



SB 819: Implementation Update

Presented to the Oregon Senate Education Committee

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Implementing SB 819: A Phased Approach

**Establishing Guidance
& Facilitating Training**

Phase 1

**Developing ODE's
Internal SB 819
Framework**

Phase 2

**Building the SB 819
Complaint System &
Ongoing Monitoring**

Phase 3

Ableism

- [Ableism](#) is a form of systemic oppression that gives advantages to people without disabilities. It suggests that some abilities are “normal” or “better,” and ranks people’s worth based on their abilities.
- Ableism results in barriers and discrimination that negatively impact students with disabilities. Well-intentioned programs can still subtly promote ableism if they do not give students experiencing disability voice, choice, and control over their education.
- Abbreviated school day program placements can be a result of ableism in schools if they are used to exclude students experiencing disabilities rather than to support them.

Implementation Progress Markers

INITIAL GUIDANCE AND TRAINING

ODE established significant initial guidance, resources, and training to support the effective implementation of SB 819.

STAFFING AND INFRASTRUCTURE

ODE has hired and is onboarding a full SB 819 team to support the ongoing implementation of SB 819.

COMPLAINTS AND MONITORING

ODE is actively working through complaint processes and is working proactively to monitor ASDP placements using the data submitted by districts or otherwise known by ODE.

DISTRICT SUPPORT SPECIALISTS

provide ongoing proactive implementation support.

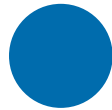
Prior to SB 819's adoption, ODE maintained a cadre of district support specialists whose work was primarily focused on state-level administration of the IDEA.

With the enactment of SB 819, ODE increased this number of specialists, decreased the number of districts for which each was responsible, and expanded their focus to include supporting the effective implementation of SB 819.

Ongoing Monitoring

ODE monitors use of Abbreviated School Day Programs (ASDP) under SB 819 through multiple means:

ODE MONITORS WHEN



FORMAL DATA SUBMITTED BY SCHOOL DISTRICTS

indicates that the district is or may be noncompliant with SB 819 or related federal and state authorities



SB 819 COMPLAINTS OR OBJECTIONS

indicate that a parent or foster parent revoked consent or otherwise disagrees with an abbreviated school day program



FINDINGS FROM IDEA RELATED COMPLAINTS

reveal that the district is or may be noncompliant with SB 819 or related federal and state authorities



ACTIVITIES OF GENERAL SUPERVISION

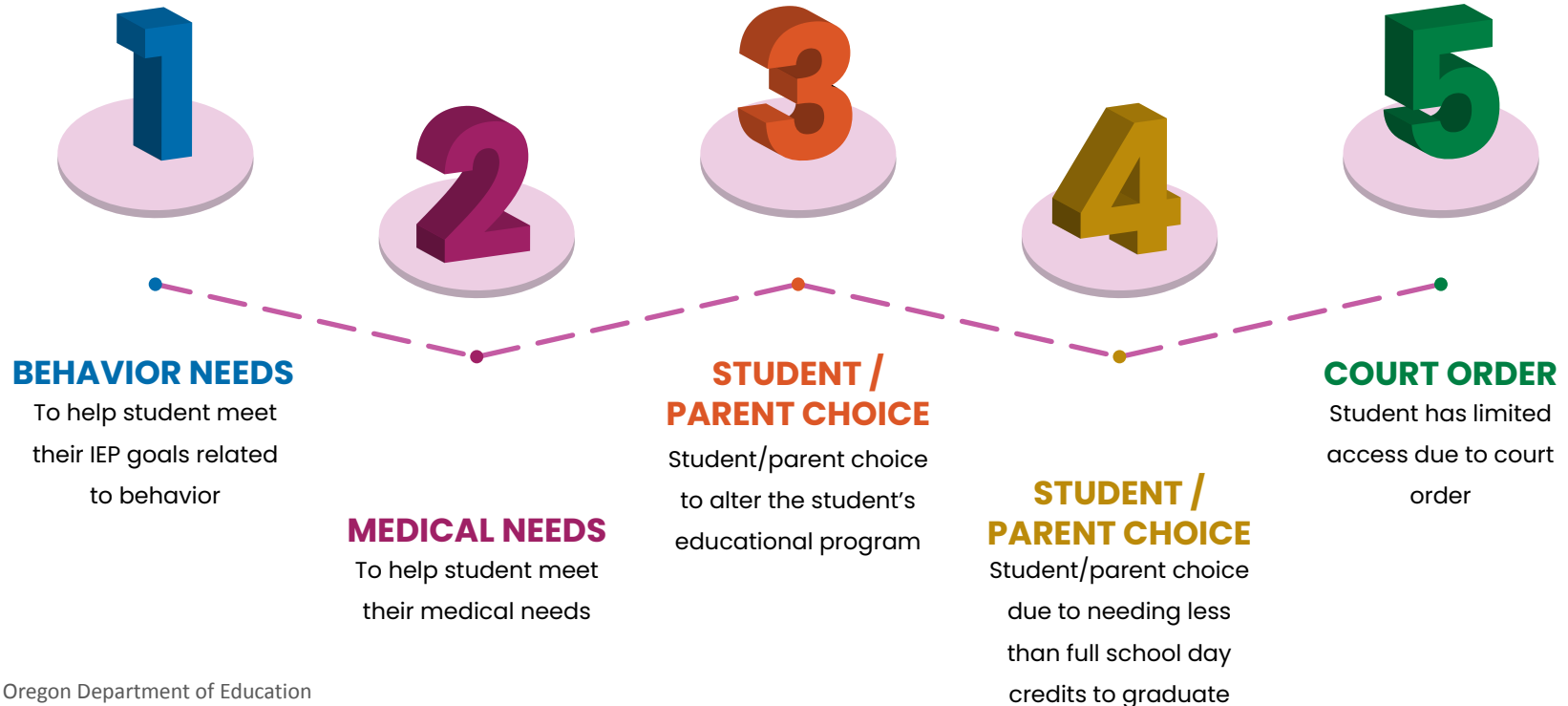
related to the Individuals with Disabilities Education Act (IDEA) reveal the potential for noncompliance with SB 819.



