

**BEND-LA PINE SCHOOLS**

Administrative School District No. 1

Deschutes County, Oregon

**ADMINISTRATIVE REGULATION**

Name: Compulsory Attendance

Section: Students

Code: JEA-AR

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

Attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. Failure to send a student and to maintain a student in regular attendance is a Class C violation. The district will develop procedures for issuing a citation.

A parent who is not supervising their 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.

**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 in 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  - a. When a student is taught or is withdrawn from a public school to be taught by a parent or private teacher, the parent or teacher must notify the High Desert Education Service District (ESD) in writing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:
    - i. If the student was withdrawn from public school, the first examination shall be administered at least 18 months after the date the student withdrew;
    - ii. If the student never attended public or private school, the first examination shall be administered prior to the end of grade 3;
    - iii. 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. Students who are eligible military children are exempt up to 10 days after the date of military transfer or pending transfer indicated in the official military order. "Military child" means a child who is in a military family covered by the Interstate Compact on Educational Opportunity for Military Children, as determined under rules adopted by the State Board of Education.
  10. An exemption may be granted to the parent or guardian 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.
  11. 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.

## **Regular Attendance**

Regular attendance is defined as attendance which does not include more than eight (8) unexcused one-half day absences in any four (4) week period during which the school is in session. Failure to comply with Oregon's compulsory attendance law is a Class C violation and can result in a compulsory attendance citation and fine determined by a court.

This Administrative Regulation is designed to help all students, parents and/or guardians understand attendance requirements.

## **Definitions**

### **1. Excused Absence**

- Illness, including mental and behavioral health of the student.
- Illness of an immediate family member when the student's presence at home is necessary.
  - If the student is absent due to illness for three (3) consecutive days or more, medical documentation may be required.
- Emergency, such as death, accident, injury or medical issue to student or family member.
- Dentist, doctor, or court appointment.

- Student is a dependent of a member of the U.S. Armed Forces<sup>1</sup> who is on active duty or who is called to active duty. The student may be excused for up to seven days during the school year.
- Teacher / Administrator approved arrangements made in advance.

## **2. Unexcused Absence**

- Student overslept.
- Student arrives tardy or late; past the first 10 minutes of class.
- Student leaves school or a class without permission from the teacher or administrator in charge.
- Student absent to care for siblings.
- Student leaves campus prior to having absence excused.

## **Tuancy Process**

**Step 1.** Tuancy warning letter with attendance summary, and phone call when appropriate.

**Step 2.** Mandatory attendance meeting (interventions to help support student attendance improvement).

**Step 3.** Tuancy citation, court appearance and court mandated attendance agreement.

**Step 4.** Tuancy fine for failing to meet the court's mandated attendance agreement.

## **Special Education Consideration**

The parent or person in parental relation who receives notice of a student's non-attendance has the right to request:

- For a child who does not have an Individualized Education Plan (IEP), an evaluation to determine if the child should have an individualized education program; or
- For a child who has an IEP, a review of the IEP.

## **Notifying the Attendance Office of Absences**

The parent / guardian is responsible to notify the Attendance Office within 48 hours following the student's return. Notice may be in writing or by telephone. Notification should include the student's first name, last name, student ID number, and reason for absence. Parents are encouraged to schedule appointments outside of school hours if possible.

## **Consequences of Irregular Attendance**

- Students who do not have regular attendance may be denied access to dances and extracurricular activities.
- All students caught in the act of skipping a class or being off-campus without a pass will face immediate consequences.
- The truancy process will be initiated for students who do not maintain regular attendance.

## **Tardy Policy**

Students arriving late, within the first 10 minutes of class, will be marked tardy. Students arriving later than 10 minutes to class without an excused slip from the Attendance Office will be marked absent.

## **Process for Pre-Arranged Absences**

Students who are aware of an absence exceeding two (2) days are encouraged to call or send a note to the Attendance Office to start the pre-arranged absence process.

### **Arriving Late or Leaving Early**

Students must sign in at the Attendance Office and receive an admit slip if arriving at school or class later than 10 minutes.

Students must sign out at the Attendance Office or have a release slip prior to leaving the building.

A student must:

- Have a note from the parent / guardian, or
- A parent / guardian can call the Attendance Office before the student leaves, or
- A student can go to the Attendance Office to call home. Authorized personnel will speak with the parent / guardian to obtain permission for the student to leave.

If a student needs to leave school early, they must sign out following school attendance procedures. Leaving school without prior approval from the school administrator or designee may result in an unexcused absence.

### **10-Day Drop Policy**

Oregon law requires a public school district withdraw any student who is marked as absent for 10 consecutive, full school days. Withdrawn students are required to re-enroll when they return to school.

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#### **LEGAL REFERENCES:**

ORS 153.018	OAR 581-021-0026
ORS 163.577	OAR 581-021-0029
ORS 336.615 - 336.665	OAR 581-021-0071
ORS 339.010 - 339.090	OAR 581-021-0077
ORS 339.095	
ORS 339.257	
ORS 339.990	
ORS 419B.550 - 419B.558	
ORS 807.065	
ORS 807.066	