Legend:

Oregon Revised Statutes = ORS

Oregon Administrative Rules = OAR

School District = SD

Legislative Bills Affecting Students with Disabilities

September 2013

| New or revised | Summary | Statutory Language  (**Bolded text** is **NEW** language) | | Impact on SDs | Current Status | |
| --- | --- | --- | --- | --- | --- | --- |
| HB 2193 | | | | | | |
| Revised  ORS 329.451 | This revision to ORS 329.451 eliminates the reference to *alternate assessments* in the eligibility requirements. | *Revisions to Extended Diploma requirements—*  **(7)(b) Have a documented history of:**  **(A) An inability to maintain grade level achievement due to significant learning and instructional barriers;**  **(B) A medical condition that creates a barrier to achievement; or**  **(C) A change in the student’s ability to participate in grade level activities as a result of a serious illness or injury that occurred after grade eight.**  (12) (c) Annually provide**, to the parents or guardians of a student who has the documented history described in subsection (7)(b) of this section,** information  **about** the availability of a modified diploma, an extended diploma and an alternative certificate and the requirements for the diplomas and certificate**:**  **(A) Beginning in grade five; or**  **(B) Beginning after a documented history described in subsection (7)(b) of this section has been established.** | This change would clarify eligibility requirements and eliminate confusing language. Many students were not eligible for an extended diploma because the Law required them to participate in alternative assessments for two assessment cycles. SD will now have more flexibility in determining who should work toward an extended diploma. | | | Chapter 64, (2013 Laws)  Effective date July 1, 2013  [**http://www.leg.state.or.us/13reg/measpdf/hb2100.dir/hb2193.en.pdf**](http://www.leg.state.or.us/13reg/measpdf/hb2100.dir/hb2193.en.pdf) |
| HB 2743 | | | | | | |
| New | Establishes Task Force on High School and Transition Success for Students with Disabilities | **SECTION 1. (1) The Task Force on High School and Transition Success for Students with Disabilities is established.**  **(2) The task force consists of 21 members appointed as follows:**  **(a) The Speaker of the House of Representative shall appoint two members who are members of the House of Representatives at the time of appointment.**  **(b) The Senate President shall appoint two members who are members of the Senate at the time of appointment.**  **(c) The Chief Education Officer shall appoint:**  **(A) One person with a disability who graduated from high school within five years of the time of appointment.**  **(B) One parent of a student with a disability.**  **(C) One high school registrar.**  **(D) Two high school counselors.**  **(E) One special education teacher.**  **(F) One high school principal.**  **(G) One school district director for special education.**  **(H) One representative of a disability services office of a community college.**  **(I) One representative of a disability services office of a public university.**  **(J) One representative of the Oregon Student Access Commission.**  **(K) One representative of the Employment First Initiative through the Department of Human Services.**  **(L) One transition specialist from the Department of Education.**  **(M) One counselor from the Office of Vocational Rehabilitation Services of the Department of Human Services.**  **(N) One representative of the University of Oregon Center for Excellence in Developmental Disabilities.**  **(O) One representative of a trade program, an apprenticeship program or a career pathway program at a community college.**  **(P) One representative of Disability Rights Oregon.**  **(3) The task force shall prepare a report for the Legislative Assembly. The report shall relate to high school and transition success for students with disabilities.**  **(4) For the purpose of providing the report described in subsection (3) of this section, the task force may study and make recommendations to improve:**  **(a) The understanding of modified diplomas and extended diplomas by high school counselors, educators, parents, students and teachers.**  **(b) The consideration of modified diplomas and extended diplomas by admissions officers of public universities.**  **(c) Participation of students who have individualized education plans in high school courses, programs or activities that could result in college credit.**  **(d) Standards that outline the necessary documentation a student should present to a community college or to a public university in order to access appropriate student support services for a disability.**  **(e) Strategies for increasing college affordability for students with individualized education plans and for expanding the role of state financial aid for students with disabilities when the students’ access to federal financial aid is reduced.**  **(f) Strategies for collaboration between school district transition programs and programs at community colleges and public universities, including the possible payment by school districts for students participating in transition programs that may result in college credit.**  **(g) The recruitment to career pathway programs and apprenticeship programs for students who have individualized education plans.**  **(h) Strategies for high schools to educate students who have individualized education plans about the accommodations, financial aid and student service options that are available for post-secondary education.**  **(i) The use of technology as an accommodation for students with disabilities in high schools and post-secondary education to boost student achievement.**  **(j) Regular diploma graduation rates for students who have individualized education plans, particularly students with specified learning disabilities and other health impairments.**  **(5) In addition to the recommendations compiled as described in subsection (4) of this section, the task force may make recommendations to the Oregon Education Investment Board about specific goals for achievement compacts for school districts, education service districts, community colleges and public universities that will help drive and track improved post-secondary success for students who have individualized education plans.**  **(6) Based on the study and recommendations compiled as described in subsection (4) of this section, the task force may recommend legislation that:**  **(a) Implements post-secondary education opportunities for students with disabilities.