

# Senate Bill 855

Sponsored by Senator THATCHER

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Expands exemption from compulsory attendance at public schools to include children who have received certificate related to approved high school equivalency test.

Prohibits state agencies, school districts, education service districts and community college districts from prohibiting certain persons from taking approved high school equivalency test and receiving certificate for passing approved high school equivalency test.

## A BILL FOR AN ACT

1  
2 Relating to high school equivalency certificates; creating new provisions; and amending ORS  
3 339.030.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 339.030 is amended to read:

6 339.030. (1) In the following cases, children may not be required to attend public full-time  
7 schools:

8 (a) Children being taught in a private or parochial school in the courses of study usually taught  
9 in kindergarten through grade 12 in the public schools and in attendance for a period equivalent to  
10 that required of children attending public schools in the 1994-1995 school year.

11 (b) Children proving to the satisfaction of the district school board that they have acquired  
12 equivalent knowledge to that acquired in the courses of study taught in kindergarten through grade  
13 12 in the public schools.

14 (c) Children who have received a high school diploma, [*or*] a modified diploma **or a certificate**  
15 **for passing an approved high school equivalency test.**

16 (d) Children being taught for a period equivalent to that required of children attending public  
17 schools by a private teacher the courses of study usually taught in kindergarten through grade 12  
18 in the public school.

19 (e) Children being educated in the children's home by a parent or legal guardian.

20 (f) Children whose sixth birthday occurred on or before September 1 immediately preceding the  
21 beginning of the current school year if the parent or legal guardian of the child notified in writing  
22 the school district of which the child is a resident that the parent or legal guardian will delay en-  
23 rolling the child in a public full-time school for only one school year for the purpose of better  
24 meeting the child's needs for cognitive, social or physical development, as determined by the parent  
25 or legal guardian.

26 (g) Children who are present in the United States on a nonimmigrant visa and who are attending  
27 a private, accredited English language learner program in preparation for attending a private high  
28 school or college.

29 (h) Children excluded from attendance as provided by law.

30 (2) The State Board of Education and the Higher Education Coordinating Commission by rule

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 shall establish procedures whereby, on a semiannual basis, an exemption from compulsory attend-  
2 ance may be granted to the parent or legal guardian of any child 16 or 17 years of age who is  
3 lawfully employed full-time or who is lawfully employed part-time and enrolled in school, a commu-  
4 nity college or an alternative education program as defined in ORS 336.615. An exemption also may  
5 be granted to any child who is an emancipated minor or who has initiated the procedure for  
6 emancipation under ORS 419B.550 to 419B.558.

7 **SECTION 2. A state agency, a school district, an education service district or a commu-  
8 nity college district may not adopt any rule or policy that prohibits a person from taking an  
9 approved high school equivalency test or from receiving a certificate for passing an approved  
10 high school equivalency test if the person is:**

- 11 (1) **A resident of this state;**  
12 (2) **Sixteen years of age or older; and**  
13 (3) **Exempt from compulsory school attendance as provided by ORS 339.030.**
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