and educational services that are provided to the majority of other students
10 who are in the same grade within the student's resident school district.

11 **SECTION 11.** (1) **The amendments to ORS 327.190, 329.451, 336.585, 336.590, 336.680 and**
12 **343.331 by sections 3 to 10 of this 2024 Act become operative on January 1, 2025.**

13 (2) **The amendments to ORS 327.190, 329.451, 336.585, 336.590, 336.680 and 343.331 by**
14 **sections 3 to 10 of this 2024 Act apply to diplomas awarded on or after January 1, 2025.**

15 (3) **Notwithstanding the operative date set forth in subsection (1) of this section, the**
16 **State Board of Education, the Department of Education and any entity that awards high**
17 **school diplomas and modified diplomas may take any action before the operative date set**
18 **forth in subsection (1) of this section that is necessary for the board, department or entity**
19 **to exercise, on and after the operative date set forth in subsection (1) of this section, all of**
20 **the duties, functions and powers necessary to award diplomas as provided by ORS 329.451.**

21 **SECTION 12.** **This 2024 Act being necessary for the immediate preservation of the public**
22 **peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect**
23 **on its passage.**