Chapter 336

1967 REPLACEMENT PART
(1969 reprint)

Conduct of Schools Generally

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HOLIDAYS; SPECIAL OBSERVANCES; REQUIRED COURSES OF STUDY

336.010 School month; holidays; teachers' holiday pay; Saturday instruction. (1) The common school month consists of 20 days.

(2) No pupil shall be required to attend school on any Saturday or on any legal school holiday.

(3) Days on which an election is held throughout the state shall be school holidays only for such schools in which the sole schoolroom is used for election purposes.

(4) The 12th, 14th and 22nd days of February and the 12th day of October shall not be school holidays, but a portion of the days shall be set apart and observed in the public schools by appropriate activities.

(5) No teacher shall be required to teach on any Saturday, except as provided in the terms of the teacher's employment, or on any legal school holiday. When a holiday occurs on what would otherwise be a school day, teachers shall be allowed full pay for the holiday.

(6) No subject required for graduation shall be taught on Saturday only.

[Amended by 1961 c.226 §1; 1965 c.100 §221]

336.015 Arbor Day. (1) The last Friday in April shall be known as Arbor Day. In order that pupils in the public schools shall be made better aware of the benefits of the preservation and perpetuation of forests and the growing of timber, the district school board shall cause to be conducted, during school hours, activities which tend to encourage the planting, protection and preservation of trees and shrubs.

(2) The Superintendent of Public Instruction, with the approval of the State Board of Education, may prescribe and alter a schedule of activities and instruction to be observed on Arbor Day.

[Formerly 336.350]

336.020 [Amended by 1955 c.384 §1; repealed by 1957 c.612 §18]

336.025 Frances E. Willard Day. The fourth Friday in October shall be known as Frances E. Willard Day. During school hours on Frances E. Willard Day, time shall be set apart for instruction and appropriate activities in commemoration of the life, history and achievements of Frances E. Willard.

[Formerly 336.370]

336.030 [Amended by 1965 c.100 §142; renumbered 332.107]

336.035 Required courses of study; supplemental courses; district courses. The district school board shall see that the courses of study prescribed by law and by the rules of the State Board of Education are carried out. The board may establish supplemental courses which are not inconsistent with the prescribed courses and may adopt courses of study in lieu of state courses of study upon approval by the Superintendent of Public Instruction.

[Formerly 336.225; amended by 1967 c.67 §26; 1967 c.200 §6]

336.040 [Repealed by 1965 c.100 §456]

336.045 [Formerly 332.100; renumbered 336.630]

336.050 [Repealed by 1965 c.100 §456]

336.055 [Formerly 332.200; amended by 1965 c.100 §229; renumbered 336.105]

336.057 Courses in United States Constitution. (1) In all public and private schools courses of instruction in the Constitution of the United States shall be given. The courses shall begin not later than the opening of the eighth grade and shall continue in grades 9 through 12.

(2) Such courses shall also be required in all state institutions of higher education and in all state and local institutions which provide education for patients or inmates to an extent to be determined by the Superintendent of Public Instruction.

[Formerly 336.230]

336.060 [Amended by 1965 c.100 §230; renumbered 336.115]

336.065 [1961 c.717 §2; 1963 c.235 §1; 1965 c.100 §235; renumbered 336.165]

336.067 Instruction in ethics and morality. (1) In public schools special emphasis shall be given to instruction in:

(a) Honesty, morality, courtesy, obedience to law, respect for the national flag, the Constitution of the United States and the Constitution of the State of Oregon, respect for parents and the home, the dignity and necessity of honest labor and other lessons which tend to promote and develop an upright and desirable citizenry.

(b) The effects of alcohol and narcotics upon the human system.

(c) Humane treatment of animals.

(2) The Superintendent of Public Instruction shall prepare an outline with suggestions which will best accomplish the purpose of this section, and shall incorporate the outline in the courses of study for all public schools.

[Formerly 336.240]

336.070 [Amended by 1961 c.717 §1; repealed by 1965 c.100 §456]

336.072 Fire drills; unlocked exits; instruction in fire dangers; course of instruction. (1) In every public, private or parochial school or educational institution having an average daily attendance of 50 or more, pupils shall be instructed and drilled so that they may, in sudden emergency, be able to leave the school building in the shortest possible time and without confusion or panic. Drills or rapid dismissals shall be held at least once each school month. All exit doors shall be maintained so that they can be opened from the inside without a key during school hours.

(2) At least 30 minutes in each school month shall be used to instruct children in grades one through eight on fire dangers and drills.

