

CHAPTER 59**AN ACT**

SB 1558

Relating to exceptions to abbreviated school day requirements for schedules for which a determination of the satisfaction of high school graduation requirements must be made; amending ORS 343.331; and declaring an emergency.

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

SECTION 1. ORS 343.331 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 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) 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) 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 2024 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect on its passage.

Approved by the Governor March 27, 2024

Filed in the office of Secretary of State March 27, 2024

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