



Abbreviated School Day Program Essentials:

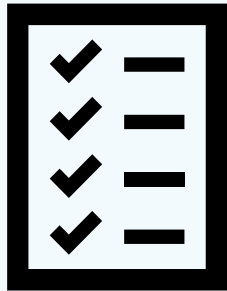
Part 2



Disclaimer

These materials constitute the Oregon Department of Education's interpretation of various state laws and are provided to support public education programs' understanding of their obligations under these laws. The information in these materials is subject to change based on future legal and policy changes. These materials are intended for informational purposes only and do not constitute legal advice.

Agenda



*Welcome back and
thanks for joining us
today!*

- 2025 Legislative Session Updates
- Review of ASDP Concepts and Requirements
- Exemptions and Exceptions
- Parent Choice and ASDPs
- ASDP Revocation or Refusal
- When and How to Hold ASDP Meetings
- ODE Data Application
- Question and Answer Session



Does ASDP Apply to My Charter School?

Charter Schools & ASDPs

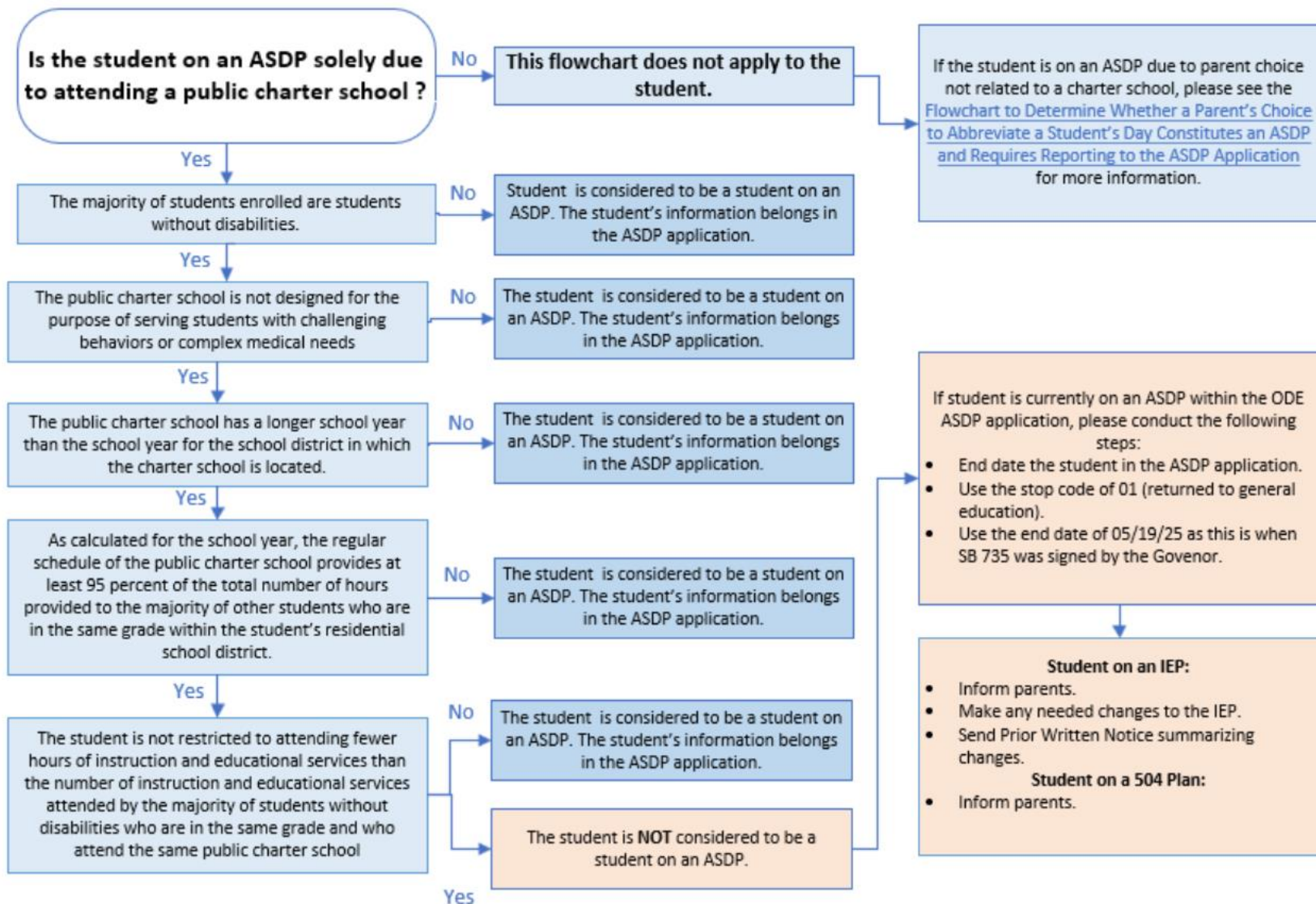
- Charter schools are subject to all Abbreviated School Day Program rules and requirements unless they meet one of the two charter school specific exceptions or exemptions outlined in law or one of the exemptions based on individual student circumstances.
- **Exception:** Virtual Public Charter Schools operating under ORS 338.328 may include asynchronous instruction in their calculation of hours of instruction and educational services.
- **Exemption:** Under SB 735 (2025), charter schools who meet certain requirements are exempt from the requirements of Abbreviated School Day Programs.