(3) For the purpose of instruction on fire dangers and drills, the Superintendent of Public Instruction shall prepare a written course of instruction which shall be printed and distributed at state expense in quantities sufficient to provide a copy for each teacher who provides the instruction required by this section.
[Formerly 336.340]

336.073 [Formerly 332.360; repealed by 1965 c.100 §456]

336.075 [1955 c.103 §§1, 3; repealed by 1965 c.100 §456]

336.077 [1963 c.570 §11; repealed by 1965 c.100 §456]

336.078 Teaching in English required; exception. All subjects taught in public, private or parochial schools, except foreign languages, shall be taught in English.
[Formerly 336.270]

336.080 [Repealed by 1965 c.100 §456]

336.085 [Formerly 332.140; repealed by 1965 c.100 §456]

336.090 [Repealed by 1965 c.100 §456]

336.100 [Repealed by 1965 c.100 §456]

COURSES NOT PART OF REGULAR PROGRAM

336.105 Establishment of kindergartens. (1) The district school board of any school district having a school census of 20,000 or more children may operate kindergartens.

(2) Whenever one-third of the qualified voters of any school district with a school census of less than 20,000 children petition the district school board requesting that kindergartens be operated in the district, or whenever the district school board considers it proper, the board shall give notice in the manner provided in ORS 331.010 that it will submit to the qualified voters the question whether kindergartens shall be established.

(3) The district school board of a school district described in subsection (2) of this section, on majority vote of qualified voters, may operate kindergartens for the instruction of four to six year old children.

(4) Kindergartens established by any district prior to March 25, 1965, and those established under this section are a part of the public school system.
[Formerly 336.055]

336.110 [Repealed by 1965 c.100 §456]

336.115 Nursery schools and extended school day services. Any district school board, under rules, standards and teacher certification requirements established by the State Board of Education, may sponsor, maintain, operate and supervise nursery schools for children between the ages of two and six years, and extended school services for children of school age. The full cost for nursery schools shall be borne by fees, grants in aid or gifts from sources other than regular district revenues. The district school board may establish the hours of operation of such nursery schools and extended school day services for children of school age.
[Formerly 336.060]

336.120 [Repealed by 1965 c.100 §456]

336.125 Continuation evening schools. A district school board may:

(1) Operate continuation evening schools, fix the hours during which schools shall be in session and fix the length of term for schools.

(2) Employ teachers and otherwise provide for the instruction of pupils in all branches taught in the day sessions if there seems sufficient demand in the evening school.

(3) Fix a course of study for graduation from the evening high school.

(4) Admit any person not receiving instruction in the day session for the public schools without restriction as to age.
[Formerly 336.285]

336.130 [Repealed by 1965 c.100 §456]

336.135 Classes for employed minors. (1) The district school board of any school district in which reside or are employed, or

both, at least 15 employed children between the ages of 14 and 18 years shall, and any district school board may, provide classes for such employed children.

(2) The State Board of Education shall adopt rules governing the organization and administration of classes and shall expend from the funds available for the promotion of vocational education such sums of money as are necessary for the classes.
[1965 c.100 §232]

336.140 [Repealed by 1965 c.100 §456]

336.145 Adult education classes; fees. (1) Any district school board may provide for the establishment of classes for adult education. The board may employ personnel for the purpose of establishing and maintaining classes for adults on the fundamental principles of democratic government, English language, citizenship, public affairs, forums, arts and crafts, general cultural subjects, adult recreation and such other subjects as the State Board of Education may authorize. Such classes shall be conducted in the English language, except as the needs for teaching a foreign language may require otherwise.

(2) The district school board may establish a fee schedule for such classes and collect fees from persons enrolled in the adult education program of the district. The fees shall be used for the support or encouragement of adult education.

(3) The classes shall be subject to the rules of the district school board, shall be organized to meet the needs of the adults in the district and, as far as practicable, shall be held at such times and places as are most convenient and accessible to the members of the class.
[1965 c.100 §233; 1967 c.67 §6]

336.150 [Repealed by 1965 c.100 §456]

336.155 Certain districts authorized to contract for lower division collegiate courses or post-high school vocational courses. (1) The district school board of any school district which is not located within an area education district and which is not operating a community college may enter into a contract with the State Board of Higher Education, acting through the Division of Continuing Education, for the holding of lower division collegiate courses to be conducted under the joint supervision of the Division of Continuing Education and the district school board. The courses are not a "community college" within the meaning of ORS chapter 341.

