**REVIEWED BY: JW 08-26-2020**

OAR 581-021-0081 – Student Absences

(1) Definitions for the purpose of this rule:

(a) “Family member or Caregiver” means a family member or caregiver responsible for and appointed to represent a student.

(b) “Student" means a minor between the ages of 6 and 18 who has not completed the 12th grade, and who is not exempt from compulsory attendance under ORS 339.030.

(c) "Eligible Student" means a student who has reached 18 years of age, a legally emancipated student, or a student who is attending only an institution of postsecondary education and is not enrolled in a secondary school.

(d) “Excused absence” means an absence from school as allowed in ORS 339.065.

(e) “Mental or behavioral health absence” means an absence taken by a student to promote their mental and behavioral health as stated by the family member or caregiver.

(2) Absence Documentation. School districts can not require confirmation of a healthcare provider appointment following a student’s absence, unless required by the public health authority.

(3) Absence Recording. For purposes of accurate tracking of regular attendance, the school must record military-connected absences separately from other absences per ORS 339.065.

(4) Notice of Excused Absence Allowances. Schools must include information about the number and type of allowed excused absences as outlined in ORS 339.065 in the student policy handbook as developed for ORS 339.250 that is distributed to students and families at the beginning of each school year. The following must be included in the student policy handbook:

(a) Mental or behavioral health as excused absences.

(b) Absences related to being a dependent of a member of the Armed Forces of the United States.

(5) School Response to Absence. When notified by a family member, caregiver, or eligible student of an excused or unexcused absence, schools must:

(a) Follow their school district’s adopted school board grading policies aligning with ORS 339.280 or allow work missed by the student to be made up within a reasonable period of time following the return to school, at a minimum of one day per day absent. Schools must work with students to determine what is reasonable based upon the student needs, academic situation, and amount of make up work to be completed. For a planned absence, schools should provide homework prior to the absence. Evaluation of student work received within the allowable time following return to school shall not incur a penalty or grade reduction related to being late.

(b) Offer equitable access to community, academic, and social/emotional resources. Resources must be culturally and linguistically responsive and support mental/behavioral health and physical well-being.

Statute Auth: ORS 339.065

Statute implement: ORS 339.065