

Nyssa School District 26

Code: **JEA**
Adopted: 6/11/01
Revised/Readopted: 10/13/08; 1/14/13; 12/12/16;
3/12/18
Orig. Code(s): JEA

Compulsory Attendance**

Except when exempt by Oregon law, all students between ages 6 and 18 who have not completed the 12th grade are required to regularly attend a public, full-time school during the entire school term.

All students five years of age who have been enrolled in a public school are required to attend regularly while enrolled in the public school.

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 entire school term. Persons having legal control of a student who is five years of age and have 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.

Attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. Violation is a Class C violation.

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 Oregon Revised Statute (ORS) 163.577(1)(c). Failing to supervise a child is a Class A violation.

In addition, under Board policy JHFDA - Suspension of Driving Privileges, the district may report students with 10 consecutive days of unexcused absences or 15 cumulative days unexcused absence in a single semester to the Oregon Department of Transportation.

Exemptions from Compulsory School Attendance

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

1. Students being taught in a private or parochial school in courses of study usually taught 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 who have received a high school diploma or a modified diploma;

4. 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;
5. Students being educated in the home by a parent or guardian:
 - 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 Malheur 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.
6. Children whose sixth birthday occurred on or before September 1 immediately preceding the beginning of the current school year, if the parent or guardian notified the child's resident district in writing that the parent or guardian is delaying the enrollment of their child for one school year to better meet the child's needs for cognitive, social or physical development, as determined by the parent or guardian.
7. Children who are present in the United States on a nonimmigrant visa and who are attending a private, accredited English language learner program in preparation for attending a private high school or college.
8. Students excluded from attendance as provided by law;

9. 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, enrolled in a community college or other state-registered alternative education program.
10. An exemption may be granted to any child who is an emancipated minor or who has initiated the procedure for emancipation under ORS 419B.550 to 419B.558.

END OF POLICY

Legal Reference(s):

ORS 153.018	ORS 339.990	OAR 581-021-0026
ORS 163.577	ORS 419B.550 to -419B.558	OAR 581-021-0029
ORS 336.615 to -336.665	ORS 807.065	OAR 581-021-0071
ORS 339.010 to -339.090	ORS 807.066	OAR 581-021-0077
ORS 339.095		

Cross Reference(s):

IGBHC - Alternative Education Notification