

Senate Bill 745

Sponsored by Senator GELSER BLOUIN (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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Allows the parent or foster parent of a student who is very ill to request to meet no more than once a year to review the student's short school day program. (Flesch Readability Score: 63.4).

Allows the parent or foster parent of a terminally ill student to consent to meeting once every year to review the student's abbreviated school day program.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the frequency of meetings regarding abbreviated school day programs for students who
3 are terminally ill; amending ORS 343.326; and declaring an emergency.

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

5 **SECTION 1.** ORS 343.326 is amended to read:

6 343.326. (1) When a student with a disability is placed on an abbreviated school day program,
7 the provisions of this section apply.

8 (2) For each student with a disability placed on an abbreviated school day program, the school
9 district shall:

10 (a) Prior to each meeting of the student's individualized education program team, provide the
11 following information in writing to the parent or foster parent of the student in a language and
12 format accessible to the parent or foster parent:

13 (A) The school district's duty to comply with the requirements of ORS 343.321 to 343.331;

14 (B) The prohibition against a school district unilaterally placing a student with a disability on
15 an abbreviated school day program;

16 (C) The student's right to have meaningful access to the same number of hours of instruction
17 and educational services as the majority of other students who are in the same grade within the
18 student's resident school district; and

19 (D) The parent's or foster parent's right, at any time, to withdraw consent for an abbreviated
20 school day program placement or to request a meeting of the student's individualized education
21 program team to discuss whether the student should no longer be placed on an abbreviated school
22 day program.

23 (b) Hold a meeting of the student's individualized education program team to review the
24 student's abbreviated school day program as described in paragraph (c) of this subsection. During
25 the school year, a meeting must be held:

26 (A) No fewer than 25 calendar days and no more than 35 calendar days after the initial place-
27 ment on the abbreviated school day program.

28 (B) No less frequently than once every 30 calendar days, starting after the meeting described

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 in subparagraph (A) of this paragraph, unless the parent or foster parent provides written consent
 2 to meet less frequently than once every 30 calendar days. Notwithstanding written consent provided
 3 under this subparagraph:

4 (i) In no event may a meeting be held less frequently than:

5 (I) Once every 90 calendar days for a student with an individualized education program, starting
 6 after the meeting described in subparagraph (A) of this paragraph;

7 (II) Once every year for a student with a 504 Plan, starting after the meeting described in sub-
 8 paragraph (A) of this paragraph;

9 (III) Once every year for a student who is enrolled in a virtual public charter school that op-
 10 erates in compliance with ORS chapter 338 and who has meaningful access to the same number of
 11 hours of instruction and educational services as the majority of other students who are not disabled
 12 students and who are in the same grade within the school, starting after the meeting described in
 13 subparagraph (A) of this paragraph; [*or*]

14 (IV) Once every year for a student receiving educational services in a pediatric nursing facility
 15 as provided in ORS 343.941, starting after the meeting described in subparagraph (A) of this para-
 16 graph; [*and*] **or**

17 **(V) Once every year for a student who has an illness or sickness that can reasonably be**
 18 **expected to result in death in 12 months or less, starting after the meeting described in**
 19 **subparagraph (A) of this paragraph; and**

20 (ii) A meeting must be held within 14 calendar days of a parent or foster parent requesting a
 21 meeting.

22 (c) During each meeting of the student's individualized education program team while the stu-
 23 dent is placed on the abbreviated school day program:

24 (A) Obtain from the parent or foster parent a signed acknowledgement that the parent or foster
 25 parent received the information described in paragraph (a) of this subsection;

26 (B) Review the student's progress on the abbreviated school day program;

27 (C) Consider at least one reasonable alternative placement that includes appropriate supports
 28 for the student and that could enable the student to have meaningful access to the same number of
 29 hours of instruction and educational services that are provided to the majority of other students
 30 who are in the same grade within the student's resident school district; and

31 (D) If the individualized education program team recommends continuing the abbreviated school
 32 day placement, consider whether the number of hours of instruction and educational services should
 33 be increased.

34 (d) If the parent or foster parent provides informed and written consent to continue an abbre-
 35 viated school day program placement, include in the student's individualized education program or
 36 504 Plan a written statement that:

37 (A) Explains the reasons the student was placed on the abbreviated school day program; and

38 (B) Describes in detail other reasonable options that were considered and documents why each
 39 option considered was not implemented.

40 (e) At least once every 30 calendar days during the school year, inform the Department of Ed-
 41 ucation about the student's abbreviated school day program placement, including:

42 (A) The grade level of the student;

43 (B) The number of hours of instruction and educational services the school district is scheduled
 44 to provide to the student each week;

45 (C) The date the student began the abbreviated school day program; and

1 (D) The date by which the student is expected to receive meaningful access to the same number
 2 of hours of instruction and educational services that are provided to the majority of other students
 3 who are in the same grade within the student’s resident school district.

4 (3)(a) The school district superintendent must review a student’s abbreviated school day program
 5 placement if the student is placed on an abbreviated school day program for:

6 (A) Ninety or more cumulative calendar days during a school year; or

7 (B) Ninety or more cumulative calendar days, excluding summer break, when the student is
 8 placed on an abbreviated school day program during two or more consecutive school years.

9 (b) The school district superintendent must review the student’s abbreviated school day program
 10 placement when required under paragraph (a) of this subsection and:

11 (A) Find that the abbreviated school day program placement is compliant with state and federal
 12 law and document in writing:

13 (i) The efforts of the school district to facilitate the student’s meaningful access to the same
 14 number of hours of instruction and educational services that are provided to the majority of other
 15 students who are in the same grade within the student’s resident school district; and

16 (ii) The specific barriers that prevent that meaningful access; or

17 (B) Find that the abbreviated school day program placement is not compliant with state and
 18 federal law and ensure that, within five school days of making the finding, the student has mean-
 19 ingful access to the same number of hours of instruction and educational services that are provided
 20 to the majority of other students who are in the same grade within the student’s resident school
 21 district unless an extension has been allowed as provided by ORS 343.328 (1)(d).

22 (c) In addition to a finding made under paragraph (b) of this subsection, for any student in
 23 grades 9 through 12 not expected to graduate on time with a high school diploma, a modified di-
 24 ploma or an extended diploma, the school district superintendent must document in writing:

25 (A) The plan for credit recovery and comprehensive services, including compensatory services,
 26 that is being implemented to ensure the student’s on-time graduation with a high school diploma, a
 27 modified diploma or an extended diploma; and

28 (B) The student’s progress toward on-time graduation with a high school diploma, a modified
 29 diploma or an extended diploma.

30 (d) If the student is served by an education program through an education service district, the
 31 requirements of paragraphs (a) to (c) of this subsection apply to the superintendent of the resident
 32 school district.

33 (e) Any findings or documentation required under paragraphs (b) and (c) of this subsection must
 34 be provided, within five school days of making the finding, to the student’s parent or foster parent
 35 in a language and format accessible to the parent or foster parent.

36 **SECTION 2. This 2025 Act being necessary for the immediate preservation of the public**
 37 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
 38 **on its passage.**