

Date: March 5, 2015
To: Senate Education Committee, Chair Roblan and Members
From: Rodger Williams, OCEANetwork Legislative Coordinator
Re: SB 321 [*Lowering compulsory attendance age to 5*]

I would like to address the idea that this bill will solve the problem where some kindergarten and first grade students are chronically absent, that is, they skip school.

There is already statutory language addressing this problem: ORS 339.010(2) and ORS 339.020(2). This existing law specifies that "All children five or six years of age who have been enrolled in a public school are required to attend regularly the public school while enrolled in the public school."

It may be helpful for you to know why that language is there.

OCEANetwork became aware that irresponsible parents were enrolling their children in kindergarten or first grade and then were neglecting to make sure those children had regular attendance. The problem for the schools was that because these students were not required by law to be in class because of their age, there were no tools available to ensure steady attendance. This resulted in harm to the other students, the school staff, and the absent student herself.

We wanted to support our fellow educators in the public school system, so we proposed that if parents enrolled their children in school then they would be subject to the compulsory attendance law as long as the child remained enrolled. If you enroll, then you play by the rules.

I actually authored the language in the current law, working closely with Legislative Counsel. I also helped Senator Hass over a particular legislative hurdle as he moved the bill forward into law.

So the compulsory attendance requirements for regular attendance are already in place for enrolled kindergarten and first grade students. SB 321 will *not* improve the legal remedies available to schools for dealing with chronic absenteeism, because enrolled students are *already* covered by the compulsory attendance law.

The existing law gives the twin benefits of

1. ensuring the regular attendance of students who are enrolled in school, and
2. giving parents the flexibility to wait to enroll their children until those children are ready for the rigors of institutional schooling.

That is the best of both worlds. Why wreck it.