

## MEMORANDUM NO. XXX-2009-10 – Modified Diploma and the Essential Skills

To: Superintendents, Principals, Special Education Directors, and District Test Coordinators  
Re: Essential Skill requirements for students seeking a modified diploma.

At their December meeting, the State Board of Education adopted OAR 581-022-0615: Assessment of the Essential Skills. This permanently adopts the revisions to the OAR made this last summer and reflects the revised [phase-in timeline for the Essential Skills](#). This rule revision also elaborates on the Essential Skills requirements for students meeting the eligibility requirements for a modified diploma.

The revisions to OAR 581-022-0615 clarify that, while students seeking a modified diploma must meet the Essential Skills requirements, school districts and public charter schools may modify certain assessment options adopted by the State Board for these students as described below.

For students on IEPs or 504 Plans:

School districts and public charter schools may administer modified work samples or OAKS assessments consistent with the requirements of the student's IEP or 504 Plan. When modifying an OAKS assessment, the school district or public charter school must also ensure that the modifications are in compliance with section 4(d) of OAR 581-022-0610: Administration of State Tests. Modified OAKS assessments will remain invalid for purposes of school and district accountability.

For students who are not on an IEP or a 504 Plan:

School districts and public charter schools may only administer modifications to work samples that are consistent with the modifications the student has received during instruction. Students must have received those same modifications during instruction in the content area to be assessed and in the year in which the work sample is administered. These modifications must be approved in advance by the student's school team responsible for monitoring the student's progress. Students who are not on an IEP or a 504 Plan may not receive a modified OAKS assessment.

Modifications, as described in OAR 581-022-0610, are changes to the achievement level, construct, or measured outcome of an assessment. This means that IEP or school teams responsible for approving modifications for a student's assessment may adjust the administration of the assessment and / or the assessment's achievement standard.

In December, the State Board also adopted revisions to OAR 581-022-1134: Modified Diploma, which brings the OAR in line with HB 2507. The final version of the modified diploma states that on or after July 1, 2009, a district school board or public charter school governing board may only award a modified diploma to a student who meets the eligibility criteria as specified in OAR 581-022-1134(2). Furthermore, all students first enrolled in the 9<sup>th</sup> grade after July 2007 must meet all the state's criteria for a modified diploma (14)(a); and, for students first enrolled in the 9<sup>th</sup> grade prior to July 2007 (primarily juniors and seniors), the student's team may decide to award a modified diploma based on the school district's units of credit or the state's units of credits(14)(b)

A school district or public charter school may award a modified diploma to a student only upon the consent of the parent or guardian of the student. A district or school must receive the consent in writing during the school year in which the modified diploma is awarded. All of the implications associated with modifying assessments and curricula for the purpose of obtaining a modified diploma should be made clear to parents and decision-makers.

You can find the OARS above, along with all other December State Board materials, at:  
<http://www.ode.state.or.us/search/page/?=2857>.

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