

## **Compulsory Attendance**

Except when exempt by Oregon law, all students ages 7-18 who have not completed the 12th grade are required to attend school full time on a regular basis at the designated school within the attendance area.

Persons having legal control of a student age 7-18 who has not completed the 12th grade are required to have the student attend school. Under the superintendent's direction and supervision, attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. Violation is a Class C violation and is punishable by a citation up to \$180.

The district will develop procedures for issuing a citation.

In addition, a parent who is not supervising their student by requiring school attendance may also be in violation of ORS 163.577(1)(c). Failing to supervise a child is a Class A violation and punishable by a fine up to \$720.

### **Exemptions From Compulsory School Attendance**

In the following cases, students shall not be required to attend public school full time:

1. Students being taught in a private or parochial school in courses of study usually taught in grades 1-12 in the public schools and in attendance for a period equivalent to that required of students attending public schools;
2. Students proving to the district's satisfaction that they have acquired the courses of study taught in grades 1-12 in the public schools;
3. Students being taught by a parent or private teacher the courses of study usually taught in grades 1-12 in the public school for a period equivalent to that required of students attending public schools;
  - a. Before students are taught by a parent or private teacher, the parent or teacher must notify the education service district (ESD) superintendent in writing at least 10 calendar days prior to the intended date of withdrawal each school year or at least 10 calendar days prior to the beginning of each school year. In addition, when a home-schooled student moves to a new ESD, the parent shall notify the new ESD in writing, within 10 days, of the intent to continue home schooling. The ESD superintendent shall acknowledge receipt of notification in writing and inform the school district superintendent of the student's residence within 90 calendar days of receipt of the notification. Notification must be received and acknowledged before a student is withdrawn from school and thereafter before the start of each school year;
  - b. Each student being taught by a parent or private teacher shall be examined no later than August 15, following grades 3, 5, 8 and 10:

- (1) If the student was withdrawn from public school, the first examination shall be administered at least 18 months after the date the student withdrew;
  - (2) If the student never attended public or private school, the first examination shall be administered prior to the end of third grade;
  - (3) Procedures for home-schooled students with disabilities are set out in OAR 581-021-0029.
- c. Examinations testing each student shall be from the list of approved examinations from the State Board of Education;
  - d. The examination must be administered by a neutral individual qualified to administer tests on the approved list provided by the Department of Education;
  - e. The person administering the examination shall score the examination and report the results to the parent. Upon request of the ESD superintendent, the parent shall submit the results of the examination to the ESD;
  - f. All costs for the test instrument, administration and scoring are the responsibility of the parent;
  - g. In the event the superintendent finds that the student is not showing satisfactory educational progress or continues to show a declining score, the superintendent shall provide the parent with a written statement of the reasons for the finding, based on the test results and may:
    - (1) Allow the child to continue under the supervision of a licensed teacher selected by the parent at the expense of the parent, and require the child be given an additional examination one year after administration of the last examination;
    - (2) Allow the child to continue under the supervision of a parent or private teacher and require the child be given an additional examination one year after administration of the last examination;
    - (3) Order the parent to send the child to school for a period not to exceed 12 consecutive months as determined by the superintendent.
4. Students excluded from attendance as provided by law;
  5. An exemption may be granted to the parent of any student 16 or 17 years of age who is lawfully employed full time, lawfully employed part time and enrolled in school, or enrolled in a community college or other state registered alternative education program.

END OF POLICY

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Legal Reference(s):

ORS 153.018  
ORS 163.577  
ORS 336.615 - 336.665  
ORS 339.010 - 339.090  
ORS 339.260  
ORS 339.925  
ORS 339.990  
ORS 807.065  
ORS 807.066  
ORS 809.410 (40)  
OAR 581-021-0026  
OAR 581-021-0029  
OAR 581-021-0071  
OAR 581-021-0077