

House Bill 2187

Sponsored by Representative RESCHKE, Senator GIROD; Representatives DIEHL, LEWIS, MANNIX, WRIGHT, YUNKER, Senators LINTHICUM, ROBINSON (Pre-session filed.)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Reduces actions that must be taken for a child who is taught by a private teacher, parent or legal guardian. (Flesch Readability Score: 63.8).

Removes notification and certain examination requirements that apply to children who are taught by a private teacher, parent or legal guardian.

Declares an emergency, effective July 1, 2025.

A BILL FOR AN ACT

1
2 Relating to children who are not taught in a public school; creating new provisions; amending ORS
3 153.633, 153.675, 305.830, 334.175, 339.460, 341.522, 343.331, 350.292 and 807.066; repealing ORS
4 153.657, 339.035, 339.095 and 339.990; and declaring an emergency.

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

6 **SECTION 1. ORS 153.657, 339.035, 339.095 and 339.990 are repealed.**

7 **SECTION 2.** ORS 153.633 is amended to read:

8 153.633. (1) In any criminal action in a circuit court in which a fine is imposed, the lesser of the
9 following amounts is payable to the state before any other distribution of the fine is made:

10 (a) \$65; or

11 (b) The amount of the fine if the fine is less than \$65.

12 (2) In any criminal action in a justice or municipal court in which a fine is imposed, the lesser
13 of the following amounts is payable to the state before any other distribution of the fine is made:

14 (a) \$50; or

15 (b) The amount of the fine if the fine is less than \$50.

16 (3) A justice or municipal court shall forward the amount prescribed under subsection (2) of this
17 section to the Department of Revenue for deposit in the Criminal Fine Account.

18 *[(4)(a) The provisions of this section do not apply to fines imposed under ORS 339.990.]*

19 *[(b)]* (4) The provisions of subsection (2) of this section do not apply to fines imposed in justice
20 and municipal courts under ORS 811.590, 814.485, 814.486, 814.534, 814.536, 814.600 or 830.990 (1).

21 **SECTION 3.** ORS 153.675 is amended to read:

22 153.675. (1) Amounts payable to the state under ORS 153.633, 153.645[,] **and** 153.650 [*and*
23 *153.657*] shall be transferred by the court to the Department of Revenue for distribution as provided
24 in ORS 305.830. Except as provided in ORS 153.640 (2)(b), amounts payable to a local government
25 under ORS 153.640 to 153.680 [*and 153.657*] shall be deposited by the court in the local government's
26 general fund and are available for general governmental purposes.

27 (2) Justice and municipal courts must make the transfer required by subsection (1) of this sec-
28 tion under ORS 153.633, 153.645[,] **and** 153.650 [*and 153.657*] not later than the last day of the month

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 immediately following the month in which a payment on a judgment is received by the court.

2 **SECTION 4.** ORS 305.830 is amended to read:

3 305.830. (1) Amounts transferred to the Department of Revenue by justice and municipal courts
4 under ORS 153.633, 153.645[,] **and** 153.650 [*and 153.657*] shall be deposited in a suspense account
5 established under ORS 293.445 for the purpose of receiving criminal fines and assessments.

6 (2) In carrying out its duties under this section, the Department of Revenue shall have access
7 to the records and dockets of those courts charged with the duty to transfer moneys to the depart-
8 ment under ORS 153.633, 153.645[,] **and** 153.650 [*and 153.657*].

9 (3) The Department of Revenue may retain from the funds transferred under ORS 153.633,
10 153.645[,] **and** 153.650 [*and 153.657*] an amount not to exceed two percent annually for its actual
11 costs of collection and disbursement of funds under this section, including the cost of all examina-
12 tions, investigations and searches, and of all traveling and other expenses in connection therewith.
13 The department shall deposit the net amount of moneys in the suspense account described in sub-
14 section (1) of this section into the Criminal Fine Account.

15 (4) All judicial, municipal and county officers shall cooperate with the Department of Revenue
16 with respect to the collections, searches and investigations and shall furnish the Department of
17 Revenue with any information contained in any of the records under their respective custodies re-
18 lating thereto.

19 (5) The Department of State Police shall cooperate in the investigation of fines, penalties and
20 forfeitures.

