

# Creswell School District 40

Code: **JEA**  
Adopted: 4/10/91; 4/11/90  
Revised/Readopted: 12/9/98, 11/8/00  
Orig. Code(s): 5100, 5100; Student Conduct

## **Compulsory Attendance Code\*\***

Except when exempt by Oregon law, all students ages 7-18 who have not completed the 12th grade are required to attend school full time on a regular basis at the designated school within the attendance area.

Persons having legal control of a student ages 7-18 who has not completed the 12th grade are required to have the student attend school. 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. Violation is a Class C violation and is punishable by a citation up to \$150.

The district will develop procedures for issuing a citation.

A parent who is not supervising his/her student by requiring school attendance may also be in violation of ORS 163.577 (1)(c). Failing to supervise a child is a Class A violation and punishable by a fine up to \$600.

### 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 1-12 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 the courses of study taught in grades 1-12 in the public schools;
3. Students being taught by a private teacher the courses of study usually taught in grades 1-12 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  - a. When a student is taught or is withdrawn from a public school to be taught by a parent or private teacher, the parent or teacher must notify the Lane Education Service District (ESD) in writing within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. Notification must be received and acknowledged before a student is withdrawn from school and thereafter before the start of each school year;

- 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 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.
4. Students excluded from attendance as provided by law;
5. An exemption may be granted to the parent of any student 16 or 17 years of age who is lawfully employed full time, lawfully employed part time and enrolled in school, or enrolled in a community college or other state-registered alternative education program.

END OF POLICY

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**Legal Reference(s):**

[ORS 153.018](#)  
[ORS 163.577](#)  
[ORS 336.615 - 336.665](#)  
[ORS 339.010 - 339.090](#)  
[ORS 339.260](#)  
[ORS 339.925](#)

[ORS 339.990](#)  
[ORS 807.065](#)  
[ORS 807.066](#)  
[ORS 809.410 \(40\)](#)

[OAR 581-021-0026](#)  
[OAR 581-021-0029](#)  
[OAR 581-021-0071](#)  
[OAR 581-021-0077](#)