



PORTLAND PUBLIC SCHOOLS

OFFICE OF General Counsel

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Date: February 7, 2020

To: Board Policy Committee

From: Mary Kane, Senior Legal Counsel

Subject: 3.60.040-P Nutrition Services, Meal Pricing and Purchasing
4.20.042-P Diploma Requirements

BACKGROUND

The 2019 Oregon Legislature made a number of revisions to statutes related to education. They became effective January 1, 2020. The District has already implemented the changes but hadn't revised the policies to align with the law. The General Counsel's office has reviewed the bills amending current statutes and incorporated or amended the District's policies and administrative directives to comply with these statutory requirements. These changes were made with assistance from specific departments with subject matter expertise. For example, Area Senior Directors and Senior Directors of ELL were consulted on changes to the Diploma Requirements Policy, and the Senior Director of Nutrition Services reviewed the amendments to the Nutrition Services Policy.

RELATED POLICIES/BEST PRACTICES

It is best practice to conform existing policies to current law.

ANALYSIS OF SITUATION

The General Counsel's Office conducted a review of texts of 2018-2019 enrolled Oregon state senate and house bills relating to the two policies as well as revisions to the Oregon Administrative Rules (OARs). We also consulted with OSBA on the policy changes by reviewing comparable OSBA policies. The following is a brief description of the state bills requiring amendments to our current policies:

Initial changes to ORS 327.537 were made in the 2018 legislative session but were further revised the following year. The bills added language that a school must provide a student a reimbursable meal upon request, while also allowing a parent the right to withhold a meal. Additional changes including prohibiting a district from contacting a student directly about meal charges and prohibiting the use of a collection fees. We have included this language in 3.60.040-P Nutrition Services, Meal Pricing and Purchasing.

This past May, the State Board of Education made changes to the Essential Skills Assessment for English Language Learners to allow ELL students to demonstrate proficiency in all required Essential Skills in the student's language of origin. While amending 4.20.042-P Diploma

Requirements to include this language, we incorporated additional statutory requirements that the District has had in place but had not been reflected in the policy.

FISCAL IMPACT

The changes will have no new fiscal impact. Only the Nutrition policy has fiscal consequences, however Nutrition Services had already put into practice the changes required under ORS 327.537 to provide students a reimbursable meal upon request beginning in 2018.

COMMUNITY ENGAGEMENT (IF APPLICABLE)

Because these changes are driven by legislative directives, there was limited stakeholder engagement. This office did consult with various internal stakeholders to ensure that the policy and District practice align with state law.

TIMELINE FOR IMPLEMENTATION / EVALUATION

The statutory changes to the Nutrition policy began in 2018 but were further amended in 2019. The executive session language became effective January 1, 2020. The Diploma policy changes arose out of Board of Education revisions made in March and May of 2019.

As noted earlier, Nutrition Services, ELL and OSP had already incorporated the revisions into practice and the policy reflects current practice. We intend to send a communication to District staff through Admin Connects and PPS connections outlining all of the policy and administrative directive changes.

STAFF RECOMMENDATION

Staff recommends that you approve the amendments made to these Policies.

As a member of the PPS Executive Leadership Team, I have reviewed this staff report.

_____ *(Initials)*

ATTACHMENTS

- A. 3.60.040-P Nutrition Services, Meal Pricing and Purchasing, redline and clean copy
- B. 4.20.042-P Diploma Requirements, redline and clean copy



BOARD POLICY
Diploma Requirements

4.20.042-P

Policy 4.20.042-P Diploma Requirements

Diploma requirements are a significant indicator of the high expectations Portland Public Schools holds for every student. A student graduating from a Portland Public School District high school shall have completed all state requirements as well as all district requirements specified here. The Board will establish graduation requirements for the awarding of a high school diploma, modified diploma, extended diploma, and alternative certificate which meet or exceed state requirements.

I. High School Diploma Requirements

- A.** To earn a high school diploma from Portland Public Schools, the following credits and proficiencies are required.

Subject	Credits
English	4
Math (Algebra 1 and Above)	3
Science	3
Social Studies	3
Physical Education	1
Health Education	1
World Language (2 credits in same language)	2
Career and Technical Education, the Arts, or a third credit of World Language	1 3
Electives	6 4
Total Credits	24



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1. In addition to the above credit requirements, students must:
 - a. Develop a Personal Education Plan and build an education profile,
 - b. Demonstrate Career Related Learning Standards,
 - c. Participate in Career Related Learning Experiences,
 - d. Complete an Extended Application.