NEW for 2025-26 School Year: ASDP and Charter Schools

In order for a charter school to be exempt from ASDP requirements, the school must meet **ALL** of the following criteria:

- (a) The majority of the students enrolled in the public charter school must **not be** students with disabilities;
- (b) The public charter school must **not be designed** for the purpose of serving students with challenging behaviors or complex medical needs;
- (c) The public charter school must have a **longer school year** than the school year for the school district in which the public charter school is located;
- (d) As calculated for the school year, the regular schedule of the public charter school must provide **at least 95 percent** of the total number of hours provided to the majority of other students who are in the same grade within the student's resident school district;
- (e) The student must **not be restricted to attending fewer hours** of instruction and educational services than the number of hours of instruction and educational services attended by the majority of students without disabilities who are in the same grade and who attend **the same public charter school**.

Flowchart to Determine Whether a Student Attending a Public Charter School Under ORS Chapter 338 Belongs in the Abbreviated School Day Program (ASDP) Application



Naeli



- Naeli is a fourth-grade student who qualifies for an IEP.
- Naeli currently attends Oregon Charter Elementary School.
- Naeli attends the entire school day at Oregon Charter, the same as all her peers in the school.
- Oregon Charter operates on a different weekly schedule than its sponsoring school district but does have a schedule that meets the 95% instructional time criteria.
- The charter school has a longer school year than the district in which the charter school resides by two days.
- The majority of the students enrolled in Oregon Charter are not students with disabilities.

Therefore, Oregon Charter **is** exempt from ASDP regulations.

Two New Laws: SB 742 and SB 745

SB 742 – Virtual ASDP Meetings Now Permitted Under Certain Conditions

Senate Bill 742 allows ASDP meetings to be held virtually only if one of the following is true:

- The parent or foster parent consents to a virtual or telephone meeting, or
- It is not reasonable to meet in person due to a declared public health emergency.

Districts must still offer a reasonable opportunity for in-person participation in the meeting where ASDP placement is discussed.

SB 745 – Reduced Meeting Frequency for Terminally Ill Students

Senate Bill 745 allows ASDP placement reviews to occur annually after the initial placement meeting, with parent consent, (rather than more frequently) for students who have a diagnosed illness or condition that is reasonably expected to result in death within 12 months, following the initial ASDP placement meeting.



