

ATTENDANCE

Compulsory Attendance

The Beaverton School District complies with Oregon Revised Statutes regarding attendance.

339.010 School attendance required; age limits. Except as provided in ORS 339.030, all children between the ages of 7 and 18 years who have not completed the 12th grade are required to attend regularly a public full-time school of the school district in which the child resides.

[Amended by 1965 c.100 §274]

339.020 Duty to send children to school. Except as provided in ORS 339.030, every person having control of any child between the ages of 7 and 18 years who has not completed the 12th grade is required to send such child to and maintain such child in regular attendance at a public full-time school during the entire school term. [Amended by 1965 c.100 §275; 1969 c.160 §1]

Exemptions From Compulsory School Attendance

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

1. Children being taught in a private or parochial school in courses of study usually taught in grades 1 through 12 in the public schools and in attendance for a period equivalent to that required of students attending public schools.
2. Children proving to the satisfaction of the Board that they have acquired equivalent knowledge to that acquired in the courses of study taught in grades 1 through 12 in the public schools;
3. Children being taught for a period equivalent to that required of children attending public schools by a private teacher the courses of study usually taught in grades 1 through 12 in the public school;
4. Children being educated in the children's home by a parent or legal guardian;
5. Students excluded from attendance as provided by law;
6. The State Board of Education by rule shall establish procedures whereby, on a semiannual basis, an exemption from compulsory attendance may be granted to the parent or legal guardian of any child 16 or 17 years of age who is lawfully employed full-time, lawfully employed part-time and enrolled in school, or enrolled in a community college or other state-registered alternative education program. Such exemption also 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.

Procedures

1. Daily and period attendance will be entered in the Student Information System.
2. Average Daily Membership (ADM) is submitted to ODE both at the end of second quarter and annually.

Teaching by Private Teacher, Parent or Guardian

1. As used in this section, "Education Service District" means the Education service District (ESD) that contains the school district of which the child is a resident.
2. When a child is taught or is withdrawn from a public school to be taught by a parent, legal guardian or private teacher, as provided in ORS 339.030, the parent, legal guardian or private teacher must notify the ESD in writing. In addition, when a child who is taught by a parent, legal guardian or private teacher moves to a new ESD the parent, legal guardian or private teacher shall notify the new ESD in writing. The ESD shall acknowledge receipt of any notification in writing.
3. Children being taught as provided in subsection 2. of this section shall be examined at grades 3,5,8 and 10 in accordance with the following procedures:
 - a. The State Board of Education shall adopt by rule a list of approved comprehensive examinations that are readily available.
 - b.
 - (1) The parent or legal guardian shall select an examination from the approved list and arrange to have the examination administered to the child by a qualified neutral person, as defined by rule by the State Board of Education;
 - (2) If the child was withdrawn from public school, the first examination shall be administered to the child at least 18 months after the date on which the child was withdrawn from public school;
 - (3) If the child never attended public or private school, the first examination shall be administered to the child prior to the end of grade 3.
 - c. The person administering the examination shall:
 - (1) Score the examination; and
 - (2) Report the results of the examination to the parent or legal guardian.
 - d. Upon request of the Superintendent of the ESD, the parent or legal guardian shall submit the results of the examination to the Education Service District.
 - e. If the composite test score of the child places the child below the 15th percentile based on national norms, the child shall be given an additional examination within one year of when the first examination was administered.
 - f. If the composite test score of the child on the second examination shows a declining score, then the child shall be given an additional examination within one year of when the second examination was administered and the Superintendent of the ESD may:

