

Enrolled Senate Bill 735

Sponsored by Senator GELSER BLOUIN; Representative DIEHL (Presession filed.)

CHAPTER

AN ACT

Relating to the application of abbreviated school day program requirements to students who are enrolled in a public charter school; amending ORS 343.331; and declaring an emergency.

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

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

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

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

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

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

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

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

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

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

(8) A student who is voluntarily enrolled in a public charter school in compliance with ORS chapter 338 when:

(a) The majority of the students enrolled in the public charter school are not students with disabilities;

(b) The public charter school is not designed for the purpose of serving students with challenging behaviors or complex medical needs;

(c) The public charter school has a longer school year than the school year for the school district in which the public charter school is located;

(d) As calculated for the school year, the regular schedule of the public charter school provides at least 95 percent of the total number of hours provided to the majority of other students who are in the same grade within the student's resident school district; and

(e) The student is not restricted to attending fewer hours of instruction and educational services than the number of hours of instruction and educational services attended by the majority of students without disabilities who are in the same grade and who attend the same public charter school.

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

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

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

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

[(9)] **(10)** A student who, when registering for classes for a term or semester of a school year, voluntarily does not schedule a class for one or more class periods. The provisions of this subsection apply only if the student is:

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

(b) On track to fulfill all state requirements for graduation with a high school diploma, as described in ORS 329.451 (2), or a modified diploma, as described in ORS 329.451 (7), by the end of the school year in which the student voluntarily does not schedule a class for one or more class periods.

[(10)] **(11)** Asynchronous instruction if the instruction:

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

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

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

(d) Is offered to students on a voluntary basis and is not restricted to only students with a disability; and

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

SECTION 2. This 2025 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect on its passage.

Passed by Senate April 15, 2025

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 8, 2025

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Julie Fahey, Speaker of House

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State