

Enrolled
Senate Bill 263

Sponsored by Senator GELSNER; Senator KNOPP (Presession filed.)

CHAPTER

AN ACT

Relating to abbreviated school days; and declaring an emergency.

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

SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 343.

SECTION 2. (1) As used in this section:

(a) "Abbreviated school day" means any school day during which a student receives instruction or educational services for fewer hours than other students who are in the same grade within the same school.

(b) "Abbreviated school day program" means an education program:

(A) In which a school district restricts a student's access to hours of instruction or educational services; and

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

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

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

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

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

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

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

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

(b) Documents that the team considered at least one option that included appropriate supports for the student and that could enable the student to access the same number of hours of instruction or educational services that are provided to students who are in the same grade within the same school.

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

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

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

(B) The prohibition against a school district unilaterally placing a student on an abbreviated school day program; and

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

(b) Obtain a signed acknowledgment from the parent of the student that the parent received the information described in paragraph (a) of this subsection.

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

(5) This section does not apply to:

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

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

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

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

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

Passed by Senate April 25, 2017

Received by Governor:

Repassed by Senate June 7, 2017

.....M.,....., 2017

Approved:

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Lori L. Brocker, Secretary of Senate

.....M.,....., 2017

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Peter Courtney, President of Senate

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Kate Brown, Governor

Passed by House June 5, 2017

Filed in Office of Secretary of State:

.....M.,....., 2017

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Tina Kotek, Speaker of House

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Dennis Richardson, Secretary of State