**Background**

Senate Bill 819 was recently signed into law, significantly changing how school districts may use abbreviated school day programs for students with disabilities.

Within 14 calendar days of the law’s effective date, SB 819 requires school districts to provide an initial notification letter to parents of any student who was on an abbreviated school day program at the end of the 2022-23 school year or who had an abbreviated school day for 30 or more days during that school year. The notice required under this section must be in a language and format accessible to the parent or foster parent.

SB 819 requires that the notification letter:

* Be provided in a parent-friendly and accessible format.
* Inform parents of their new rights under SB 819.
* Provide the contact information for individuals to whom parents can send written revocations of consent or objections to an abbreviated school day program.
* Explain that students must be provided meaningful access to instruction within 5 days if a parent revokes consent.
* Inform parents that students must receive full instructional hours beginning on the first day of the 2023-24 school year if revocation notice is provided at least 14 days in advance.

A sample notification letter is attached to assist you in meeting this new requirement. Districts are not required to use the sample form, and ODE encourages districts to consult with legal counsel to ensure that any district-developed forms meet the requirements of SB 819.

Please contact us with any questions at ode.sb819questions@ode.oregon.gov. We want to support you in complying with this new law and ensuring all students receive meaningful access to instruction.

[School District Letterhead]

Dear Parents and Foster Parents,

We’re writing to let you know about a new law, Senate Bill 819, that affects students with disabilities. This law significantly changes how schools may use “abbreviated school day programs,” which means a program where your child attends school for fewer hours of school than other students. You are receiving this letter because your child ended the 2022-23 school year on an abbreviated school day program placement or was placed on an abbreviated school day program for 30 or more school days in the 2022-23 school year.

Here’s what you need to know:

* **What SB 819 means for you and your student:** This law changes how individualized education program (IEP) teams decide if your child should be on an abbreviated school day program placement. We’ll provide more details about these changes when we meet next to discuss this placement.
* **Your rights:** You have the right to provide consent or in other words say yes or no to your child being on an abbreviated school day program. You can also change your mind at any time. If you want to do this, you just need to let us know in writing. If you revoke consent, we must provide your child with meaningful access to the same number of hours of instruction and educational services as other students within five school days.
* **What happens if you do not give consent or revoke consent for your student to be placed on an abbreviated school day program:** If you decide you do not want your child on the abbreviated school day program, we will make sure your child gets the same number of hours of instruction as other students in their grade in their resident school district. This will happen within 5 school days of us getting your letter.
* **Getting ready for the next school year:** If you tell us at least 14 days before the next school year starts that you do not want your child in the abbreviated school day program, your child will start the school year with full hours of instruction.
* **Regular IEP Meetings:** Your child’s IEP team shall meet not fewer than 25 calendar days and not more than 35 calendar days after the first day of the student’s placement on an abbreviated school day program to review the placement. After this first review meeting, the IEP team shall meet at least every 30 calendar days, unless you provide written consent for an alternate schedule.
* **Notice and disclosure requirements:** Before each IEP meeting, we must inform you in writing of the following items:
	+ The school district’s duty to comply with the requirements of sections 1 to 6 of this 2023 Act;
	+ The prohibition against a school district unilaterally placing a student with a disability on an abbreviated school day program;
	+ The student’s right to have meaningful access to the same number of hours of instruction and educational services as the majority of other students who are in the same grade within the student’s resident school district; and
	+ The parent’s or foster parent’s right, at any time, to withdraw consent for an abbreviated school day program placement or to request a meeting of the student’s individualized education program team to discuss whether the student should no longer be placed on an abbreviated school day program.

The full text of Senate Bill 819 is available here: <https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/SB819>.

If you decide to revoke consent meaning you want your student to return to a full school day, please send your letter to:

* [Insert School District Contact Information]

If you need more help or information, you can contact:

* **Oregon Department of Education (ODE)**, Oregon’s state educational agency, is located at 255 Capitol Street NE, Salem, OR 97310. ODE can be reached at ode.sb819questions@ode.oregon.gov or 503-947-5600. More information about ODE is available at <https://www.oregon.gov/ode>.
* **FACT Oregon**, Oregon’s Parent Information and Training Center for Families with Children with Disabilities, is located at 2475 SE Ladd Avenue, Portland, OR 97214. FACT Oregon can be reached at (503) 786-6082, (541) 695-5416, support@factoregon.org or apoyo@factoregon.org. More information about FACT Oregon is available at <https://factoregon.org/>.
* **Disability Rights Oregon (DRO)**, Oregon’s disability protection and advocacy agency, is located at 511 SW 10th Avenue, Suite 200, Portland, Oregon 97205. DRO can be reached at (503) 243-2081 or welcome@droregon.org. More information about Disability Rights Oregon is available at <https://www.droregon.org/>.

We know this is a lot of information, and we’re here to help. If you have any questions, please don’t hesitate to contact us.

Sincerely,

[Your Name]