

A-Engrossed
House Bill 2191

Ordered by the Senate May 17
Including Senate Amendments dated May 17

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Health Care for Students for a Healthy Oregon)

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.

Expands reasons for excused absences from school to include mental or behavioral health.
Declares emergency, effective July 1, 2019.

A BILL FOR AN ACT

1
2 Relating to excused absences from school; creating new provisions; amending ORS 339.065 and
3 339.280; and declaring an emergency.

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

5 **SECTION 1.** ORS 339.065 is amended to read:

6 339.065. (1) In estimating regular attendance for purposes of the compulsory attendance pro-
7 visions of ORS 339.005 to 339.030, 339.040 to 339.125, 339.137, 339.420 and 339.990, the principal or
8 teacher shall consider all unexcused absences. Eight unexcused one-half day absences in any four-
9 week period during which the school is in session shall be considered irregular attendance.

10 (2)(a) An absence may be excused by a principal or teacher if the absence is caused by:

11 (A) The pupil's sickness, [*by*] **including the mental or behavioral health of the pupil;**

12 (B) The sickness of some member of the pupil's family [*or by*]; **or**

13 (C) An emergency.

14 (b) **In addition to the reasons identified in paragraph (a) of this subsection,** a principal or
15 teacher may [*also*] excuse absences for other reasons [*where*] **when** satisfactory arrangements are
16 made in advance of the absence.

17 (3) Any pupil may be excused from attendance by the district school board for a period not to
18 exceed five days in a term of three months or not to exceed 10 days in any term of at least six
19 months. Any such excuse shall be in writing directed to the principal of the school which the pupil
20 attends.

21 **SECTION 2.** ORS 339.280 is amended to read:

22 339.280. Each school district board may establish student grading policies that permit teachers
23 to consider a student's attendance in determining the student's grade or deciding whether the stu-
24 dent should be granted or denied credit. A student's attendance shall not be the sole criterion for
25 the reduction of a student's grade. Such policies shall provide that prior to reduction of grade or
26 denial of credit:

27 (1) The teacher identifies how the student's attendance and participation in class is related to
28 the instructional goals of the particular subject or course and gives notice to the student and par-

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 ents or guardian of the student.

2 (2) Procedures are in effect to ensure due process when the grade is reduced or credit is denied
3 for attendance rather than academic reasons.

4 (3) The reasons for the nonattendance are considered and the grade is not reduced or credit is
5 not denied based on absences due to:

6 (a) Religious reasons;

7 (b) A student's disability; or

8 (c) An excused absence as determined by the policy of the school district **or as provided by**
9 **ORS 339.065.**

10 **SECTION 3. The amendments to ORS 339.065 and 339.280 by sections 1 and 2 of this 2019**
11 **Act first apply to the 2019-2020 school year.**

12 **SECTION 4. This 2019 Act being necessary for the immediate preservation of the public**
13 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
14 **July 1, 2019.**

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