- (1) Allow the child to continue to be taught by a parent, legal guardian or private teacher; or
 - (2) Place the education of the child under the supervision of a person holding a teaching license who is selected by the parent or legal guardian at the expense of the parent or legal guardian. If the composite test score of the child continues to show a declining score, the Superintendent of the ESD may:
 - (a) Allow the child to continue under the educational supervision of a licensed teacher selected by the parent or legal guardian and require that the child be given an additional examination within one year of when the last examination was administered;
 - (b) Allow the child to be taught by a parent, legal guardian or private teacher and require that the child be given an additional examination within one year of when the last examination was administered; or
 - (c) Order the parent or legal guardian to send the child to school for a period not to exceed 12 consecutive months as determined by the Superintendent.
- g. If the parent or legal guardian of the child does not consent to placing the education of the child under the supervision of a licensed teacher who is selected by the parent or legal guardian, then the Superintendent of the ESD may order the child to return to school for a period not to exceed 12 consecutive months as determined by the Superintendent.
- h. If the composite test score of the child on an examination is equal to or greater than the percentile score on the prior test, the child may be taught by a parent, legal guardian or private teacher and for the next examination be examined pursuant to paragraph a. of this subsection or subsection 3. of this section.
- i. Notwithstanding the examination requirements of subsections 3. and 4. of this section, the parent or legal guardian of a child with disabilities who has an individualized education plan and is receiving special education and related services through the school district or who is being educated in accordance with a privately developed plan shall be evaluated for satisfactory educational progress according to the recommendations of the plan.
- j. The parent or legal guardian of a child with disabilities who was evaluated by service providers selected by the parent or legal guardian based on a privately developed plan shall submit a report of such evaluation to the ESD in lieu of the examination results required by subsections 3. and 4. of this section.
- k. Child with disabilities described in this subsection shall not be subject to the examination requirements of subsections 3. and 4. of this section unless the examination is recommended in the plan in effect for the child.

To be exempt from compulsory attendance, the student must apply for exemption at the school where he/she is enrolled. An interview with the student and parents/guardians will be conducted according to Oregon Administrative Rules. The principal should review the student's reason for exemption, determine the request's credibility and determine his/her recommendation. The request for exemption, along with the principal's recommendation and any necessary supporting information, should be sent to the appropriate Regional Administrator. The Regional Administrator shall approve or deny the request and

send it back to the school. Requests are granted for a maximum of six months or until the beginning of the next semester of school.

The school shall notify the parents/guardians concerning the Regional Administrator decision. If the request is approved, the school shall also give the student and the parents/guardians a letter with information on alternative programs of instruction or instruction combined with counseling and information on the length of the exemption, including the date on which it will expire and the procedure for renewal. The school will notify the parents/guardians of the need to reapply for an exemption by a specific date or return the student to school until the student attains a high school diploma, GED or the age of 19.

Release From Compulsory Education Procedure

1. A conference is held with the school counselor and/or administrator, the student and the parents/guardians to consider the reasons for request and review the following information:
 - a. Credit for graduation;
 - b. Grades;
 - c. Current or prior disabling status, if applicable;
 - d. Results of standardized tests;
 - e. Teacher evaluations;
 - f. Counselor appraisal;
 - g. Short-range plans; and
 - h. Career goals.
2. The request is reviewed by the principal and sent with necessary documentation to the Regional Administrator.
3. The Regional Administrator reviews the request and notifies the principal of acceptance or denial.
4. The principal notifies the student and parents/guardians of the decision. If the request is approved, a letter is sent with information on alternative programs and the limits of the exemption including the expiration date and procedure for renewal (approval form letter on file in the Teaching and Learning Department).
5. Prior to the beginning of the next semester the school notifies the parents/guardians in writing of the need to reapply for an exemption by a specific date. A follow-up phone call will be made when there is no response to the letter (reapply for letter on file in the *Teaching and Learning Department*).
6. The parents/guardians complete the reapplication process including securing necessary documentation and submit it to the school.
7. The reapproval process follows as above, steps 2 through 4.

Legal Residency

To be considered a bona fide resident (as distinguished from a homeless student "located" in the district as described in Board Policy JE – AR: Attendance, or a foreign exchange student from an approved program), a student must reside within the district with:

1. His/her parents;
2. His/her legally appointed guardian; or
3. Persons in a parental relationship with the student and who have a current power of attorney.