Concepts and Requirements

Let's Review: Key Components of ASDP



- **ORS 343.321 – 343.331 Define:**
 - Who is a student with a disability?
 - What is an Abbreviated School Day Program?
 - Important considerations for Abbreviated School Day Program:
 - Defined by [ASDP Instruction and Education Services](#)

Meaningful Access

Access to full-time, quality instruction or educational services that is delivered by:

A qualified licensed teacher; or

Qualified classified staff who are under the direct supervision of a qualified licensed teacher; and

Synchronous, unless the instruction or educational services are provided by a virtual public charter school in compliance with ORS chapter 338 or it falls under specific exceptions related to asynchronous learning and ASDPs.

Application of Meaningful Access

Synchronous

Synchronous instruction and educational services mean **simultaneous** interactions between a qualified licensed teacher, or qualified staff under the direct supervision of a qualified licensed teacher, at the same time, either in person or using an interactive technology. This may include audio only, video only, or audio and video.

Key to the definition of synchronous is the **opportunity for interaction** between the staff and the student that occurs in or near real time, allowing for feedback and adjustments.

Asynchronous

Asynchronous instruction and educational services are flexible **non-simultaneous** approaches using audio, video, and learning platforms.

Key to the definition of asynchronous is that there is **limited or no opportunity for interaction** between the staff and the student that occurs in or near real time.



Exceptions & Exemptions

Reminder: Applicability to Schools and Programs

Schools and Programs Subject to Full Requirements

- Elementary Schools
- Middle Schools
- High Schools
- CTE Programs
- Schools/Programs Combining Traditional Instruction and Asynchronous Instruction
- Special Schools
- Homebound Placements
 - 18–21-Year-Old Transition Programs
- Charter Schools (subject to SB 735, 2025)*

Schools and Programs Subject to Partial Requirements

- Pediatric Nursing Facilities
- Virtual Charter Schools
- Fulfilled Graduation Requirements
- Expanded Options
 - Credit Recovery
- Accelerated College Credit
- Alternative School (High School only)

Students in the Same Comparison Group

- LTCT
- YCEP
- JDEP
- County Jails
- Hospital Programs
- Oregon School for the Deaf

Schools and Programs Excluded From Requirements

- Home School
- Private School
- Court Order
- Discipline (ORS 339.250 or 339.252)
- Exposure to Disease (ORS 433.235 to 433.284)
- Public Health Emergency (ORS 433.441 to 433.452)
- Charter Schools (within specific parameters of SB 735, 2025)*

Exemptions from Applicability of ASDPs

- A registered home school student (registered with local ESD)
- A parentally-placed private school student
- Under a court-ordered placement
- Excluded from school due to actions taken under a public health emergency
- Excluded from school due to disciplinary measures in compliance with **all** federal, state, and local requirements

Exemption Example - Discipline

Robert is a seventh-grade student at Main Street Middle School. He is a student with an IEP under the Specific Learning Disability category. He attended a full school day from the beginning of the 2024-25 school year through February 28, 2025.

Robert was excluded from school as a disciplinary consequence in accordance with ORS 339.250, 339.252, or 343.155 (5) on the following dates:

- March 3 – 5, 2025, March 13 – 14, 2025
- March 17, 2025
- April 9 - 11, 2025, April 28 – 30, 2025

Total days excluded from school = 12

On April 28, 2025, the district provided the parents with a prior written notice (PWN) regarding a discussion of a possible ASDP placement along with the meeting notice for a manifestation determination review (MDR).

With these facts in mind, Robert was not unilaterally placed on an ASDP as disciplinary measures that follow all policies and procedures are exempt from ASDP requirements.

Additional Exemptions SB 1558 (2024)

(1) Voluntarily not scheduled for a class during one or more class periods, if:

(a) the student is in 11th or 12th grade and is on track to graduate with a high school diploma or modified diploma within 4 years of starting grade 9,

OR

(b) the student is on track to graduate with a high school diploma or modified diploma by the end of the school year in which the student voluntarily does not schedule a class or more class periods.

Voluntary Schedule Example



Charley is a student with an IEP who has completed 11th grade at Main Street High School within 3 years of starting high school. Charley has signed up for four classes during the first semester and three classes during the second semester of their 12th grade year. They have already earned all but 7 credits required to graduate, however a full course load in their district is 8 credits per semester. Charley does not wish to graduate early and wants to remain in school with their peers.

