

Greater Albany SD 8J Board Policy

Code: **JE/JEA**
Adopted: 11/27/95; 11/23/97;
Revised/Readopted: 3/12/01; 5/20/02; 8/23/04;
8/13/07; 8/12/12; 7/15/13;
2/22/16
Orig. Code(s): BP 5316; BP 5100

Attendance/Compulsory Attendance

Oregon law requires regular school attendance. The district regards regular student attendance as a mutual responsibility of the home and school.

The Board regards regular and prompt attendance of students in school as essential for educational success. Poor attendance often results in lower achievement and sometimes failing grades, which diminishes the motivation of students to learn. A benefit of regular, punctual attendance is that students are more successful in school as well as in the world of work.

Learning at all grade levels increases through participation in class activities and through interaction with teachers and other students. Some learning activities require special equipment and facilities available only in the classroom or laboratory. There are worthwhile educational experiences for students outside the classroom. However, students, parents or guardians¹ and the staff should be sure that school-sponsored or approved programs, which take students from class, are kept in balance with the in-school course goals.

Students have the responsibility to regularly attend and to comply with the attendance policies of the school. This includes completion of assigned make-up lessons within a reasonable length of time. School staff has the responsibility to keep accurate attendance records and carry out district procedures to promote prompt and regular attendance and to inform and work with parents or guardians in solving attendance problems.

Students who have not completed grade 12 and are legally residing in the district's attendance area are eligible to attend the district schools. Compulsory attendance from age 6 to age 18 or graduation is established by state law, with provision for exceptions. Also, all students five or six years of age who have been enrolled in a public school are required to attend regularly. However, the district may deny regular school admission for the period of the expulsion to students who have become residents and who have been expelled from other districts.

Persons having legal control of a student between the ages 6 and 18, who has not completed the 12th grade are required to have the student attend and maintain the child in regular attendance during the school term. Persons having legal control of a student who is five years of age and has enrolled the child in a public school are required to have the student attend and maintain the child in regular attendance during the school term. Under the superintendent's direction and supervision, attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. Failure to

¹As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005 (18).

send a student to school is a Class C violation and is subject to a court-imposed fine, as provided by Oregon Revised Statute (ORS) 339.925.

The district will notify the parent or guardian in writing that, in accordance with law, the superintendent or designee will schedule a conference with the nonattending student and his/her parent(s) or guardian(s) to discuss attendance requirements. The written notice will include the following:

1. The superintendent or designee has the authority to enforce the provisions of the compulsory attendance laws;
2. Failure to send a student to school is a Class C violation;
3. A citation may be issued by the district;
4. A conference with the parent or guardian and student is required.

If practicable, the written notification will be in the native language of the parent or guardian.

Additionally, a parent or guardian, or other person lawfully charged with the care or custody of a student under 15 years of age, may, under ORS 163.577 (1)(c), be found by the courts to have committed the offense of failing to supervise a child who has not attended school as required.

Failing to supervise a child is a Class A violation. Violations, as determined by the court, may be punishable by a requirement to complete a parent effectiveness program approved by the court and/or a fine.

Exemptions from Compulsory School Attendance

In the following cases, students shall not be required to attend public schools full-time:

1. Students being taught in a private or parochial school in courses of study usually taught in grades kindergarten through grade 12 in the public schools and in attendance for a period equivalent to that required of students attending public schools.
2. Students proving to the Board's satisfaction that they have acquired equivalent knowledge to that acquired in the courses of study taught in kindergarten through grade 12 in the public schools.
3. Students being taught by a private teacher the courses of study usually taught in kindergarten through grade 12 in the public school for a period equivalent to that required of students attending public schools.
4. Students being educated in the home by a parent:
 - a. When a student is taught or is withdrawn from a public school to be taught by a parent or private teacher, the parent or teacher must notify the Education Service District (ESD) in writing within 10 days of such occurrence. In addition, when a home-schooled student moves to a new ESD, the parent shall notify the new ESD in writing, within 10 days, of the intent to continue home schooling. The ESD superintendent shall acknowledge receipt of any

- notification in writing within 90 days of receipt of the notification. The ESD is to notify, at least annually, school districts of home-schooled students who reside in their district;
- b. Each student being taught by a parent or private teacher shall be examined no later than August 15, following grades 3, 5, 8 and 10:
 - (1) If the student was withdrawn from public school, the first examination shall be administered at least 18 months after the date the student withdrew;
 - (2) If the student never attended public or private school, the first examination shall be administered prior to the end of grade 3;
 - (3) Procedures for home-schooled students with disabilities are set out in Oregon Administrative Rule (OAR) 581-021-0029.
 - c. Examinations testing each student shall be from the list of approved examinations from the State Board of Education;
 - d. The examination must be administered by a neutral individual qualified to administer tests on the approved list provided by the Oregon Department of Education;
 - e. The person administering the examination shall score the examination and report the results to the parent. Upon request of the ESD superintendent, the parent shall submit the results of the examination to the ESD;
 - f. All costs for the test instrument, administration and scoring are the responsibility of the parent;
 - g. In the event the ESD superintendent finds that the student is not showing satisfactory educational progress, the ESD superintendent shall provide the parent with a written statement of the reasons for the finding, based on the test results and shall follow the guidelines in Oregon Revised Statutes and Oregon Administrative Rules.
5. Students excluded from attendance as provided by law;
 6. An exemption may be granted to the parent of any student 16 or 17 years of age who is lawfully employed full-time, or who is lawfully employed part-time and enrolled in school, a community college or an alternative education program as defined in ORS 336.615

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)
[ORS 125.005\(4\)](#)
[ORS 125.300 - 125.325](#)
[ORS 153.018](#)
[ORS 163.577](#)
[ORS 336.010](#)

[ORS 336.615 - 336.665](#)
[ORS 339.010 - 339.090](#)
[ORS 339.095](#)
[ORS 339.990](#)
[ORS 419B.373](#)
[ORS 807.410](#)

[OAR 581-021-0026](#)
[OAR 581-021-0029](#)