

Enrolled House Bill 2606

Sponsored by Representatives KRUMMEL, BUCKLEY; Representatives CAMERON, DALLUM, FLORES, G SMITH, WHISNANT

CHAPTER

AN ACT

Relating to education; creating new provisions; amending ORS 329.451, 339.030, 339.505 and 345.505 and section 3, chapter 827, Oregon Laws 2005; and declaring an emergency.

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

SECTION 1. ORS 329.451 is amended to read:

329.451. (1) In order to receive a high school diploma from a school district, a student must meet the requirements established by the State Board of Education **and the school district** and, while in grades 9 through 12, must complete:

- (a) At least 24 [*credit hours*] **credits**, as defined by rule of the board;
- (b) Three [*years*] **credits** of mathematics; and
- (c) Four [*years*] **credits** of English.

(2) Notwithstanding subsection (1) of this section, a school district may award a diploma to a student who does not [*meet*] **satisfy** the requirements of subsection (1)(b) or (c) of this section if the student:

(a) Has met or exceeded the academic content standards for mathematics or English established by the board; or

(b) Displays proficiency in mathematics or English at a level established by the board.

(3) A student may satisfy the requirements of subsection (1) of this section in less than four years. If a student satisfies the requirements of subsection (1) of this section and a school district has the consent of the student's parent or guardian, the school district shall award a diploma to the student upon request from the student.

(4) If a school district has the consent of a student's parent or guardian, the school district may advance the student to the next grade level if the student has satisfied the requirements for the student's current grade level.

(5) The requirement for obtaining the consent of a student's parent or guardian under subsections (3) and (4) of this section does not apply to a student who is:

- (a) Emancipated pursuant to ORS 419B.550 to 419B.558; or**
- (b) 18 years of age or older.**

SECTION 2. Section 3, chapter 827, Oregon Laws 2005, is amended to read:

Sec. 3. (1) The requirements of [*section 1 of this 2005 Act*] **ORS 329.451 (1) and (2)** apply to students who receive a high school diploma from a school district on or after July 1, 2009.

(2) ORS 329.451 (3) applies to students who satisfy the requirements for a high school diploma on or after the effective date of this 2007 Act.

(3) ORS 329.451 (4) first applies to the 2007-2008 school year.

SECTION 3. ORS 339.030 is amended to read:

339.030. (1) In the following cases, children *[shall]* **may** not be required to attend public full-time schools:

(a) Children being taught in a private or parochial school in the courses of study usually taught in grades 1 through 12 in the public schools and in attendance for a period equivalent to that required of children attending public schools in the 1994-1995 school year.

(b) Children proving to the satisfaction of the district school board that they have acquired equivalent knowledge to that acquired in the courses of study taught in grades 1 through 12 in the public schools.

(c) Children who have received a high school diploma.

[(c)] (d) Children being taught for a period equivalent to that required of children attending public schools by a private teacher the courses of study usually taught in grades 1 through 12 in the public school.

[(d)] (e) Children being educated in the children's home by a parent or legal guardian.

[(e)] (f) Children excluded from attendance as provided by law.

(2) The State Board of Education by rule shall establish procedures whereby, on a semiannual basis, an exemption from compulsory attendance may be granted to the parent or legal guardian of any child 16 or 17 years of age who is lawfully employed full-time, lawfully employed part-time and enrolled in school, a community college or an alternative education program as defined in ORS 336.615. An exemption also may be granted to any child who is an emancipated minor or who has initiated the procedure for emancipation under ORS 419B.550 to 419B.558.

SECTION 4. ORS 339.505 is amended to read:

339.505. (1) For purposes of the student accounting system required by ORS 339.515, the following definitions shall be used:

(a) "Graduate" means an individual who has:

(A) Not reached 21 years of age or whose 21st birthday occurs during the current school year;

(B) Met all state requirements and local requirements for attendance, competence and units of credit for high school; and

(C) Received one of the following:

(i) A high school diploma issued by a school district.

(ii) An adult high school diploma issued by an authorized community college.

(iii) A modified high school diploma based on the successful completion of an individual education plan.

(b) "School dropout" means an individual who:

(A) Has enrolled for the current school year, or was enrolled in the previous school year and did not attend during the current school year;

(B) Is not a high school graduate;

(C) Has not received a General Educational Development (GED) certificate; and

(D) Has withdrawn from school.

(c) "School dropout" does not include a student described by at least one of the following:

(A) A student who has transferred to another educational system or institution that leads to graduation and the school district has received a written request for the transfer of the student's records or transcripts.

(B) A student who is deceased.

(C) A student who is participating in home instruction paid for by the district.

(D) A student who is being taught by a private teacher, parent or legal guardian pursuant to ORS 339.030 *[(1)(c) or (d)] (1)(d) or (e)*.

(E) A student who is participating in a Department of Education approved public or private education program, an alternative education program as defined in ORS 336.615 or a hospital education program, or is residing in a Department of Human Services facility.

(F) A student who is temporarily residing in a shelter care program certified by the Oregon Youth Authority or the Department of Human Services or in a juvenile detention facility.

(G) A student who is enrolled in a foreign exchange program.
(H) A student who is temporarily absent from school because of suspension, a family emergency, or severe health or medical problems that prohibit the student from attending school.

(I) A student who has received a General Educational Development (GED) certificate.

(2) The State Board of Education shall prescribe by rule when an unexplained absence becomes withdrawal, when a student is considered enrolled in school, acceptable alternative education programs under ORS 336.615 to 336.665 and the standards for excused absences for purposes of ORS 339.065 for family emergencies and health and medical problems.

SECTION 5. ORS 345.505 is amended to read:

345.505. As used in ORS 345.505 to 345.575 unless the context requires otherwise:

(1) "Educational services" means instructional programs but does not include programs limited solely to dancing, drama, music, religious or athletic instruction.

(2) "Private school" means a private elementary or secondary school operated by a person or by a private agency except as provided in ORS 339.030 [(1)(c) or (d)] **(1)(d) or (e)**, offering education in prekindergarten, kindergarten, or grades 1 through 12 or any part thereof.

SECTION 6. The amendments to ORS 339.030, 339.505 and 345.505 by sections 3 to 5 of this 2007 Act first apply to the 2007-2008 school year.

SECTION 7. This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect July 1, 2007.

Passed by House May 15, 2007

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Chief Clerk of House

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Speaker of House

Passed by Senate May 25, 2007

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President of Senate

Received by Governor:

.....M.,....., 2007

Approved:

.....M.,....., 2007

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Governor

Filed in Office of Secretary of State:

.....M.,....., 2007

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Secretary of State