21 **SECTION 5.** ORS 334.175 is amended to read:

22 334.175. (1) An education service district shall provide regionalized core services to component
23 school districts. The goals of these services are to:

- 24 (a) Assist component school districts in meeting the requirements of state and federal law;
- 25 (b) Improve student learning;
- 26 (c) Enhance the quality of instruction provided to students;
- 27 (d) Enable component school districts and the students who attend schools in those districts to
28 have equitable access to resources; and
- 29 (e) Maximize operational and fiscal efficiencies for component school districts.

30 (2) The services provided by an education service district shall be provided according to a local
31 service plan developed by the education service district and component school districts. The educa-
32 tion service district and component school districts shall develop the local service plan to meet the
33 goals specified in subsection (1) of this section. The local service plan must include services in at
34 least the following areas:

35 (a) Programs for children with special needs, including [*but not limited to*] special education
36 services and services for at-risk students.

37 (b) Technology support for component school districts and the individual technology plans of
38 those districts, including [*but not limited to*] technology infrastructure services, data services, in-
39 structional technology services and distance learning.

40 (c) School improvement services for component school districts, including [*but not limited to*]:

41 (A) Services designed to support component school districts in meeting the requirements of state
42 and federal law;

43 (B) Services designed to allow the education service district to participate in and facilitate a
44 review of the state and federal standards related to the provision of a quality education by compo-
45 nent school districts;

1 (C) Services designed to support and facilitate continuous school improvement planning;

2 (D) Services designed to address schoolwide behavior and climate issues; and

3 (E) Services designed to support career and technical education.

4 (d) Administrative and support services for component school districts, including [*but not limited*
5 *to*] services designed to consolidate component school district business functions[,] **and** liaison ser-
6 vices between the Department of Education and component school districts [*and registration of*
7 *children being taught by private teachers, parents or legal guardians pursuant to ORS 339.035*].

8 (e) Other services that an education service district is required to provide by state or federal
9 law, including [*but not limited to*] services required under ORS 339.005 to 339.090.

10 (3) In addition to the services specified in subsection (2) of this section, a local service plan may
11 include other services that are designed to meet regional needs.

12 (4) A local service plan shall also contain annual performance measures for the education ser-
13 vice district.

14 (5) A local service plan must:

15 (a) Be adopted by the board of the education service district.

16 (b) After being adopted by the board of the education service district, be approved on or before
17 March 1 by resolution of two-thirds of the component school districts that are a part of the educa-
18 tion service district and that have at least a majority of the pupils included in the average daily
19 membership of the education service district, as determined by the reports of such school districts
20 for the preceding year, enrolled in the schools of the school districts.

21 (6) Notwithstanding the process for approval and adoption required by subsection (5) of this
22 section, if the component school districts approve an amendment to a local service plan pursuant
23 to subsection (5)(b) of this section, the board of an education service district may amend a local
24 service plan that has been previously adopted by the board and approved by the component school
25 districts. An amendment to a local service plan may be done at any time.

26 (7) If a component school district determines that a local service plan, or the provision of ser-
27 vices under a local service plan, does not meet the service needs of the component school district,
28 the component school district may contract with a public entity for the provision of services.

29 (8) An education service district may provide the services required by the local service plan
30 directly through the staff of the district. In addition, an education service district may provide ser-
31 vices required by the local service plan through the operation of a public school, a public charter
32 school pursuant to ORS chapter 338, an alternative school or a preschool.

33 (9) An education service district may provide the services required by the local service plan in
34 cooperation with another education service district or with a school district. In addition, an educa-
35 tion service district may contract with a public or private entity for the provision of services.

36 **SECTION 6.** ORS 339.460 is amended to read:

37 339.460. (1) As used in this section:

38 (a) “High school equivalency program” means a program provided to assist a student in earning
39 a certificate for passing an approved high school equivalency test such as the General Educational
40 Development (GED) test.

41 (b) “High school equivalency student” means a student who is eligible to attend school under
42 ORS 339.115 (1) and who is enrolled in a high school equivalency program.

43 (c) “Homeschooled student” means a child who is taught by a private teacher, a parent or a
44 legal guardian, as described in ORS 339.030.

45 (d) “Interscholastic activities” includes:

1 (A) For students in any grade from kindergarten through grade 12, athletics, music, speech and
2 other similar or related activities.

3 (B) For students in any grade from kindergarten through grade eight, activities that are offered
4 only before or after regular school hours and that may, but are not required to, involve interaction
5 among other schools.

6 (e) "Public charter school" has the meaning given that term in ORS 338.005.