B. Credit Requirements: Requirements and procedures for awarding credit will be specified in an accompanying Administrative Directive approved by the Superintendent.

C. Proficiency credit: Proficiency credit will be awarded in accordance with State law and district guidelines.

D. If the District requires diploma requirements beyond the state requirements, the District shall grant a waiver for those requirements to any student who, at any time from grade 9 to 12, was:

1. A foster child;
2. Homeless;
3. A runaway;
4. A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;
5. A child of a migrant worker; or
6. Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program.

Ⓔ For any student identified above, the District shall accept any credits earned by the student in another district or public charter school, applying those credits toward the state requirements for a diploma if the credits satisfied those requirements in that other district or public charter school.

E. Essential Skills:

1. The District will allow English Language Learner (ELL) students to demonstrate proficiency in all required Essential Skills in the student's language of origin.
2. The District will develop procedures to provide Essential Skills sample options in the ELL student's language of



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origin and will develop procedures to ensure that locally scored assessment options administered in an ELL student's language of origin are scored by a qualified rater.

3. Students may appeal the denial of a diploma based on the Essential Skills graduation requirement through the Formal Public Complaint process found in 4.50.032-P. The District will retain student work samples and student performance data to ensure that sufficient evidence is available in the event of an appeal.

II. Modified Diploma Requirements

- A.** A modified diploma will be awarded to students who have demonstrated the inability to meet the full set of academic standards established by the State Board of Education and the Portland Public Schools' Board of Education for a diploma while receiving reasonable modifications and accommodations.
- B.** To be eligible for a modified diploma a student must:
 1. Have a documented history of an inability to maintain grade level achievements due to significant learning and instruction barriers;
or
 2. Have a documented history of a medical condition that creates a barrier to achievement.
 3. Earn 24 credits between grade nine through the completion of high school, which shall include the following credits:



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Subject	Credits
English	3
Mathematics	2
Science	2
Social Studies	2
Physical Education	1
Health Education	1
Career and Technical Education, the Arts, or World Language	1
Electives	2 12
Credits	24

4. In addition to the above credit requirements, students must:
- a. Develop a Personal Education Plan [and build an education profile](#),
 - b. Demonstrate Career Related Learning Standards,
 - c. Participate in Career Related Learning Experiences,
 - ~~d.~~ [Complete an Extended Application.](#)
 - ~~d.e.~~ [Demonstrate proficiency in the Essential Skills with reasonable modifications and accommodations.](#)
- C.** Requirements and procedures for awarding credit will be specified in an accompanying Administrative Directive approved by the Superintendent.



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- D. Proficiency credit may be awarded in accordance with State law and district guidelines.
- E. Students may earn units of credit through regular education with or without accommodations or modifications and through modified courses.
- ~~F. Students who entered high school prior to July 1, 2007 will meet the requirements that were in place at the time of enrollment.~~

III. Extended Diploma Requirements

- A. An extended diploma will be awarded to students who have met specific requirements established by the State Board of Education and have demonstrated the inability to meet the full set of academic standards even with reasonable accommodations and modifications.
- B. To be eligible for an extended diploma a student must:
 - 1. Have participated in an alternate assessment beginning no later than grade six and lasting for two or more assessment cycles; or
 - 2. Have a serious illness or injury that occurs after grade eight, that changes the student's ability to participate in grade level activities and that results in the student participating in alternate assessments.
 - 3. Have a documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers; or
 - 4. Have a documented medical condition that creates a barrier to achievement.



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5. Earn the following 12 credits between grade nine through the completion of high school:

Subject	Credits
English	2
Mathematics	2
Science	2
Social Studies	3
Physical Education	1
Health Education	1
Career and Technical Education, the Arts, or World Language	1
Credits	12

- C. Requirements and procedures for awarding credit will be specified in an accompanying Administrative Directive approved by the Superintendent.
- ~~D. Students who entered high school prior to July 1, 2007 will meet the requirements that were in place at the time of enrollment.~~

IV. Alternative Certificate Requirements

- A. Alternative certificates shall be awarded to students who meet the minimum requirements established by the district, but do not satisfy the requirements for a high school diploma, modified diploma, or extended diploma.
- B. An alternative certificate will be awarded based on a student's needs and achievement.



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- C.** Requirements and procedures for awarding the certificate will be specified in an accompanying Administrative Directive approved by the Superintendent.
- ~~C.D.~~ Beginning in grade five or beginning after a documented history to qualify for an alternative certificate, the District shall annually provide to the parents or guardians of the student information about the availability and requirements of an alternative certificate.

