

# House Bill 2378

Sponsored by Representative TOMEI (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Lowers minimum age for required school attendance.

Directs State Board of Education to adopt rules ensuring that child beginning public school for first time be placed, in consultation with child's parent or legal guardian, in grade level appropriate for child's development.

Requires board to establish by rule procedures whereby exemption from compulsory attendance may be granted to parent or legal guardian of child who is six years of age.

## A BILL FOR AN ACT

1  
2 Relating to school attendance; creating new provisions; and amending ORS 339.010, 339.020 and  
3 339.030.

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

5 **SECTION 1.** ORS 339.010 is amended to read:

6 339.010. Except as provided in ORS 339.030, all children between the ages of [7] **6** and 18 years  
7 who have not completed the 12th grade are required to attend regularly a public full-time school  
8 of the school district in which the child resides.

9 **SECTION 2.** ORS 339.020 is amended to read:

10 339.020. Except as provided in ORS 339.030, every person having control of any child between  
11 the ages of [7] **6** and 18 years who has not completed the 12th grade is required to send such child  
12 to and maintain such child in regular attendance at a public full-time school during the entire school  
13 term.

14 **SECTION 3.** The amendments to ORS 339.010 and 339.020 by sections 1 and 2 of this 2009  
15 Act first apply to a child who is between the ages of 6 and 18 years at the beginning of the  
16 2010-2011 school year of the school district in which the child resides.

17 **SECTION 4.** The State Board of Education shall adopt rules that ensure that a child who  
18 is six years of age and beginning public school for the first time is placed, in consultation  
19 with the child's parent or legal guardian, in a grade level that is appropriate for the child's  
20 development.

21 **SECTION 5.** ORS 339.030 is amended to read:

22 339.030. (1) In the following cases, children may not be required to attend public full-time  
23 schools:

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

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

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

- 1 (c) Children who have received a high school diploma.
- 2 (d) Children being taught for a period equivalent to that required of children attending public
- 3 schools by a private teacher the courses of study usually taught in grades 1 through 12 in the public
- 4 school.
- 5 (e) Children being educated in the children's home by a parent or legal guardian.
- 6 (f) Children excluded from attendance as provided by law.
- 7 (2) The State Board of Education by rule shall establish procedures whereby, on a semiannual
- 8 basis, an exemption from compulsory attendance may be granted to:
  - 9 **(a) The parent or legal guardian of any child who is six years of age.**
  - 10 **(b) The parent or legal guardian of any child 16 or 17 years of age who is:**
    - 11 **(A) Lawfully employed full-time[.];**
    - 12 **(B) Lawfully employed part-time and enrolled **part-time** in school, a community college or an**
    - 13 **alternative education program as defined in ORS 336.615[.]; or**
    - 14 **(C) Enrolled full-time in a school, a community college or an alternative education pro-**
    - 15 **gram as defined in ORS 336.615.**
  - 16 (c) [*An exemption also may be granted to*] Any child who is an emancipated minor or who has
  - 17 initiated the procedure for emancipation under ORS 419B.550 to 419B.558.
  - 18 **SECTION 6. The State Board of Education shall adopt the rules required by section 4 of**
  - 19 **this 2009 Act and by ORS 339.030, as amended by section 5 of this 2009 Act, before the be-**
  - 20 **ginning of the 2010-2011 school year.**
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