

House Bill 2531

Sponsored by Representative EVANS (Pre-session 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**.

Directs school districts to make annual reports to Department of Education related to students placed on abbreviated school day programs.

A BILL FOR AN ACT

1
2 Relating to reporting of students placed on abbreviated school day programs; creating new pro-
3 visions; and amending ORS 343.161.

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

5 **SECTION 1.** ORS 343.161 is amended to read:

6 343.161. (1) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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 once each term:

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

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

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

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

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

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

14 **(5)(a) Each school district shall make an annual report by June 30 of each school year
15 to the Department of Education that reports:**

16 **(A) The total number of students placed on an abbreviated school day program;**

17 **(B) The average and total number of days that students described in subparagraph (A)
18 of this paragraph received an abbreviated school day;**

19 **(C) The average number of hours per school day that students described in subparagraph
20 (A) of this paragraph received;**

21 **(D) The number of students who received an abbreviated school day as a component of
22 discipline imposed in compliance with ORS 339.250;**

23 **(E) The number of students described in subparagraph (A) of this paragraph who will be
24 eligible to complete the requirements for a diploma or certificate under ORS 329.451 during
25 the school year if the student, and the parent of the student, agree to have the student
26 placed on an abbreviated school day program; and**

27 **(F) The number of students whose parent notified an education service district that the
28 student has been or will be taught by a parent, legal guardian or private teacher under ORS
29 339.035.**

30 **(b) Pursuant to rules adopted by the State Board of Education, the Superintendent of
31 Public Instruction may waive a reporting date or specify an alternative date for filing the
32 report described in paragraph (a) of this subsection if a human-created disaster or a natural
33 disaster affects the ability of the school district to file a report by the specified date.**

34 [(5)] (6) This section does not apply to:

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

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

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

42 **SECTION 2. The amendments to ORS 343.161 by section 1 of this 2019 Act first apply to
43 the 2019-2020 school year.**