In order to determine whether a student is living with a person in a parental relationship, the district shall use as guidelines such factors as whether that person has the duty and authority to:

1. Have physical custody and control of the student;
2. Supply the student with food, clothing, shelter and incidental necessities;
3. Provide the student with care, education and discipline; and
4. Authorize ordinary medical, dental, psychiatric, psychological, hygienic or other care and treatment for the child, and, in an emergency where the student's safety appears urgently to require it, to authorize surgery or other extraordinary care.

Evidence of such a relationship may be in the form of a properly executed power of attorney in which the above duties and authorities are delegated by the parent or guardian to a resident of the district, and which is acknowledged by the notarized signatures of both parties.

The following criteria shall be used in determining admission under the "parental relationship" exception:

1. The living situation must not be for the purpose of attending Beaverton Schools only. If this is the case, admittance may be denied.
2. The student must reside in the district on a permanent basis, including:
 - a. Taking his/her meals regularly at the place of "parental relationship"; and
 - b. Spending the majority of his/her time at the place of "parental relationship", including weekends, and spends his/her evenings and nights at that residence as expected in any other family relationship.

In the event an address is in question as to whether or not it is in the district, the principal is instructed to seek a determination by calling the Teaching and Learning Department. The records of the Teaching and Learning Department shall include accurate information on the legal boundaries of the district. When a student claims to be living with a person in a parental relationship within the boundaries of the district as distinguished from a homeless student "located" in the district as described in Board Policy JE – AR (Attendance) the parents/guardians of the student shall, in writing, satisfactorily explain to the appropriate Regional Administrator or designate the reason(s) and the relationship between the student and the adult so that the administrator may determine whether the student is living within the District with a person in a parental relationship.

Acceptance of Non-Resident Students by Consent Agreement

A student whose legal residence is not within the boundaries of the District and 1) whose family is in the process of constructing or renting a home within the District boundaries with the intent to move into the home within 45 days, or 2) who has reached the senior year of his/her high school career, having attended a school in the District and whose parents/guardians have found it necessary to leave the District, may attend a District school provided an appropriate written consent agreement between the affected Boards is entered at the discretion of the affected Boards.

The District has the right to accept or reject any written consent agreement. The Board may delegate to appropriate District administrative officials the authority to enter into written consent agreements with other Districts as appropriate.

Emancipated Minor

An emancipated minor living in the District is considered a resident of the District. A student is emancipated only if he/she is living within the District and is:

1. Eighteen years of age or older;
2. Married; or
3. Legally emancipated from his/her parents/guardians by appropriate court action. A minor claiming to be emancipated must submit appropriate written evidence of the emancipation to the appropriate Regional Administrator.

Admission of Out-of-District Students by Inter-District Agreements

The Regional Administrator or designee shall decide whether or not to accept individual students from other districts and shall designate the school or schools the students are to attend. All applicants shall make their request to the District in writing, annually, to the Regional Administrator. Principals should refer all cases in this category directly to the Teaching and Learning Department for processing.

Applications will be accepted beginning the second Monday in December through 2:00 p.m. the last Monday in January. The Superintendent or his/her designee will confirm those under-capacity schools that are eligible for Inter-District transfers. Schools with Inter-District Transfer capacity will be advertised annually. Option programs are not available for Inter-District transfers.

- The parents/guardians are responsible for providing timely transportation for the student to ensure regular attendance.
- There is no guarantee for siblings under the Inter-District Agreement process.
- Parents/Guardians who are notified of their student's acceptance must agree to abide by the terms and conditions of the District's Inter-District Agreement policy.

Private School Students

A student who is a legal resident of the District and is attending a private school to satisfy the requirements of the compulsory school attendance law may enroll in a District school on a part-time basis depending on availability. All class schedules, Board Policies and Regulations affecting full-time students shall be applicable to a private school student who is simultaneously enrolled in a District school.

Future Residents

Students in grades K-12 whose families will become residents of this District within a 45-day period shall be admitted to the school appropriate to the attendance area in which the family will reside. Application and supporting documents must be filed with the appropriate Regional Administrator.