7 (2) A school district may not deny a high school equivalency student, a homeschooled student
8 or a student who attends a public charter school that does not provide interscholastic activities the
9 opportunity to participate in all interscholastic activities available in the school district within the
10 attendance boundaries in which the high school equivalency student, homeschooled student or public
11 charter school student resides if the student fulfills the following conditions, as applicable:

12 (a)(A) For a high school equivalency student or a homeschooled student, the student must meet
13 all school district eligibility requirements except:

14 (i) The school district's school or class attendance requirements; and

15 (ii) The class requirements of the voluntary association that administers the interscholastic ac-
16 tivity, if applicable.

17 (B) For a student who attends a public charter school, the student must meet all school district
18 eligibility requirements except the school district's school or class attendance requirements.

19 (b) For a homeschooled student or a student who attends a public charter school, the student
20 must demonstrate academic eligibility by meeting one of these requirements:

21 (A) Achieve a minimum score that places the student at or above the 23rd percentile[*based on*
22 *national norms, on an examination from the list the State Board of Education adopts under ORS*
23 *339.035*] **on a nationally normed standardized achievement test selected from a list adopted**
24 **by the State Board of Education by rule.** The student must take the [*examination*] **test** prior to
25 the beginning of the school year in which the student will participate in an interscholastic activity
26 and for which academic eligibility is being determined, and the student's parent or legal guardian
27 must submit the results to the school district for use in determining the student's academic eligi-
28 bility.

29 (B) Meet alternative requirements that a school district adopts, in consultation with the
30 student's parent or legal guardian, to participate in interscholastic activities, including [*but not*
31 *limited to*] a requirement that a student submit a portfolio of work samples to a school district
32 committee for review to determine whether the student is eligible to participate in interscholastic
33 activities.

34 (c) For a high school equivalency student, the student must demonstrate academic eligibility by
35 showing that, prior to beginning the interscholastic activity, the student has passed at least one
36 practice test administered through the high school equivalency program.

37 (3)(a) In addition to the requirements set forth in subsection (2) of this section, a public charter
38 school that enrolls a student who intends to participate in an interscholastic activity must pay to
39 the school district or school that offers the interscholastic activity, as appropriate and if the school
40 district or school requires payment as provided by this subsection:

41 (A) An annual fee that is equivalent to not more than five percent of the amount of the school
42 district's General Purpose Grant per ADMw, as calculated under ORS 327.013; and

43 (B) An additional annual fee that is equivalent to not more than five percent of the amount of
44 the school district's General Purpose Grant per ADMw, as calculated under ORS 327.013, if partic-
45 ipating in the interscholastic activity requires the student to enroll in a course for credit.

1 (b) The school district and the public charter school shall enter into an agreement to specify the
2 amount of the fees described in paragraph (a) of this subsection.

3 (c) A public charter school is required to pay a fee described in paragraph (a) of this subsection
4 only once per year per student participating in an interscholastic activity at a school in the school
5 district, regardless of the number of interscholastic activities in which the student participates.

6 (4) A high school equivalency student, a homeschooled student or a student who attends a public
7 charter school may participate in interscholastic activities while awaiting [*examination or practice*]
8 test results unless the student is awaiting the results to restore academic eligibility.

9 (5) A high school equivalency student, a homeschooled student or a student who attends a public
10 charter school who does not maintain academic eligibility is ineligible to participate in interscho-
11 lastic activities for the school year in which the student is determined to be academically ineligible
12 unless:

13 (a) At least 18 weeks have passed from the later of the date that the student:

14 (A) Was determined to have not maintained academic eligibility; or

15 (B) Became a high school equivalency student or a homeschooled student; and

16 (b) The student takes the required [*examinations or practice*] tests and meets the standards de-
17 scribed in subsection (2)(b) or (c) of this section.

18 (6)(a) A high school equivalency student, a homeschooled student or a student who attends a
19 public charter school must fulfill the same responsibilities and standards of behavior and perform-
20 ance, including related class or practice requirements, as other students who participate in the
21 interscholastic activity. The student must also comply with all public school requirements during
22 the time of participation.

23 (b) A student who attends a public charter school must be allowed to participate in an inter-
24 scholastic activity in the same manner that a resident of the school district may participate in the
25 interscholastic activity. A school district may not give priority to residents of the school district to
26 participate in interscholastic activities, but may require a student who attends a public charter
27 school to satisfy any standards for acceptance for participation.