**  **(b) Increases the rate of participation of students who have individualized education plans in high school courses, programs or activities that could result in college credit.**  **(c) Coordinates school district transition programs and programs at community colleges and public universities.**  **(d) Improves recruitment of students who have individualized education plans in apprenticeships, career pathway programs and other post-secondary education opportunities.**  **(e) Establishes a process to uniformly record credits and grades for high school diplomas, modified diplomas and extended diplomas.**  **(7) When making the recommendations described in subsections (4) to (6) of this section, the task force shall consider how proposed modifications to the state’s school funding formula align with the policies established by the Oregon Education Investment Board and with the state goal for high school graduation rates and post-secondary educational attainment expressed in ORS 351.009.** | | The results of the recommendations of the Task Force would change the way SDs would implement high school programs for students with disabilities. Areas that would see significant change would be:   * Professional development regarding diploma options for high school counselors, educators, parents, students, teachers, admissions officers of public universities * Necessary documentation for entrance in colleges to receive student support services for a disability * Increasing college affordability * Expanding the role of state financial aid * Collaboration between SD transition programs and college programs, including the possible payment by SDs for students participating in transition programs that may result in college credit. * Recruitment to career pathway programs and apprenticeship programs * Training for students on accommodations, financial aid, student service options * Using technology to boost student achievement * Regular diploma graduation rates for students who have IEPs | Chapter 654, (2013 Laws):  Effective date July 25, 2013  [**http://www.leg.state.or.us/13reg/measpdf/hb2700.dir/hb2743.en.pdf**](http://www.leg.state.or.us/13reg/measpdf/hb2700.dir/hb2743.en.pdf)  **NOTE:** Task Force operating procedures may be found at:[**http://www.leg.state.or.us/13reg/measpdf/hb2700.dir/hb2743.en.pdf**](http://www.leg.state.or.us/13reg/measpdf/hb2700.dir/hb2743.en.pdf)  Items 8-17 | |
| HB 2898 | | | | | | |
| Revision to ORS 343.035 | Allows student with disability to earn credit at community college or public university as part of transition services.  Prohibits denying financial aid to student for sole reason that student did not receive regular high school diploma. | (4) “Developmental delay” means:  (E) Adaptive development; or  (b) A disability, in accordance with criteria established by rules of the State Board of Education, that can be expected to continue indefinitely and is likely to cause a substantial delay in a child’s development and ability to function **independently** in society.  (9) “Instruction” means providing **children and** families with information and skills that support the achievement of the goals and outcomes in the child’s individualized family service plan and working with preschool children with disabilities in one or more of the following developmental areas:  (a) Communication development;  (b) Social or emotional development;  (c) Physical development, including vision and hearing;  (d) Adaptive development; and  (e) Cognitive development.  (15)(a) “Related services” means transportation and such developmental, corrective and other supportive services as are required to assist a child with a disability to benefit from special education, including:  (A) Speech-language and audiology services;  (B) Interpreting services;  (C) Psychological services;  (D) Physical and occupational therapy;  (E) Recreation, including therapeutic recreation;  (F) Social work services;  (G) School nurse services designed to enable a child with a disability to receive a free appropriate public education as described in the individualized education program of the child;  (H) Early identification and assessment of disabilities in children;  (I) Counseling services, including rehabilitation counseling;  (J) Orientation and mobility services;  (K) Medical services for diagnostic or evaluation purposes; [*and*]  (L) Parent counseling and training[*.*]**; and**  **(M) Assistive technology.**  **(19) “Transition services” means a coordinated set of activities for a child with a disability that:**  **(a) Is designed to be within a results-oriented process;**  **(b) Is focused on improving the academic and functional achievement of the child to facilitate the child’s transition from school to post-school activities, including post-secondary education, competitive employment, independent living and community inclusion;**  **(c) Is based on the individual child’s needs, taking into account the child’s preferences and interests; and**  **(d) May be special education, or related services, and may include earning credit at a community college or public university listed in ORS 352.002.**  **SECTION 2. A student who receives a modified diploma or extended diploma under ORS 329.451 may not be denied eligibility for financial aid to obtain post-secondary education in a public university listed in ORS 352.002, community college or independent not-for-profit institution of higher education that operates in this state for the sole reason that the student did not receive a high school diploma.** | | These revisions would:   * Include assistive technology in the statutory definition of Related Services. * Include a definition of Transition Services in the Law * Include earning college credit as part of the transition services. * Will ensure that students earning a modified or extended diploma may receive state financial aid. | Chapter 725, (2013 Laws):  **Effective date** August 14, 2013  [**http://www.leg.state.or.us/13reg/measpdf/hb2800.dir/hb2898.en.pdf**](http://www.leg.state.or.us/13reg/measpdf/hb2800.dir/hb2898.en.pdf) | |
| HB 3264 | | | | | | |
