A-Engrossed
Senate Bill 496

Ordered by the Senate April 16
Including Senate Amendments dated April 16

Sponsored by Senator GELSER; Senator WAGNER, Representatives ALONSO LEON, SANCHEZ (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.

[*Requires school districts to ensure that all students of school district have equal access to educational facilities. Prohibits certain requirements or restrictions from being imposed on*] **Prohibits school district from restricting access by** alternative education students, English language learners or special education students **to specialized learning areas and certain common areas**.

Declares emergency, effective July 1, 2019.

A BILL FOR AN ACT

Relating to access to educational facilities; and declaring an emergency.

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

SECTION 1. (1) As used in this section:

(a) "Alternative education student" means a student who is part of a school or a separate class group that was designed to best serve the student's educational needs and interests and to assist the student in achieving the academic standards of the school district and the state.

(b) "English language learner" has the meaning given that term in ORS 336.079.

(c) "Special education student" means a student who is receiving special education or related services, as provided by ORS chapter 343.

(d) "Specialized learning area" includes laboratories, auditoriums and athletic facilities.

(e) "Traditional student" means a student who is not an alternative education student, an English language learner or a special education student.

(2) For an alternative education student, an English language learner or a special education student, a school district may not restrict access to specialized learning areas or to the common lunch area, common gathering areas or recreational areas in a manner that is different than any restrictions imposed on traditional students in the same grade.

(3) Nothing in subsection (2) of this section prevents a school district from:

(a) Implementing a behavior support or safety plan that restricts a student's access to common or specialized learning areas based on the specific documented needs or behaviors of the student;

(b) Imposing discipline that prohibits a student from accessing specific common or specialized learning areas for a defined period of time and for reasons specific to the student's behavior; or

(c) Complying with any order from a court or law enforcement agency.

SECTION 2. This 2019 Act being necessary for the immediate preservation of the public

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.

peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect July 1, 2019.