Students Expelled From Other Districts

The District will refuse enrollment into the regular school program to those students expelled from another District during the period of his/her expulsion. The District will provide alternative education programs for those students who reside within the Beaverton School District.

The District will refuse enrollment into the regular school program and will not offer an alternative education program for students with weapons violations.

Early Leaves - End of Year

Students wishing to complete school before the end of the school year must, upon a written request by the parent/guardians to the principal, may, be excused, provided they satisfactorily complete all course requirements.

Open Enrollment Procedure

1. Availability of space will be determined on an annual basis in the following manner:
 - a. To establish open enrollment the District will establish "available capacity". District administration will determine which schools will qualify for open enrollment status prior to the second Monday in December;
 - b. Principals may declare a certain grade level(s) "full and unavailable" to open enrollment transfers. Principals will notify the Teaching and Learning Department by the second Monday in December if this limitation is applicable at their school.
 - c. Schools with open enrollment capacity will be advertised annually.
2. The parents/guardians who desire to initiate an open enrollment request for a student can obtain a request form from the District website, any District school or the administration center, between the second Monday of December and the last Monday in January.
3. Parents/guardians must submit the completed application to the school applied to prior to 2:00 p.m. the last Monday in January.
4. Parents may apply for a maximum of two schools under the Open Enrollment process.
5. Questions of athletic eligibility will be determined by the principal of the school applied to in accordance with the Oregon School Activities Association Constitution and Rules.
6. Schools shall inform parents/guardians of approved open enrollments, verbally, by Wednesday after the window closes. Parents have until Friday of that week to confirm acceptance, either verbally or in writing.
7. The parents/guardians shall be informed of the action taken in writing by the principal of the school applied to within three weeks after the conclusion of the open enrollment period.

8. Parents/guardians who are notified of their student's acceptance must agree to abide by the terms and conditions of the District's open enrollment policy.
9. Questions of attendance boundaries will be determined by the Superintendent or his/her designee.

Conditions

1. Approval of applications will be based upon the projected availability of open enrollment capacity for the following school year by using a public lottery process directed by the principal.
2. Applicants whose applications were approved are "grandfathered" for the remainder of years in that school only.
3. There is no guarantee for siblings under the open enrollment policy.
4. There is an automatic return to home school for all open enrollment students.
5. Special education students may trigger a change of placement if they exercise a transfer. Students who attend special education specialized programs must have the pre-approval of the IEP Team before transfer.

Additional facilities consideration is imposed where financial limitations make it unreasonable to replicate special education facilities for selected programs.

6. Transportation for open enrollment transfers is the parent's/guardian's responsibility. Parents/Guardians are responsible for providing timely transportation for their students. Buses do not travel from the resident school to the open enrollment school; however, occasionally the student may live close to the attendance boundary of the open enrollment transfer school. In this case, parents may submit a written request on a completed "Regular Education Transportation Service Request" and will be considered under the following conditions:
 - a. Service requests are approved on a space available, first-come, first-served basis. When the bus reaches capacity for students who reside within that school's attendance boundaries, non-eligible riders (open enrollment transfers) are removed. The last students approved will be the first to be removed.
 - b. Students would use only a scheduled bus stop.
 - c. Students shall not cross streets designated as hazardous by the district.
7. Principal's decision is final. There is no appeal.

Administrative Student Transfer Procedure

1. A student application for administrative transfer may be initiated at any time during the year by a parent/guardian, eligible student, or administrator.
 - a. Applicants may request to be considered for immediate transfer, and as such, applications will be considered as they are submitted. Applications approved for immediate transfer are only valid for the remainder of the current school year. Applicants must apply again by June 1 for the succeeding year, if desired.