(2) The district school board of any school district which is not located within an area education district and does not meet the requirements to establish a community college may enter into a contract with the Department of Education for the holding of post-high school vocational courses to be conducted under the joint supervision of the Department of Education and the district school board.

(3) The district school board may expend district funds from its regular budget for courses of the type contracted for in subsection (1) or (2) of this section. The board shall not be eligible for reimbursement under ORS 341 625 for any programs authorized by this section.

(4) If at any time during the contract period either the district school board or an area education district whose boundaries include territory located in the contracting district establish a community college, any contract authorized by this section shall be terminated.

(5) The Department of Education and the Division of Continuing Education shall establish procedures to assure that duplication of classes does not occur.
[1965 c.100 §234]

336.160 [Repealed by 1965 c.100 §456]

336.165 Tuition for study not part of regular school program. (1) For the purposes of this section, "regular school program" means the regular curriculum provided in the full-time day sessions in the schools of the district for grades 1 through 12 during the period of approximately nine months each year when the schools of the district are normally in operation and does not include summer sessions or evening sessions.

(2) Except as provided in subsection (3) of this section, district school boards may establish tuition rates to be paid by students receiving instruction in educational programs, classes or courses of study which are not a part of the regular school program. Tuition charges, if made, shall not exceed the estimated cost to the district of furnishing the program, class or course of study.

(3) No tuition shall be charged to any resident student regularly enrolled in the regular school program for special instruction received at any time in connection therewith.

(4) Except as provided in ORS 343.730 for driver instruction, no program, class or course of study for which tuition is charged, except courses of study beyond the 12th grade, shall be eligible for reimbursement from state funds.
[Formerly 336.065]

336.170 [Repealed by 1965 c.100 §456]

336.175 Extended educational experiences. In addition to regular courses of study, any district school board may make available to its students extended educational experiences through public and private community agencies when such experiences can be provided by the agencies more appropriately or at a lesser cost than by the school district. Programs under this section may include but are not limited to work experience programs conducted on a contractual basis with individual employers or employer groups.
[1967 c.200 §4]

336.180 [Repealed by 1965 c.100 §456]

336.190 [Repealed by 1955 c.290 §1]

336.200 [Repealed by 1955 c.290 §1]

336.210 [Repealed by 1955 c.290 §1]

336.220 [Amended by 1953 c.561 §2; repealed by 1955 c.290 §1]

336.225 [Formerly 332.340; amended by 1965 c.100 §224; renumbered 336.035]

336.230 [Amended by 1965 c.100 §225; renumbered 336.057]

336.240 [Amended by 1957 c.149 §1; 1965 c.100 §226; renumbered 336.067]

336.250 [Repealed by 1957 c.149 §2]

336.260 [Repealed by 1965 c.100 §456]

336.270 [Amended by 1965 c.100 §228; renumbered 336.078]

336.280 [Repealed by 1963 c.544 §52]

336.285 [Formerly 332.350; amended by 1965 c.100 §231; renumbered 336. 125]

336.290 [Repealed by 1963 c.544 §52]

336.300 [Repealed by 1963 c.544 §52]

336.310 [Repealed by 1963 c.544 §52]

336.320 [Repealed by 1963 c.544 §52]

336.330 [Repealed by 1963 c.544 §52]

336.340 [Amended by 1965 c.100 §227; renumbered 336.072]

336.350 [Amended by 1963 c.452 §1; 1965 c.100 §222; renumbered 336.015]

336.360 [Repealed by 1965 c.100 §456]

336.370 [Amended by 1965 c.100 §223; renumbered 336.025]

DENTAL HEALTH PROGRAM

336.375 "Dental health program" defined. As used in ORS 336.375 to 336.420, "dental health program" means a program whereby a dental examination is made at least once each school year of each pupil attending school in the district at the time of the examination and whereby dental treatment may be provided, subject to the rules of the district school board.
[1965 c.100 §237]

336.380 Dental health program authorized in districts of 100,000. The district school board in a district with a population of 100,000 or more, according to the latest federal census, may conduct a dental health program.
[Amended by 1965 c.100 §238]

336.390 Equipment; standards; charges; consent. (1) A district school board which conducts a dental health program may furnish necessary instruments and equipment and provide suitable quarters in which either dental examination or treatment may be made.

(2) The dental examination and treatment shall be scientific, sanitary and efficient, and may be furnished by the district school board free of expense to the pupils whose parents or guardians are unable to pay therefor. Any charges made by the board for the dental examination and treatment shall be fair and reasonable.

