

HB 3624-2
(LC 4264)
4/3/25 (HRS/ps)

Requested by Representative OWENS

**PROPOSED AMENDMENTS TO
HOUSE BILL 3624**

1 On page 1 of the printed bill, line 2, after the first semicolon delete the
2 rest of the line.

3 Delete lines 5 through 30 and delete page 2 and insert:

4 **“SECTION 1.** ORS 339.035 is amended to read:

5 “339.035. (1) As used in this section, ‘education service district’ means the
6 education service district that contains the school district of which the child
7 is a resident.

8 “(2) When a child is taught or is withdrawn from a public school to be
9 taught by a parent, legal guardian or private teacher, as provided in ORS
10 339.030, the parent, legal guardian or private teacher must notify the educa-
11 tion service district in writing. In addition, when a child who is taught by
12 a parent, legal guardian or private teacher moves to a new education service
13 district, the parent, legal guardian or private teacher shall notify the new
14 education service district in writing. The education service district shall
15 acknowledge receipt of any notification in writing.

16 “(3) Children being taught as provided in subsection (2) of this section
17 shall be examined at grades 3, 5, 8 and 10 in accordance with the following
18 procedures:

19 “(a) The State Board of Education shall adopt by rule a list of approved
20 comprehensive examinations that are readily available. **Each education**
21 **service district shall select at least one examination from the approved**

1 **list and provide for the administration of the examination:**

2 **“(A) At least three times each calendar year;**

3 **“(B) At no cost to a parent or legal guardian of a child who is a**
4 **resident of a school district that is located within the territory of the**
5 **education service district; and**

6 **“(C) At the school that the student would have attended if the**
7 **student attended a public school, based on the attendance boundaries**
8 **within which the student’s residence is located.**

9 **“(b)[(A)] If a parent or legal guardian does not have a child take an**
10 **examination administered as provided by paragraph (a) of this sub-**
11 **section, the parent or legal guardian shall select an examination from the**
12 **approved list and arrange to have the examination administered to the child**
13 **by a qualified neutral person, as defined by rule by the State Board of Edu-**
14 **cation.**

15 **“[(B)] (c) If the child was withdrawn from public school, the first exam-**
16 **ination shall be administered to the child at least 18 months after the date**
17 **on which the child was withdrawn from public school.**

18 **“[(C)] (d) If the child never attended public or private school, the first**
19 **examination shall be administered to the child prior to the end of grade**
20 **three.**

21 **“[(c)] (e) The person administering the examination shall:**

22 **“(A) Score the examination; and**

23 **“(B) Report the results of the examination to the parent or legal guardian.**

24 **“[(d)] (f) Upon request of the superintendent of the education service**
25 **district, the parent or legal guardian shall submit the results of the exam-**
26 **ination to the education service district.**

27 **“(4)(a) If the composite test score of the child places the child below the**
28 **15th percentile based on national norms, the child shall be given an addi-**
29 **tional examination within one year of when the first examination was ad-**
30 **ministered.**

1 “(b) If the composite test score of the child on the second examination
2 shows a declining score, then the child shall be given an additional exam-
3 ination within one year of when the second examination was administered
4 and the superintendent of the education service district may:

5 “(A) Allow the child to continue to be taught by a parent, legal guardian
6 or private teacher; or

7 “(B) Place the education of the child under the supervision of a person
8 holding a teaching license who is selected by the parent or legal guardian
9 at the expense of the parent or legal guardian. If the composite test score
10 of the child continues to show a declining score, the superintendent of the
11 education service district may:

12 “(i) Allow the child to continue under the educational supervision of a
13 licensed teacher selected by the parent or legal guardian and require that
14 the child be given an additional examination within one year of when the
15 last examination was administered;

16 “(ii) Allow the child to be taught by a parent, legal guardian or private
17 teacher and require that the child be given an additional examination within
18 one year of when the last examination was administered; or

19 “(iii) Order the parent or legal guardian to send the child to school for
20 a period not to exceed 12 consecutive months as determined by the super-
21 intendent.

22 “(c) If the parent or legal guardian of the child does not consent to
23 placing the education of the child under the supervision of a licensed teacher
24 who is selected by the parent or legal guardian, then the superintendent of
25 the education service district may order the child to return to school for a
26 period not to exceed 12 consecutive months as determined by the super-
27 intendent.

28 “(d) If the composite test score of the child on an examination is equal
29 to or greater than the percentile score on the prior test, the child may be
30 taught by a parent, legal guardian or private teacher and for the next ex-

1 amination be examined pursuant to paragraph (a) of this subsection or sub-
2 section (3) of this section.

3 “(5)(a) Notwithstanding the examination requirements of subsections (3)
4 and (4) of this section, the parent or legal guardian of a child with a disa-
5 bility who has an individualized education program and is receiving special
6 education and related services through the school district or who is being
7 educated in accordance with a privately developed plan shall be evaluated
8 for satisfactory educational progress according to the recommendations of
9 the program or plan.

10 “(b) The parent or legal guardian of a child with a disability who was
11 evaluated by service providers selected by the parent or legal guardian based
12 on a privately developed plan shall submit a report of such evaluation to the
13 education service district in lieu of the examination results required by
14 subsections (3) and (4) of this section.

15 “(c) A child with a disability described in this subsection may not be
16 subject to the examination requirements of subsections (3) and (4) of this
17 section unless the examination is recommended in the program or plan in
18 effect for the child.”.

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