28 (7) A high school equivalency student, a homeschooled student or a student who attends a public
29 charter school who participates in interscholastic activities must reside within the attendance
30 boundaries of the school at which the student participates unless the school district has a policy
31 that allows any student attending a school of the school district to participate in interscholastic
32 activities at any school of the school district.

33 **SECTION 7.** ORS 341.522 is amended to read:

34 341.522. (1) The Office of Student Access and Completion shall administer the Oregon Promise
35 program as provided by this section.

36 (2) Subject to subsections (7) to (10) of this section, the office shall provide a grant for commu-
37 nity college courses to a person who meets the criteria described in subsections (3) to (6) of this
38 section. The grant shall be limited as provided by subsections (7) to (10) of this section.

39 (3) A grant shall be awarded under this section to a person who meets the following criteria:

40 (a) Is enrolled in courses that are:

41 (A) Offered at a community college in this state; and

42 (B) Determined by the office, in accordance with rules adopted by the Higher Education Coor-
43 dinating Commission, to be required for completion of:

44 (i) A one-year curriculum for students who plan to transfer to another post-secondary institution
45 of education;

- 1 (ii) An associate degree; or
- 2 (iii) A program in career and technical education;
- 3 (b) Except as provided in subsection (5) of this section, has been a resident of this state for at
- 4 least 12 months prior to enrolling in the courses described in paragraph (a) of this subsection;
- 5 (c) Attained the person's highest level of education, except as provided in subsection (5) of this
- 6 section, in this state prior to:
- 7 (A) Receiving a diploma under ORS 329.451;
- 8 (B) Receiving a certificate for passing an approved high school equivalency test such as the
- 9 General Educational Development (GED) test as provided by ORS 350.175;
- 10 (C) Completing grade 12, **as determined by a private teacher, parent or legal guardian as**
- 11 **described in ORS 339.030 (1)(d) or (e)** [*in compliance with the requirements of ORS 339.035*]; or
- 12 (D) Completing grade 12 at a private or parochial school, as described in ORS 339.030 (1)(a);
- 13 (d) Except as provided in subsections (4) and (5) of this section, attained the person's highest
- 14 level of education as described in paragraph (c) of this subsection within six months from the date
- 15 that the person first enrolls in courses described in paragraph (a) of this subsection for the purpose
- 16 of receiving a grant under this section;
- 17 (e) Earned a cumulative grade point average of 2.0 or better in high school or otherwise dem-
- 18 onstrated an equivalent academic ability, as determined by the office according to rules adopted by
- 19 the commission;
- 20 (f) Completed and submitted the Free Application for Federal Student Aid for each academic
- 21 year and accepted all state and federal aid grants available to the person, if eligible to file the ap-
- 22 plication; and
- 23 (g) Has not completed either of the following:
- 24 (A) More than a total of 90 credit hours, or the equivalent, at a post-secondary institution of
- 25 education; or
- 26 (B) A curriculum, degree or program, as described in paragraph (a)(B) of this subsection.
- 27 (4)(a) If a person otherwise meets the required criteria and has been awarded a grant under
- 28 subsection (3) of this section, but the person enters into service with a career and technical student
- 29 organization relating to agriculture or farming that is approved by the Department of Education
- 30 under ORS 344.077 within six months after the person attained the person's highest level of educa-
- 31 tion as described in subsection (3)(c) of this section, the person will continue to be eligible to receive
- 32 the grant if the person first enrolls in courses described in subsection (3)(a) of this section within
- 33 six months of finishing the person's service with the career and technical student organization.
- 34 (b) In addition to the situation described in paragraph (a) of this subsection, the commission may
- 35 waive the requirement set forth in subsection (3)(d) of this section for a person who shows that the
- 36 person was unable to timely enroll in courses described in subsection (3)(a) of this section due to a
- 37 significant hardship. The commission may adopt rules to implement this paragraph.
- 38 (5)(a) A member of the Oregon National Guard who has completed initial active duty training
- 39 is not required to comply with the criteria set forth in subsection (3)(d) of this section in order to
- 40 receive a grant, provided that the member first enrolls in courses described in subsection (3)(a) of
- 41 this section within six months after completing initial active duty training, as evidenced by an offi-
- 42 cial form issued by the United States Department of Defense.
- 43 (b)(A) A person who completes the highest level of education as described in subsection (3)(c)
- 44 of this section while confined in a correctional facility, either serving a sentence of incarceration
- 45 or as a young person, youth or adjudicated youth, is not required to comply with the criteria set

1 forth in subsection (3)(d) of this section in order to receive a grant, provided that the person first
 2 enrolls in courses described in subsection (3)(a) of this section within six months after the date on
 3 which the person is first released from a correctional facility following completion of the highest
 4 level of education described in subsection (3)(c) of this section.

