

Submitter: Amy Quattlebaum
On Behalf Of:
Committee: House Committee On Education
Measure: SB819

I am pleased to see the legislature considering the impacts of shortened school days on students in Oregon who receive Special Education services.

Shortened school days can be both a positive means of meeting a student's needs (if mutually desired), and also an egregious violation of their educational rights if wielded unilaterally against students and families considered inconvenient by a school district. It is telling that no one proposes using shortened days to manage students in general education, but time after time, students with IEPs are informally pushed out of schools via shortened days.

Shortening a student's day raises issues serious equity issues regarding the provision of a free and appropriate public education (FAPE) under the Individuals with Disabilities Education Act (IDEA), as well as potential discrimination under 504 of the Rehabilitation Act.

Students who receive special education services through an Individualized Education Program (IEP) have the same rights to access public education as students who do not receive special education services.

Sometimes it is desirable to shorten a student's school day (especially when there are significant medical concerns that limit a student's ability to fully participate in school), but that is a decision that should be carefully considered and weighed by a student's IEP team (which should always include parental consent and a doctor's input). It should always be based on a student's unique, disability-related needs, not staff convenience, disciplinary concerns, funding issues, or other non-educational considerations. And the student should be free to return to a full day as soon as he or she is able, and under most circumstances, a shortened day should be in place for only a limited amount of time, and ongoing and review and monitoring of the situation is warranted. Furthermore, a school district must not reduce a student's instructional time as a form of discipline or punishment or in lieu of a suspension or an expulsion. In addition, a school district must not require a students with IEPs to "earn" back the return to a longer or full school day by demonstrating good behavior.

I am pleased to see the legislature investigating this inequitable practice as it unfairly impacts the educational attainment of students with IEPs who attend schools in this state.