- b. Applicants may alternatively request to be considered for the succeeding school year. For succeeding year applications, administrators will use the following timelines:
 - i. All applications received prior to June 1 will be held for bulk review.
 - ii. Decisions on applications received prior to June 1 will be made final no later than June 30.
 - iii. All applications received after June 1 will be reviewed on a case-by-case basis.
 - iv. Applications are only for a single year, and applicants must apply again each successive year, if desired.
2. All Administrative Student Transfer forms must be submitted to the student's home school principal. The home school is the neighborhood school at which the student is assigned by the District's attendance plan (Policy JC).
3. The principal of the student's home school must initiate contact with the principal at the school where the student has applied to attend. Both principals must agree to the transfer for it to be considered approved. After the two principals come to agreement (either approval or denial) the decision is final and there is no appeal.
4. Applications for Administrative Student Transfer will only be considered based on the hardship of the student. A hardship is defined as the student being impacted by a parent or guardian's military deployment, is experiencing instability related to homelessness or foster care placement, has a documented medical condition that necessitates transfer, is impacted by the death of a parent, severe financial hardship for the family, or the student is involved in a documented case of severe harassment, intimidation, bullying or cyberbullying. A hardship is NOT a preference for an academic program or activities offering at another school.
5. When considering Administrative Student Transfers, both principals shall use the following criteria:
 - a. Hardship (as defined in (4) above)
 - b. Possible negative financial impact to the receiving school
 - c. Lack of capacity at receiving school
6. The receiving school principal may revoke the Administrative Student Transfer at any time if there is no evidence the student has benefitted from the transfer, as evidenced by behavior, attendance, or academic achievement.
7. Transportation for administrative transfers is the parent's/guardian's responsibility. Parents may submit a written request for transportation on a completed "Regular Education Transportation Service Request" and will be considered under the following conditions:
 - a. Service requests are approved on a space available, first-come, first-served basis. When the bus reaches capacity for students who reside within that school's attendance boundaries, non-eligible riders (open enrollment transfers) are removed. The last students approved will be the first to be removed.
 - b. Student would use only a scheduled bus stop.
 - c. Students shall not cross streets designated as hazardous by the district.
8. Copies of the completed application will be distributed by the sending school principal pending a letter or telephone conversation with the parents/guardians of the student regarding the final recommendation.
9. Transfer students wishing to participate in athletics and activities must follow OSAA rules governing transfer students.

School Attendance Procedures

1. The parents/guardians shall be informed of their responsibility to maintain the attendance of any student between the ages of 7-18 who is under their control at a public full-time school (Oregon

Revised Statutes) unless legally exempted as provided by law.

2. The positive correlation between class attendance and satisfactory performance in that class shall be emphasized to parents/guardians and students.
3. A complete explanation of school attendance regulations shall be communicated to students and parents/guardians well in advance of the beginning of each year or whenever a new student enrolls.
4. Student absence shall be normally limited to the student's illness or illness of a member of the student's immediate family or an emergency. In addition, the principal may approve student absence for other reasons where satisfactory arrangements are made in advance of the absence by the parents/guardians. Examples include doctor appointments, dental appointments, field trips, other absences approved by the parents/guardians in advance, competitive athletic or other co-curricular activities and official religious holidays. Such absences are referred to as excused absences. In order to participate in practice or contests, the athlete must be in attendance the full day. An exception must be approved by the athletic director (e.g., dental and doctor appointments, family emergencies, etc.)

Any other absence shall be defined as truancy and is unexcused. Unexcused absences may not be cleared as excused unless approved by the principal or his/her designee following the excused absence criteria noted above.

In such instances where a truant student continues to miss his/her regular classes, the student and the student's parents/guardians may be referred to the attendance supervisor for appropriate legal action (Oregon Revised Statutes).

5. If an excused absence is arranged in advance, the student is required to keep abreast of all class work on schedule or incur an academic penalty. The teacher may assign alternative activities in lieu of the regular assignment.
6. The student shall be given a reasonable length of time, determined by the teacher, to make up the class work that has been missed during an excused absence. If class work missed during an excused absence is made up to the satisfaction of the teacher, course credit for the work shall be awarded. However, a student who is absent for unexcused reasons may not receive course credit for any make-up work.
7. A student who is suspended from school normally forfeits his/her rights to pursue a formal education program during the period of suspension. However, the student shall continue to have full use of his/her books for independent study.