5 (B) The eligibility requirements described in subsection (6)(a)(C) of this section may be waived
 6 by the office according to rules adopted by the commission for a person who receives a grant under
 7 this section in the manner described in subparagraph (A) of this paragraph.

8 (C) As used in this paragraph:

9 (i) “Adjudicated youth,” “detention facility,” “young person” and “youth” have the meanings
 10 given those terms in ORS 419A.004.

11 (ii) “Correctional facility” means any place used for the confinement of young persons, youths
 12 or adjudicated youths or persons charged with or convicted of a crime or otherwise confined under
 13 a court order, including a:

14 (I) Youth correction facility;

15 (II) Detention facility;

16 (III) Department of Corrections institution;

17 (IV) Local correctional facility; or

18 (V) State hospital or a secure intensive community inpatient facility, with respect to persons
 19 detained therein who are youths or adjudicated youths, who are charged with or convicted of a
 20 crime or who are detained therein after having been found guilty except for insanity of a crime
 21 under ORS 161.290 to 161.373 or having been found responsible except for insanity under ORS
 22 419C.411.

23 (iii) “Department of Corrections institution” has the meaning given that term in ORS 421.005.

24 (iv) “Local correctional facility” has the meaning given that term in ORS 169.005.

25 (v) “Youth correction facility” has the meaning given that term in ORS 420.005.

26 (c)(A) If a person was a foster child:

27 (i) The person shall be treated as meeting the residency criteria for eligibility under subsection
 28 (3)(b) of this section if, but for the person’s placement in out-of-state foster care, the person other-
 29 wise meets the requirements of subsection (3)(b) of this section.

30 (ii) The person shall be treated as attaining the person’s highest level of education in this state
 31 under subsection (3)(c) of this section if the person attained the person’s highest level of education
 32 while placed in out-of-state foster care and the person’s highest level of education substantially
 33 meets the requirements under subsection (3)(c) of this section.

34 (iii) The person is not required to comply with the criteria set forth in subsection (3)(d) of this
 35 section in order to receive a grant provided that the person completes the highest level of education
 36 as described in subparagraph (A)(ii) of this paragraph while in a treatment program and the person
 37 first enrolls in courses described in subsection (3)(a) of this section within 12 months after the date
 38 on which the person is released from the treatment program.

39 (B) Upon request from the commission, the Department of Human Services shall provide doc-
 40 umentation of the placement status of a person described in paragraph (c)(A) of this subsection.

41 (C) As used in this paragraph:

42 (i) “Foster care” means substitute care for children placed by the Department of Human Ser-
 43 vices or a tribal child welfare agency away from the child’s parents and for whom the department
 44 or agency has placement and care responsibility, including placements in foster family homes, foster
 45 homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and

1 preadoptive homes.

2 (ii) "Foster child" means a child over whom the Department of Human Services retained juris-
3 diction under ORS 417.200 for the duration of the child's placement in foster care outside the State
4 of Oregon.

5 (6)(a) A person continues to remain eligible to receive a grant under this section if the person,
6 in addition to satisfying the criteria specified in subsection (3) of this section, meets the following
7 criteria:

8 (A) Maintains at least the minimum cumulative grade point average prescribed by the commis-
9 sion based on federal aid grant requirements;

10 (B) Makes satisfactory academic progress toward a curriculum, degree or program, as described
11 in subsection (3)(a)(B) of this section, as prescribed by the commission based on federal aid grant
12 requirements; and

13 (C) Enrolls in courses described in subsection (3)(a) of this section for a sufficient number of
14 credit hours to be considered at least a half-time student each term for at least three terms in each
15 consecutive academic year.

16 (b) A person who fails to meet an eligibility requirement described in paragraph (a) of this
17 subsection becomes ineligible to receive a grant under this section for the term after which the
18 person fails to meet the eligibility requirement, unless the eligibility requirement is waived by the
19 office according to rules adopted by the commission.