(3) No pupil shall be required or permitted to receive a dental examination or treatment without the written consent of his parents or guardian.
[Amended by 1965 c.100 §239]

336.400 Report to parent; selection of dentist; certificate of treatment. The result of the dental examination shall be reported in writing to the parent or guardian of any pupil who, in the opinion of the person making the examination, requires dental treatment. If, after receiving the report, the parent or guardian elects to have the recommended treatment performed by a dentist of his own choosing, that dentist shall supply a certificate attesting that the treatment was performed in accordance with the report from the dental health program. The content of the certificate shall be recorded by the board.
[Amended by 1965 c.100 §240]

336.410 Nonliability for injury from treatment. No school district shall be liable to any pupil, or to the parents or guardian of any pupil, for or on account of any claim for damage on account of any action by any person in connection with the district's dental health program.
[Amended by 1965 c.100 §241]

336.420 Cooperation and sharing expense. Any district school board which conducts a dental health program may cooperate with and share the expense of dental examination and treatment with any other organization or individuals.
[Amended by 1965 c.100 §242]

336.430 [Renumbered 336.620]

336.440 [Amended by 1965 c.100 §247; renumbered 336.610]

TRAFFIC PATROL

336.450 "Traffic patrol" defined. As used in ORS 336.450 to 336.480, "traffic patrol" means one or more individuals appointed by a public, private or parochial school to protect pupils in their crossing of streets or highways on their way to or from the school by directing the pupils or by cautioning vehicle operators.
[1961 c.575 §1; 1965 c.100 §243]

336.460 Traffic patrols authorized; medical benefits; rules. (1) A district school board may do all things necessary, including the expenditure of district funds, to organize, supervise, control or operate traffic patrols. A district school board may make rules relating to traffic patrols which are consistent with rules under subsection (1) of ORS 336.470.

(2) The establishment, maintenance and operation of a traffic patrol does not constitute negligence on the part of any school district or school authority.

(3) A district school board may provide medical or hospital care for an individual who is injured or disabled while acting as a member of a traffic patrol.
[1961 c.575 §3; 1965 c.100 §244]

336.470 Regulation of traffic patrols for public, private and parochial schools; qualifications. (1) To promote safety the Motor Vehicles Division of the Department of Transportation, after consultation with the Superintendent of Public Instruction, the State Highway Department and the Department of State Police, shall make rules relating to traffic patrols.

(2) A member of a traffic patrol:

(a) Shall be at least 18 years of age unless his parent or guardian has consented in writing to such membership and ceases to be a member if such consent is revoked.

(b) May display a badge marked "traffic patrol" while serving as a member.

(c) May display a directional sign or signal in cautioning vehicle operators where pupils cross a street or highway.
[1961 c.575 §2; 1965 c.100 §245]

336.480 Intergovernmental cooperation and assistance in connection with traffic patrols. (1) The Motor Vehicles Division of the Department of Transportation and the State Highway Department shall cooperate with any public, private or parochial school in the organization, supervision, control and operation of its traffic patrol.

(2) The Department of State Police, the sheriff of each county or the police of each city may assist any public, private or parochial school in the organization, supervision, control or operation of its traffic patrol.
[1961 c.575 §4; 1965 c.100 §246]

336.500 [1961 c.364 §§1, 2, 3; 1965 c.100 §157; renumbered 332.470]

MISCELLANEOUS

336.610 Secret societies in public schools prohibited. (1) No secret society of any kind, including a fraternity or sorority, shall be permitted in any public school.

(2) The district school board may order the suspension or expulsion of any pupil who belongs to a secret society.

(3) This section does not apply to any institution of higher education under the jurisdiction of the State Board of Higher Education.
[Formerly 336.440]

336.620 Unauthorized soliciting of pupils prohibited. No person shall solicit, receive or permit to be solicited or received from pupils enrolled in public schools, on any public school premises any subscription, donation of money or other thing of value for presentation of testimonials to school officials or for any purpose except such as are authorized by the district school board.
[Formerly 336.430]

336.630 Procurement and display of flags. Each district school board shall procure a United States flag and an Oregon State flag of suitable sizes and shall cause such flags to be displayed upon or near each public school building during school hours, except in unsuitable weather, and at such other times as the board deems proper. [Formerly 332.100 and then 336.045]

336.990 [Amended by 1963 c.544 §50; subsection (4) of 1963 Replacement Part derived from 332.990 (7); repealed by 1965 c.100 §456]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Robert W. Lundy, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on December 1, 1967.

Robert W. Lundy
Legislative Counsel