

Greater Albany SD 8J
Administrative Regulation

Code: **JE/JEA-AR(2)**
Adopted: 1/19/94
Revised: 3/12/01, 8/13/07
Orig. Code(s): AR 5101

Exemption from Compulsory School Attendance

Oregon law (ORS 339.010) provides that children between the ages of 7 and 18 who have not completed the 12th grade are required to attend regularly a public full-time school of the district in which the child resides. Additionally, ORS 339.020 requires persons having control of these children to send these children to public full-time school.

Exemptions from this compulsory attendance law are provided in ORS 339.030. Children who shall not be required to attend public full-time school include (1) children attending private or parochial schools (2) children who prove to the district school Board that they have acquired equivalent knowledge to that acquired in grades 1-12 in school (3) children who are being home schooled (4) children who have been expelled from school and (5) children age 16 or 17 whose parents or guardians¹ are granted an exemption from compulsory attendance by the district.

Persons in category 5 above, in addition to being at least 16 years of age, must be, according to statute (1) lawfully employed full time, (2) lawfully employed part time and enrolled in school part time, or (3) enrolled in a community college or other state-registered alternative education program.

An exemption from attendance may also be granted to any person who is an emancipated minor or who has initiated the procedure for emancipation under ORS 109.550-109.565.

Procedures for requests for exemption from attendance are stated in Oregon Administrative Rule 581-021-0076. The rule states that requests for exemption shall be in writing and must include documentation of the student's employment by the employer or enrollment status by the school. Additionally, the school shall request notification when the student's employment or the student's enrollment status is terminated.

When considering a request, the school shall conduct an interview that shall include, but need not be limited to, the student, parent(s) or guardian(s) and school counselor and/or administrator. The interview shall include consideration of the reasons for the request and a review of all of the information pertinent to the request.

If the exemption is granted the school shall give the student and parent or guardian the following information in writing: (a) alternative programs of instruction or instruction combined with counseling as

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 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, and adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005 (18).

available and (b) a statement recognizing that the exemption is granted for a limited time, that it must be renewed on a semi-annual basis and that it will be reviewed by the school on a certain date. The school shall notify the parent or guardian of the need to reapply for an exemption by a specific date or return to school until the student turns 18 or attains a high school diploma or a GED.

Schools shall provide the superintendent with an annual report of the number of exemptions from compulsory attendance granted.