20 (7)(a) The total amount of a grant awarded under this section shall be based on each term that
21 a person is enrolled in courses described in subsection (3)(a) of this section. Except as provided in
22 subsections (9) and (10) of this section, after the amount of tuition for the person for the term is
23 reduced by any amounts received by the person in state and federal aid grants, the person shall be
24 eligible for a grant under this section in an amount that equals:

25 (A) Except as provided by paragraph (b) of this subsection, not less than the greater of:

26 (i) \$2,000, adjusted for inflation based on the increase of the average cost of tuition at a com-
27 munity college operated under this chapter in a manner determined by the commission by rule; and

28 (ii) The person's actual cost for tuition.

29 (B) Not more than the lesser of:

30 (i) The average cost of tuition at a community college in this state, as determined by the office;
31 and

32 (ii) The person's actual cost for tuition.

33 (b)(A) If the office determines both that the person's actual cost for tuition exceeds the amount
34 set forth in paragraph (a)(A)(i) of this subsection and that the person's actual cost for tuition ex-
35 ceeds the average cost of tuition at a community college in this state, the person shall be eligible
36 for a grant in an amount that equals the average cost of tuition at a community college in this state.

37 (B) If the office determines that the person's actual cost for tuition is less than the amount set
38 forth in paragraph (a)(A)(i) of this subsection, the person shall be eligible for a grant in an amount
39 that equals the amount set forth in paragraph (a)(A)(i) of this subsection.

40 (c) The minimum amount of a grant, as calculated under paragraphs (a) and (b) of this sub-
41 section, may be prorated for a person who is enrolled in courses described in subsection (3)(a) of this
42 section for a sufficient number of credit hours to be considered at least a half-time student but not
43 a full-time student.

44 (d) The commission may prescribe by rule whether to include fees, and any limitations related
45 to the inclusion of fees, when determining the actual cost of tuition or the average cost of tuition

1 under this subsection.

2 (8) The commission may adopt by rule the priority by which grants are awarded, which may
 3 allow for preference to be given to persons enrolled in school districts or high schools that meet
 4 specified criteria.

5 (9) Prior to the start of the fall term of each academic year, the commission shall determine
 6 whether there are sufficient moneys to award a grant under this section to each person who meets
 7 the criteria described in subsections (3) to (6) of this section. When making a determination under
 8 this subsection, the commission may consider both projected resources and statutory modifications
 9 that will take effect during the current biennium. On the basis of this determination the commission
 10 may:

11 (a) Limit eligibility to receive a grant under this section to a person whose financial resources,
 12 as determined by the commission by rule, are at or below the level the commission determines is
 13 necessary to allow the commission to operate the Oregon Promise program with available moneys;
 14 or

15 (b) Reduce or eliminate any limitation on eligibility previously imposed by the commission under
 16 paragraph (a) of this subsection.

17 (10)(a) If at any time the commission determines that there are insufficient moneys to provide
 18 a grant to each person who has been awarded a grant under this section, the commission may de-
 19 crease the total amount of the grant awarded.

20 (b) If at any time the commission determines that the amount of moneys available to operate the
 21 Oregon Promise program exceeds the amount determined under subsection (9) of this section, the
 22 commission may reduce or eliminate any limitation on eligibility to receive a grant under this sec-
 23 tion that was previously imposed by the commission under subsection (9)(a) of this section.

24 (c) The commission shall promptly notify the interim committees of the Legislative Assembly
 25 responsible for higher education each time the commission takes any action under paragraph (a) or
 26 (b) of this subsection.

27 (11) The commission shall adopt any rules necessary for the administration of this section, in-
 28 cluding any requirements related to:

29 (a) Specifying the form and timelines for submitting an application for a grant under this section;

30 (b) Determining whether a person is eligible for a grant under this section, including whether
 31 the person shall be given priority as allowed under subsection (8) of this section;

32 (c) Implementing programs or policies that improve the academic success or completion rates for
 33 persons who receive a grant under this section;

34 (d) Prescribing eligibility requirements and grant calculations for persons dually enrolled in a
 35 community college and a public university; and

36 (e) Evaluating the impact of the program established under this section, including any require-
 37 ments for reporting data needed for evaluations.