| New | Establishes pilot program for purpose of assisting students with disabilities to make transition into life after high school. | **SECTION 1. (1) The Department of Education shall establish a pilot program for the purpose of assisting students with disabilities transition into life after high school.**  **(2) Under the pilot program, school districts shall develop and implement strategies for:**  **(a) Providing information to students with disabilities about opportunities that are available after high school and about the assistance that is available to students to pursue those opportunities; and**  **(b) Assisting students with disabilities in pursuing opportunities after high school, including assistance in:**  **(A) Applying for and funding post-secondary education and achieving success in postsecondary education;**  **(B) Securing employment; and**  **(C) Accessing support services or community services that may assist the student in achieving independence after high school.**  **(3) The Department of Education shall identify at least five school districts to participate in the pilot program. The participating school districts must include:**  **(a) One school district that serves 10,000 or more students;**  **(b) One school district that is a small school district, as determined by the department; and**  **(c) One school district that serves a rural community, as determined by the department.**  **(4)(a) A school district that is participating in the pilot program may:**  **A) Accept assistance from organizations with experience in assisting students with disabilities transition into life after high school; and**  **(B) Pay for the expenses incurred by an organization that provides assistance as allowed under subparagraph (A) of this paragraph.**  **(b) The Department of Education shall facilitate partnerships between school districts participating in the pilot program and organizations with experience in assisting students with disabilities transition into life after high school.**  **(5) The Department of Education shall award grants to school districts that participate in the pilot program from moneys appropriated to the department for the pilot program.** | | At least five SDs will participate in a pilot program to assist students with disabilities to transition into life after high school  The participating SDs will:   * Provide information to students * Help students apply for funding, secure employment, and access support services   ODE will facilitate partnerships, and award grants to the pilot SDs. | Chapter 662, (2013 Laws):  Effective date July 25, 2013.  [**http://www.leg.state.or.us/13reg/measpdf/hb3200.dir/hb3264.en.pdf**](http://www.leg.state.or.us/13reg/measpdf/hb3200.dir/hb3264.en.pdf) | |
| SB 222 | | | | | | |
| Revision of ORS 341.450 and ORS 341.451 | Establishes an Accelerated Learning Committee to enable students to obtain college credits while still in high school.  Revises existing State Law regarding the allowable content areas for credits beyond the 24 credits. | **SECTION 1. (1) The Accelerated Learning Committee is established.**  **(2) The committee consists of the following seven members:**  **(a) The Chief Education Officer.**  **(b) Six members appointed as follows:**  **(A) The President of the Senate shall appoint two members from among members of the Senate.**  **(B) The Speaker of the House of Representatives shall appoint two members from among members of the House of Representatives.**  **(C) The Governor shall appoint two members.**  **(3) The committee shall examine methods to encourage and enable students to obtain college credits while still in high school. The committee shall emphasize the alignment of funding, assessments and procedures between high schools and post-secondary institutions of higher education to encourage efficiencies and to make post-secondary education more affordable for families.**  **NOTE: Accelerated Learning Committee operating procedures may be found at:** [**http://www.leg.state.or.us/13reg/measpdf/sb0200.dir/sb0222.en.pdf**](http://www.leg.state.or.us/13reg/measpdf/sb0200.dir/sb0222.en.pdf)Items 4-13  **ORS 329.451 amended to read:**  **Sec 3 (2)(b) If a school district or public charter school requires a student to complete more than 24 total credits, as provided by paragraph (a)(A) of this subsection, the school district or public charter school may only require the student to complete additional credits for:**  **(A) Subjects for which the State Board of Education has established academic content standards under ORS 329.045;**  **(B) Courses provided as part of a career and technical education program; or**  **(C) Courses that provide, or qualify to provide, credit at post-secondary institutions of education.**  **SECTION 5.** ORS 341.450 is amended to read:  Every community college district shall encourage high school students to start early on a college education by**:**  **(1)** Implementing two-plus-two programs and other related programs **and making** at least one such program available to each interested school district that is within the boundaries of the community college district.  **(2) Collaborating with interested school districts that are within the boundaries of the community college district to facilitate the delivery of two-plus-two programs and other related programs.**  **SECTION 6.** ORS 341.450, as amended by section 5, chapter 639, Oregon Laws 2011, is amended to read:  Every community college district shall encourage high school students to start early on a college education by**:**  **(1)** Implementing a dual credit program, a two-plus-two program or another accelerated college credit program **and making** at least one such program  available to each interested school district that is within the boundaries of the community college district.  **(2) Collaborating with interested school districts that are within the boundaries of the community college district to facilitate the delivery of a dual credit program, a two-plus-two program or other accelerated college credit program.** | | The Accelerated Learning Committee will encourage and enable students to obtain college credits while still in high school by emphasizing the alignment of funding, assessments and procedures between high schools and post-secondary institutions of higher education.  Revision of ORS 329.451 requires a SD to restrict the number of additional credits for graduation to the following categories:   * Subjects with academic content standards * Career and Technical Education * Courses that provide credit at post-secondary institutes of education. | Chapter 761 (2013 Laws):  Effective date: August 14, 2013  <http://www.leg.state.or.us/13reg/measpdf/sb0200.dir/sb0222.en.pdf> | |