

**A-Engrossed**  
**Senate Bill 263**

Ordered by the Senate April 21  
Including Senate Amendments dated April 21

Sponsored by Senator GELSER (Pre-session filed.)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Limits school district's ability to require students to participate in abbreviated school day program. Prescribes requirements when students do participate in abbreviated school day program.  
**Declares emergency, effective July 1, 2017.**

**A BILL FOR AN ACT**

1  
2 Relating to abbreviated school days; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 343.**

5 **SECTION 2. (1) As used in this section:**

6 (a) "Abbreviated school day" means any school day during which a student receives in-  
7 struction or educational services for fewer hours than other students who are in the same  
8 grade within the same school.

9 (b) "Abbreviated school day program" means an education program that results in a  
10 student's having an abbreviated school day for more than 10 school days per school year.

11 (2) A school district may not unilaterally place a student on an abbreviated school day  
12 program, regardless of the age of the student.

13 (3) A school district may provide an abbreviated school day program to a student only if  
14 the student's individualized education program team:

15 (a) Determines that the student should be placed on an abbreviated school day program:

16 (A) Based on the student's needs; and

17 (B) After the opportunity for the student's parents to meaningfully participate in a  
18 meeting to discuss the placement; and

19 (b) Documents that the team considered at least one option that included appropriate  
20 supports for the student and that could enable the student to access the same number of  
21 hours of instruction or educational services that are provided to students who are in the  
22 same grade within the same school.

23 (4) If a student is placed on an abbreviated school day program, the school district shall,  
24 at least once each term:

25 (a) Provide the following information in writing to the parent of the student:

26 (A) The school district's duty to comply with the requirements of this section;

27 (B) The prohibition against a school district unilaterally placing a student on an abbrev-  
28 viated school day program; and

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1       **(C) The student's presumptive right to receive the same number of hours of instruction**  
2 **or educational services as other students who are in the same grade within the same school**  
3 **and the parent's right to request, at any time, a meeting of the individualized education**  
4 **program team to determine whether the student should no longer be placed on an abbrevi-**  
5 **ated school day program.**

6       **(b) Obtain a signed acknowledgment from the parent of the student that the parent re-**  
7 **ceived the information described in paragraph (a) of this subsection.**

8       **(c) Include in the student's individualized education program a written statement that**  
9 **explains the reasons the student was placed on an abbreviated school day program.**

10       **(5) This section does not apply to:**

11       **(a) Any abbreviated school days that are a component of discipline imposed in compliance**  
12 **with ORS 339.250; or**

13       **(b) A student who will be eligible to complete the requirements for a diploma or certif-**  
14 **icate under ORS 329.451 during the school year if the student, and the parent of the student,**  
15 **agree to the abbreviated school day program.**

16       **SECTION 3.** **Section 2 of this 2017 Act first applies to the 2017-2018 school year.**

17       **SECTION 4.** **This 2017 Act being necessary for the immediate preservation of the public**  
18 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**  
19 **July 1, 2017.**