38 (12) No later than December 31 of each even-numbered year, the commission shall submit to an
 39 interim legislative committee related to education a report that summarizes the commission's
 40 findings on the impact of the program established under this section. The report shall include:

41 (a) Student completion rates of curricula, degrees and programs described in subsection (3)(a)(B)
 42 of this section;

43 (b) The amount of federal aid grants received by persons who received a grant under this sec-
 44 tion;

45 (c) The financial impact of the program on school districts that had students receive a grant

1 under this section;

2 (d) The financial impact and the enrollment impact of the program on community colleges and
3 public universities in this state; and

4 (e) The overall success rate of the program and financial impact of the program.

5 **SECTION 8.** ORS 343.331, as amended by section 1, chapter 59, Oregon Laws 2024, is amended
6 to read:

7 343.331. ORS 343.322, 343.324, 343.326 and 343.328 do not apply to any of the following:

8 (1) Any abbreviated school days that are a component of discipline imposed in compliance with
9 ORS 339.250, 339.252 or 343.155 (5) or that are the result of a placement made as provided by ORS
10 343.177.

11 (2) A student’s exclusion from schools due to the student’s immunization status or due to the
12 student’s exposure to a restrictable disease, as provided by ORS 433.235 to 433.284.

13 (3) The exclusion of a student from schools or the closure or restriction of access to schools due
14 to actions taken under a public health emergency authorized under ORS 433.441 to 433.452.

15 (4) A student who has fulfilled all state requirements for graduation with a high school diploma,
16 as described in ORS 329.451 (2), when the parent or foster parent has agreed to the abbreviated
17 school day program.

18 (5) A student enrolled in a program described in ORS 336.585, 336.590, 339.129, 343.261, 343.961
19 (1)(c)(A)(i) or 346.010, if the student has meaningful access to the same number of hours of instruc-
20 tion and educational services as the majority of other students enrolled in the same program as the
21 student.

22 (6) A student [*whose parent or foster parent has notified an education service district that the*
23 *student*] **who** is being taught by a parent, legal guardian or private teacher [*under ORS 339.035*].

24 (7) A student who is excluded from, or limited access to, school due to a court order.

25 (8) A high school student who is voluntarily enrolled in an alternative education program in
26 compliance with ORS 336.635, the Expanded Options Program under ORS 340.005 to 340.090 or an
27 accelerated college credit program as defined in ORS 340.300, when:

28 (a) The majority of the students of the program are not students with disabilities;

29 (b) The student is not restricted to attending fewer hours of instruction and educational services
30 than the number of hours of instruction and educational services attended by the majority of stu-
31 dents without disabilities who are in the same grade and who attend the same program; and

32 (c) For an alternative education program in which the student is enrolled under ORS 336.635,
33 the school district informs the parent or foster parent, in writing and in a language and format ac-
34 cessible to the parent or foster parent, that upon written request of the parent or foster parent, the
35 student will be immediately restored to a school that allows the student to access the same number
36 of hours of instruction and educational services that are provided to the majority of other students
37 who are in the same grade within the student’s resident school district.

38 (9) A student who, when registering for classes for a term or semester of a school year, volun-
39 tarily does not schedule a class for one or more class periods. The provisions of this subsection
40 apply only if the student is:

41 (a) In grade 11 or 12 and is on track to fulfill all state requirements for graduation with a high
42 school diploma, as described in ORS 329.451 (2), or a modified diploma, as described in ORS 329.451
43 (7), within four years of starting grade 9; or

44 (b) On track to fulfill all state requirements for graduation with a high school diploma, as de-
45 scribed in ORS 329.451 (2), or a modified diploma, as described in ORS 329.451 (7), by the end of the

1 school year in which the student voluntarily does not schedule a class for one or more class periods.

2 (10) Asynchronous instruction if the instruction:

3 (a) Is for only one class per term or semester;

4 (b) Satisfies a credit requirement for a high school diploma, as described in ORS 329.451 (2), or
5 a modified diploma, as described in ORS 329.451 (7);

6 (c) Is a credit recovery class or is a class not otherwise available to the student;

7 (d) Is offered to students on a voluntary basis and is not restricted to only students with a dis-
8 ability; and

9 (e) Is accessible to a student while the student is at school and while staff of the school are
10 immediately available to the student.