The student may have the opportunity to qualify for course credit by completing study assignments as determined by the principal. Criteria for making this decision shall be dependent upon the principal's assessment of:

- a. Student commitment to complete assigned work;
- b. Parental commitment to provide supervision to complete the assignments; and
- c. Availability of homework applicable to the respective courses of study.

The principal shall assure that appropriate individuals are knowledgeable about the conditions described herein at the inception of the suspension.

8. When home teaching due to illness or accidental injury is provided, no penalty for absence in the course taught by the home teacher shall be assessed.
9. Action resulting from this regulation may be appealed to the principal whose decisions shall be final.
10. School/home communications regarding absence shall include any or all of the following:
 - a. A note from parents/guardians explaining the reason for the length of the absence;
 - b. Reasonable attempts to contact the parents/guardians by telephone by the third consecutive school day of absence. In addition, if a consistent absence pattern is established (e.g., the last day of each week), a similar contact will be made by a representative of the school.

If the attempt to contact the home has been unsuccessful, the parents/guardians will be notified by mail of the absence record with an appropriate comment offering assistance.

If unacceptable attendance patterns continue, the principal shall take additional appropriate action as deemed necessary.

- c. In accordance with OAR 581-023-006 (4) (b):

(4) Students shall be entered and withdrawn from the district roll as follows:

- (b.) A student whose withdrawal status can be determined within ten days shall be marked as a withdrawal on the school day following that determination. A student must be withdrawn from the active roll on the day following the tenth consecutive full day of absence but may be retained on the inactive roll at the district's option. A student must be present for at least one-half day in order to restart the count of consecutive days' absence. Under no circumstances shall a student who is absent for the first ten days at the beginning of the school year be counted in membership prior to the first day of school attendance.

11. The classroom teacher is directly responsible for maintaining accurate attendance records which are available to the administrator on request.
 - a. Student attendance for all periods shall be reported daily to the office by all teachers to ensure accurate attendance accounting.
 - b. A report of individual student's attendance records may be released to the parents/guardians or other agencies as stipulated by law, district policy or regulations.
 - c. A class-by-class record of attendance shall be included whenever a formal report card is distributed to parents/guardians.

12. Each school shall prepare procedures for encouraging attendance in classes at all times. Such procedures shall reflect the fact that if the attendance pattern for a student is unacceptable, a conference will be held with the student and appropriate personnel to correct that pattern. Parents/guardians shall be informed when such a conference is held and involved whenever possible. A record of the proceedings of such a meeting shall be made and shall become a part of the student's record.

If the attendance pattern continues to be unsatisfactory and is so erratic that the student is not benefiting from the educational program, any one or more of the following actions may be taken at the discretion of the principal:

- a. If there is an indication that the student may be disabled, a referral will be made to special education for evaluation;
- b. If it is determined that the parents/guardians are not meeting the responsibility of sending the student to school, a compulsory attendance letter will be sent to the parents/guardians requiring the student's immediate attendance;
- c. If the provisions of the compulsory attendance letter are not met, a referral to the district truant officer may be made.
- d. If it is determined that the parents/guardians are meeting the responsibility of sending the student to school and the student is not disabled, the district shall provide the student and parents/guardians information about alternative programs of instruction which it recommends and for which it will pay, according to Oregon Revised Statutes, to meet the student's learning style and needs.

Each secondary school is responsible for developing procedures that comply with the following regulations:

Definition

Course credit shall be defined as the one unit of credit which is normally associated with passing a course that meets for 130 clock hours during the school year in grades 9-12, or work satisfactorily completed by any district student where performance based criteria are identified by the school district. See IGHA-AR. In grades six through eight this term refers to the successful completion of a class which leads to normal promotion to the next grade.

To earn course credit, the academic requirements of any class in which the student is enrolled must be satisfied. Examples include homework assignments, tests, term papers, etc.