

# D R A F T

## SUMMARY

Digest: Does not apply the shortened school day law to certain class periods or types of instruction. (Flesch Readability Score: 68.9).

Makes an exception to abbreviated school day requirements for when a student voluntarily does not schedule a class for one or more class periods or for certain asynchronous instruction.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to exceptions to abbreviated school day requirements for schedules  
3 for which a determination of the satisfaction of high school graduation  
4 requirements must be made; amending ORS 343.331; and declaring an  
5 emergency.

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

7 **SECTION 1.** ORS 343.331 is amended to read:

8 343.331. ORS 343.322, 343.324, 343.326 and 343.328 do not apply to any of  
9 the following:

10 (1) Any abbreviated school days that are a component of discipline im-  
11 posed in compliance with ORS 339.250, 339.252 or 343.155 (5) or that are the  
12 result of a placement made as provided by ORS 343.177.

13 (2) A student's exclusion from schools due to the student's immunization  
14 status or due to the student's exposure to a restrictable disease, as provided  
15 by ORS 433.235 to 433.284.

16 (3) The exclusion of a student from schools or the closure or restriction  
17 of access to schools due to actions taken under a public health emergency  
18 authorized under ORS 433.441 to 433.452.

1 (4) A student who has fulfilled all state requirements for graduation with  
2 a high school diploma, as described in ORS 329.451 (2), when the parent or  
3 foster parent has agreed to the abbreviated school day program.

4 (5) A student enrolled in a program described in ORS 336.585, 336.590,  
5 339.129, 343.261, 343.961 (1)(c)(A)(i) or 346.010, if the student has meaningful  
6 access to the same number of hours of instruction and educational services  
7 as the majority of other students enrolled in the same program as the stu-  
8 dent.

9 (6) A student whose parent or foster parent has notified an education  
10 service district that the student is being taught by a parent, legal guardian  
11 or private teacher under ORS 339.035.

12 (7) A student who is excluded from, or limited access to, school due to a  
13 court order.

14 (8) A high school student who is voluntarily enrolled in an alternative  
15 education program in compliance with ORS 336.635, the Expanded Options  
16 Program under ORS 340.005 to 340.090 or an accelerated college credit pro-  
17 gram as defined in ORS 340.300, when:

18 (a) The majority of the students of the program are not students with  
19 disabilities;

20 (b) The student is not restricted to attending fewer hours of instruction  
21 and educational services than the number of hours of instruction and edu-  
22 cational services attended by the majority of students without disabilities  
23 who are in the same grade and who attend the same program; and

24 (c) For an alternative education program in which the student is enrolled  
25 under ORS 336.635, the school district informs the parent or foster parent,  
26 in writing and in a language and format accessible to the parent or foster  
27 parent, that upon written request of the parent or foster parent, the student  
28 will be immediately restored to a school that allows the student to access  
29 the same number of hours of instruction and educational services that are  
30 provided to the majority of other students who are in the same grade within  
31 the student's resident school district.

1       **(9) A student who, when registering for classes for a term or se-**  
2 **mester of a school year, voluntarily does not schedule a class for one**  
3 **or more class periods. The provisions of this subsection apply only if**  
4 **the student is:**

5       **(a) In grade 11 or 12 and is on track to fulfill all state requirements**  
6 **for graduation with a high school diploma, as described in ORS 329.451**  
7 **(2), or a modified diploma, as described in ORS 329.451 (7), within four**  
8 **years of starting grade 9; or**

9       **(b) On track to fulfill all state requirements for graduation with a**  
10 **high school diploma, as described in ORS 329.451 (2), or a modified di-**  
11 **ploma, as described in ORS 329.451 (7), by the end of the school year**  
12 **in which the student voluntarily does not schedule a class for one or**  
13 **more class periods.**

14       **(10) Asynchronous instruction if the instruction:**

15       **(a) Is for only one class per term or semester;**

16       **(b) Satisfies a credit requirement for a high school diploma, as de-**  
17 **scribed in ORS 329.451 (2), or a modified diploma, as described in ORS**  
18 **329.451 (7);**

19       **(c) Is a credit recovery class or is a class not otherwise available**  
20 **to the student;**

21       **(d) Is offered to students on a voluntary basis and is not restricted**  
22 **to only students with a disability; and**

23       **(e) Is accessible to a student while the student is at school and**  
24 **while staff of the school are immediately available to the student.**

25       **SECTION 2.** **This 2024 Act being necessary for the immediate pres-**  
26 **ervation of the public peace, health and safety, an emergency is de-**  
27 **clared to exist, and this 2024 Act takes effect on its passage.**

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