11 **SECTION 9.** ORS 350.292 is amended to read:

12 350.292. (1) A public university listed in ORS 352.002 or a community college shall charge an
13 enrolled student who is not a resident of this state and who is attending classes as an undergraduate
14 or graduate student on a public university or community college campus in this state tuition and
15 fees no greater than the resident rate if the student:

16 (a)(A) Is Native American; or

17 (B) Is an Alaska Native; and

18 (b)(A) Received a diploma under ORS 329.451;

19 (B) Completed grade 12, **as determined by a private teacher, parent or legal guardian as**
20 **described in ORS 339.030 (1)(d) or (e)** [*in compliance with the requirements of ORS 339.035*]; or

21 (C) Completed grade 12 at a private or parochial school, as described in ORS 339.030 (1)(a).

22 (2) As used in this section:

23 (a) “Alaska Native” means an individual who is an Eskimo or Aleut or other Alaska Native; and

24 (b) “Native American” means an individual who:

25 (A) Is a member of a federally recognized Native American tribe or band, as defined by the tribe
26 or band;

27 (B) Is a member of a Native American tribe or band, as defined by the tribe or band, that had
28 the tribe or band’s federal recognition terminated in 1940 or later; or

29 (C) Is a member of a Native American tribe that is historically based in Oregon, as determined
30 by the Higher Education Coordinating Commission by rule.

31 **SECTION 10.** ORS 807.066 is amended to read:

32 807.066. (1) Subject to subsection (2) of this section, the Department of Transportation may not
33 issue driving privileges to a person who is under 18 years of age unless:

34 (a) The person has graduated from high school and provides the department with proof of
35 graduation satisfactory to the department;

36 (b) The person has received a certificate for passing an approved high school equivalency test,
37 such as the General Educational Development (GED) test, from a community college and provides
38 the department with proof of the certificate satisfactory to the department; or

39 (c) The person’s parent or legal guardian certifies that the person is:

40 (A) Enrolled in a school of this state, or any other state or any other country;

41 (B) Enrolled in a community college and making satisfactory progress toward a certificate for
42 passing an approved high school equivalency test, such as the General Educational Development
43 (GED) test, a high school diploma or a modified diploma;

44 (C) Being taught by a private teacher, legal guardian or parent, **as described in ORS 339.030**
45 **(1)(d) or (e)** [*in compliance with ORS 339.035*];

1 (D) Exempted from school attendance requirements due to circumstances beyond the control of
 2 the person; or

3 (E) Exempt under ORS 339.030 (2) from the requirement to attend school.

4 (2) The department may not issue driving privileges to a person who is under 18 years of age
 5 and whose driving privileges are suspended for withdrawing from school unless the person:

6 (a) Has graduated from high school and provides the department with proof of graduation sat-
 7 isfactory to the department;

8 (b) Has received a certificate for passing an approved high school equivalency test, such as the
 9 General Educational Development (GED) test, from a community college and provides the depart-
 10 ment with proof of the certificate satisfactory to the department;

11 (c) Provides the department with a form provided by the department and signed by the principal,
 12 or the designee of the principal, of the school attended by the person that declares that the person
 13 is enrolled in a school of this state, or any other state or any other country;

14 (d) Provides the department with a form provided by the department and signed by the author-
 15 ized representative of the community college attended by the person that declares that the person
 16 is making satisfactory progress toward a certificate for passing an approved high school equivalency
 17 test such as the General Educational Development (GED) test;

18 (e) Provides the department with a form provided by the department and signed by the author-
 19 ized representative of the community college attended by the person that declares that the person
 20 is making satisfactory progress toward a high school diploma or a modified diploma;

21 (f) Provides the department with a form provided by the department and signed by *[the author-*
 22 *ized representative of the education service district or school district having jurisdiction over the area*
 23 *of the person's residence that declares that the person is being taught by a private teacher, legal*
 24 *guardian or parent in compliance with ORS 339.035]* **a parent or legal guardian of the person that**
 25 **declares that the person is taught by a private teacher or by a parent or legal guardian of**
 26 **the person;**

27 (g) Provides the department with documentation satisfactory to the department that indicates
 28 that the person is exempted from school attendance requirements due to circumstances beyond the
 29 control of the person; or

30 (h) Provides the department with documentation satisfactory to the department that the person
 31 is exempt under ORS 339.030 (2) from the requirement to attend school.

32 **SECTION 11. The amendments to ORS 807.066 by section 10 of this 2025 Act apply to**
 33 **driving privileges issued on or after July 1, 2025.**

34 **SECTION 12. This 2025 Act being necessary for the immediate preservation of the public**
 35 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
 36 **July 1, 2025.**

37