

SB 262 STAFF MEASURE SUMMARY

Senate Committee On Human Services

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Meeting Dates: 2/22

WHAT THE MEASURE DOES:

Establishes timelines by which evaluations and reevaluations must be completed by school district to determine eligibility for special education.

FISCAL: May Have Fiscal Impact, But No Statement Yet Issued

REVENUE: May Have Revenue Impact, But No Statement Yet Issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon law authorizes school districts to determine the eligibility of individual children for special education programs, and the Oregon Board of Education promulgates rules regarding special education eligibility evaluations. Timelines for evaluations are not in statute, but administrative rules generally require initial evaluations and reevaluations to be completed within 60 school days of the written parental consent for the evaluation. The rules provide for certain exceptions to the general timelines including when a child fails to attend the evaluation, transfer students, and when parents and the school district agree to extend the timeline.

Senate Bill 262 creates a statutory requirement that school districts complete initial special education eligibility evaluations and reevaluations within 75 calendar days of receiving written parental consent and hold a meeting with parents to consider eligibility within that time. The measure provides for exceptions to these timelines, including: allowing an extra time if the child fails to attend a scheduled evaluation meeting; the child's parents and the school district agree in writing to a different timeline; or other circumstances out of the district's control. Senate Bill 262 also exempts calendar days during scheduled instructional breaks from counting against the evaluation timeline.