THERE IS OTHERWISE REASON TO SUSPECT

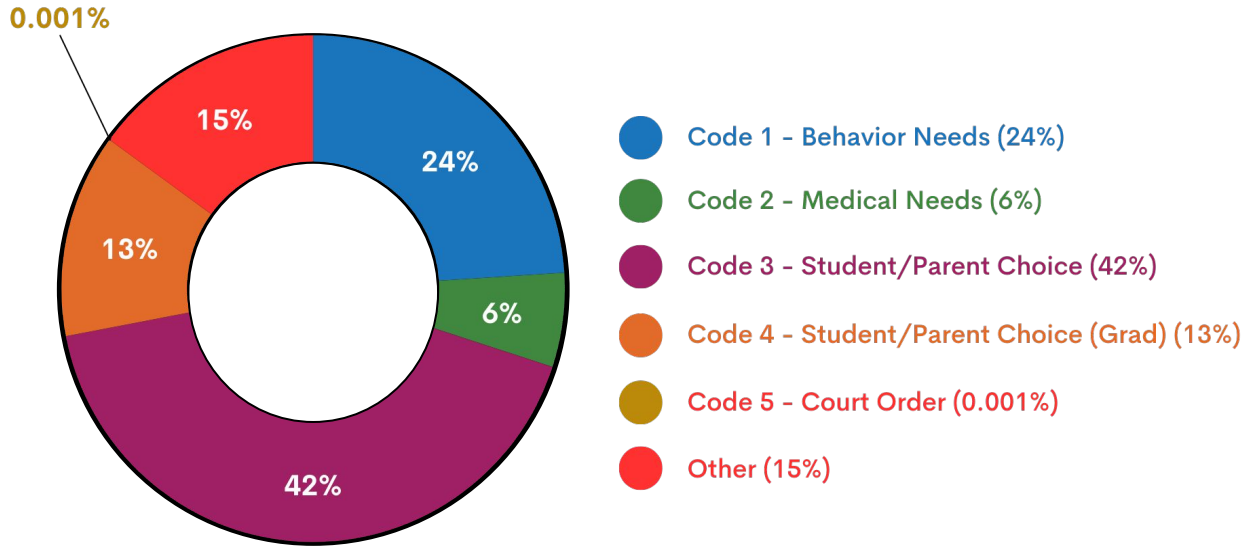
that the district is or may be noncompliant with SB 819 or related federal and state authorities

ODE's Abbreviated School Day Data Collection Reasons Provided by Districts for ASDP



Reason Code by Percentage, January 2024

All ASDP Students (n=1676)