V. Additional Information

A. Exceptions to PPS-specific Graduation Requirements

1. The Superintendent shall grant exceptions to PPS diploma requirements in excess of State diploma requirements. The Superintendent will establish a Diploma Exceptions Committee to meet quarterly to consider these requests. The Superintendent will report annually to the Board on the number and nature of waivers granted for the schools year, ~~and,~~
- ~~0.—Students graduating in 2012 and beyond from in-district and district-contracted private alternative programs in Education Options will need to meet all PPS diploma requirements.~~

- B. Graduating in Less Than Four Years:** The district will award a diploma to a student fulfilling graduation requirements in less than four years upon the request of the student and, if required, the consent of the student's parent or guardian.

- C.** A student may satisfy the requirements for a modified diploma, an extended diploma, or an alternative certificate in less than four years but not less than three years. To satisfy the requirements for a modified diploma, an extended diploma, or an alternative certificate in less than four years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written consent which clearly states the parent, guardian, or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the Superintendent who will annually report to the Superintendent of Public Instruction the number of such consents.

- D. Participation in Graduation:** All students who receive a high



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school diploma, modified diploma, extended diploma, or alternative certificate have the option of participating in a high school graduation ceremony with the student's class unless student is deemed ineligible due to discipline violations.

E. Issuance of Diplomas to Veterans: As specified in Oregon statute, the district will issue a high school diploma, upon request, to a person who served in the Armed Forces if:

1. The person was discharged or released under honorable conditions, and
2. Has received either a General Education Development, a post-secondary degree, or has received a minimum score on the Armed Services Vocational Aptitude Battery.
- ~~3.~~ Resides within the boundaries of the school district or is a resident of this state and attended a high school of the school district, and

~~3.~~

~~—.~~

~~5.4.~~ Served in the Armed Forces during wartime or was physically present in areas designated as combat zones by the President of the United States and

~~5.~~ Did not graduate from a high school because the person was serving in the Armed Forces of the United States.

~~6.~~

Legal Reference(s): ORS 329.095, ORS 329.451, ORS 332.107, ORS 332.114, ORS 339.115, ORS 343.295, OAR 581-021-0071, OAR 581-022-0615, OAR 581-022-1130, OAR 581-022-1210, OAR 581-022-1350, HB 2061 (2009), HB 2507 (2009)

History; Adpt. 6/71; Amd. 10/72; Amd. 6/72; Amd. 5/76; Amd. 10/76; Amd. 2/84; Amd. 9/9/02, BA 2420; Amd and combined with 4.20.040-P Graduation 5-23-2005 (BA3313); Amd. 2/10; Amd 1/18; [Amd 2/20](#)

3.60.040-P Nutrition Services, Meal Pricing And Purchasing

- (1) **Standard Prices.** Standard prices for adult meals and student reimbursable meals shall be established by the Board. Ala carte meal prices may be established by the Director of Nutrition Services.
- (2) **Payment of Charges.** All adults shall pay the regular lunch fee, and there shall be no charge accounts. In accordance with federal law, reimbursable student meal prices shall not be used as an offset to adult meal program prices.
- (3) **Purchase of Foods.** All food prepared and/or served in cafeterias of the district shall be purchased through and according to specifications of the Office of Nutrition Services. All food prepared on school premises must be for the consumption on school premises or at school activities only. Food or supplies for private use are not to be purchased by the school nor carried from the premises. Any leftover food or other material, which is not to be incinerated, is to be collected by the city sanitary service.
- (4) **Student Reimbursable Meals.** Students who request a reimbursable meal shall be provided with one regardless of whether the student has money to pay for the meal or owes money for meals unless the student's parent or guardian has provided written permission to the District to withhold a meal from the student.
- **Prohibition on Public Disclosure of Status of Meal Payments.** The District shall not publicly identify or stigmatize a student who cannot pay for a meal or who owes money for a meal by requiring that the student wear a wristband, hand stamp or other identifying marker or by serving the student an alternative meal; or require the student to do chores or other work to pay for meals.
- (5) _____
- (6) **Collection Agencies.** The District may not require a parent or guardian to pay fees or costs from collection agencies hired to collect moneys owed for meals.

Legal References: ORS 332.107; [ORS 327.537](#); OAR 581-051-0100; OAR 581-051-0310; 7 CFR Parts 210, 215, 220, 245; OAR 581-051-0305; OAR 581-051-0400

History: Adpt 6/71; Amd 10/83; Amd 9/9/02; BA 2419; Amd [24/202/19](#)

~~"Eligibility Guidance for School Nutrition Programs", Oregon Department of Education
R2/12/99_MW~~

