

B-Engrossed Senate Bill 263

Ordered by the House May 26
Including Senate Amendments dated April 21 and House Amendments
dated May 26

Sponsored by Senator GELSER; Senator KNOPP (Presession 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:

10 (A) In which a school district restricts a student's access to hours of instruction or ed-
11 ucational services; and

12 (B) That results in a student having an abbreviated school day for more than 10 school
13 days per school year.

14 (c) "Parent" includes the student, if the student is 18 years of age or older or is
15 emancipated pursuant to ORS 419B.550 to 419B.558.

16 (d) "Unilaterally place" means a placement by a school district without the consent of
17 the student's parent.

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

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

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

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

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

26 (b) Documents that the team considered at least one option that included appropriate
27 supports for the student and that could enable the student to access the same number of

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 hours of instruction or educational services that are provided to students who are in the
2 same grade within the same school.

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

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

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

7 (B) The prohibition against a school district unilaterally placing a student on an abbre-
8 viated school day program; and

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

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

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

18 (5) This section does not apply to:

19 (a) Any abbreviated school days that are a component of discipline imposed in compliance
20 with ORS 339.250;

21 (b) A student who will be eligible to complete the requirements for a diploma or certifi-
22 cate under ORS 329.451 during the school year if the student, and the parent of the student,
23 agree to the abbreviated school day program; or

24 (c) A student whose parent has notified an education service district that the student is
25 being taught by a parent, legal guardian or private teacher under ORS 339.035.

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

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

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