ASDB Placement by Eligibility, January 2024



Other Reasons Districts Have Reported for Using Abbreviated School Days

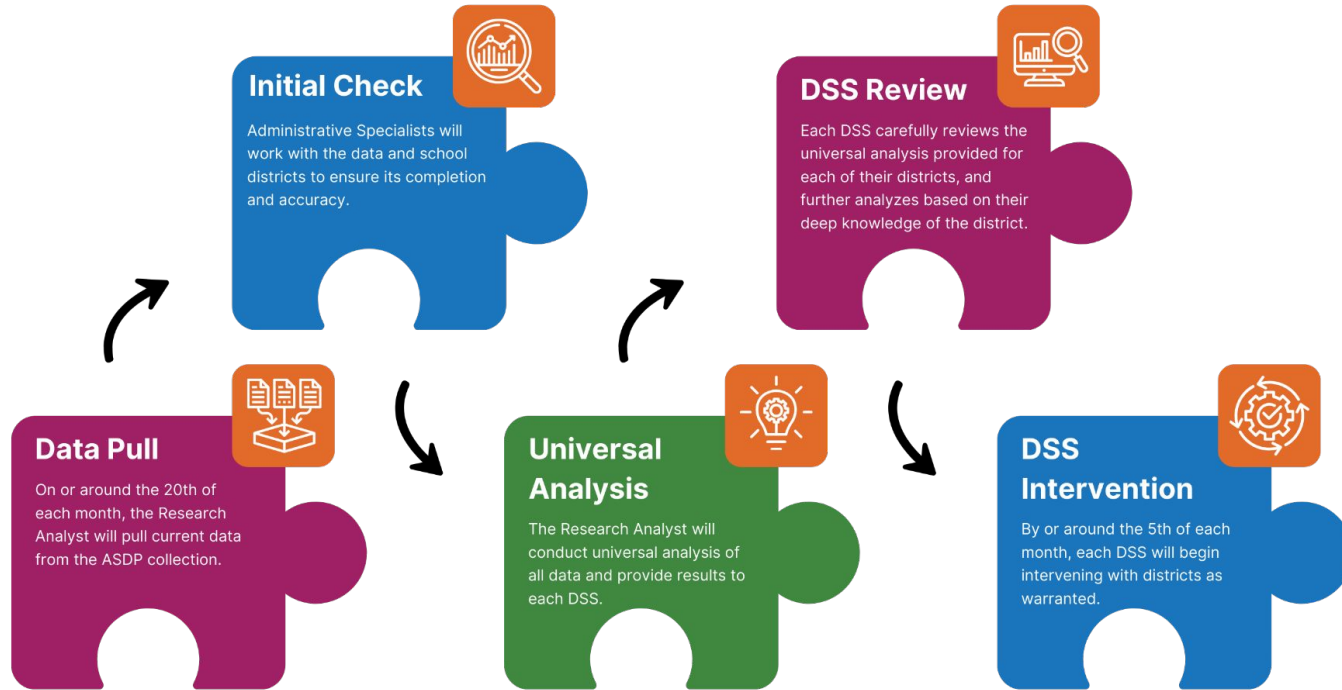
In addition to the pre-populated reasons, school districts have reported various additional reasons for using abbreviated school day programs, as defined by SB 819, with students with disabilities, including:

- Mental health therapy/treatment
- Online/virtual school with asynchronous instruction
- Charter school with different schedule than resident school district
- Placements outside the resident school district with different schedules
- Transition services
- Credit recovery opportunities
- Alternate education programs

Initial Capacity Building Through Training

- ODE is grateful for the 2023 legislative appropriation that allowed for strong immediate implementation of SB 819.
- ODE provided significant training, resources, and technical assistance related to implementation of SB 819.
- ODE's district support specialists provide ongoing training and intervention based on district data and other sources of information received by ODE.
- ODE is now working to expand efforts to build local and regional capacity to support students with disabilities to attend school for full days.

ASDP Data Analysis and Intervention Pathway



Increasing Capacity Through Monitoring and Investigations

- Each district support specialist reviews and follows-up on submitted data monthly for each of their assigned districts.
- Review is facilitated through a specific protocol of questions to ensure consistent analysis.
- ODE monitors or investigates when that review gives cause to believe that a district is not in compliance with SB 819.

‘Cause to believe’ means that there is an objectively reasonable belief, given all of the circumstances and based on specific and articulable facts, that a school district is not in compliance with sections 2 (7) and 3 (5) of SB 819.

Ensuring Accountability Through Complaints, Identification of Noncompliance, and Required Corrective Action

- ODE conducts complaint investigations when complaints are received or there is cause to believe that a district is not in compliance with SB 819.
- Based on the results of those investigations, ODE will identify noncompliance and require corrective action.
- ODE has not yet had to use enforcement mechanisms to compel compliance.

Ensuring Accountability Through Complaints, Identification of Noncompliance, and Required Corrective Action

- ODE has not yet received significant complaints regarding unilateral placements by school districts.
- School leaders have worked diligently towards effective initial implementation of SB 819 in order to meet the Legislature's charge to reduce the use of abbreviated school day programs for students with disabilities.
- ODE will continue to monitor and assess the appropriate use of abbreviated school day programs through the work of its district support specialists.



Questions?