Charley is exempt from the requirements of ASDP as they are on track to graduate with a high school diploma within 4 years of starting 9th grade. They can take less than a full course load without being subject to ASDP requirements so long as they remain on track to graduate.

Additional Exemption - Asynchronous Instruction

SB 1558 (2024)

When the asynchronous instruction meets all five of the criteria below, the student is exempt from ASDP requirements:

1. The instruction is for one class per term/semester.
2. The instruction satisfies a credit requirement for a high school or a modified diploma.
3. The instruction is a credit recovery class or is a class not otherwise available to the student.
4. The instruction is offered to students on a voluntary basis and is not restricted to only students with a disability.
5. The instruction is accessible to a student while the student is at school and while staff of the school are immediately available to the student.

Asynchronous Instruction Example



Monique is an 10th grade student at Main Street High School (MSHS). She has a Section 504 plan. She is interested in electrical engineering and would like to take an introductory class in the subject as an elective. Unfortunately, MSHS does not offer this course in person.

Monique's school counselor works with her to schedule this class as an online course to be taken while she is at school. The class will also be offered to any other student in the school who wants to take it. It will be held during sixth period in the school library so that Monique and all other students have access to a staff member who can assist them if needed.

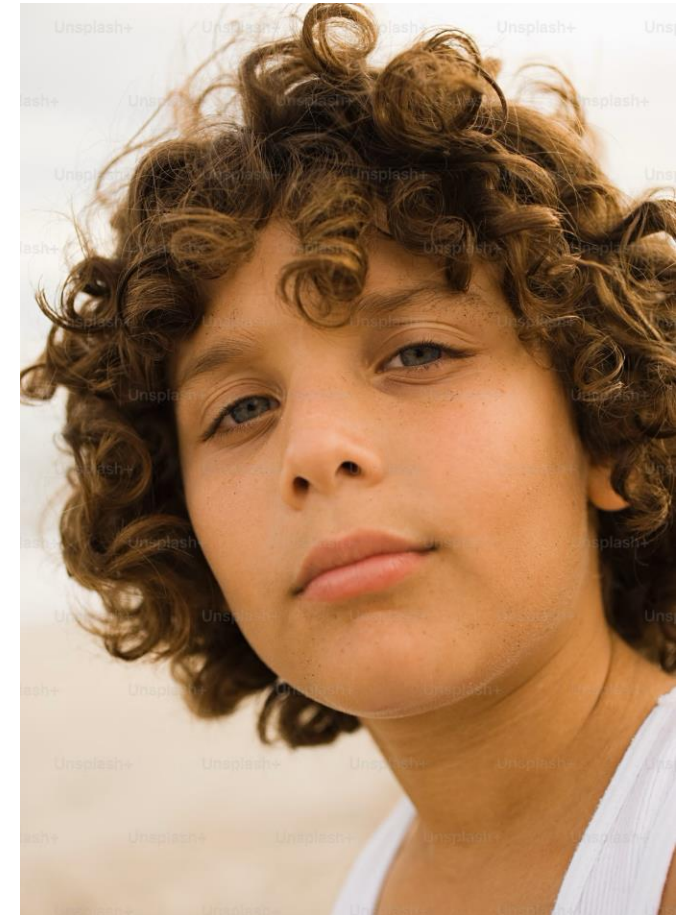
Exceptions to Comparison Group and Partial Requirements

- **LTCT, YCEP, JDEP, County Jails, Hospital Programs, Oregon School for the Deaf**
- **Expanded Options, Accelerated College Credit**
 - Voluntary Enrollment
 - Majority students not Students with Disabilities
 - Comparison: Same Grade/Same Program
- **Alternative School (High School Only)**
 - Voluntary Enrollment/Informed in Writing
 - Majority Students not Students with Disabilities
 - Comparison: Same Grade/Same Program
 - Immediate return upon request

Same Comparison Group Example

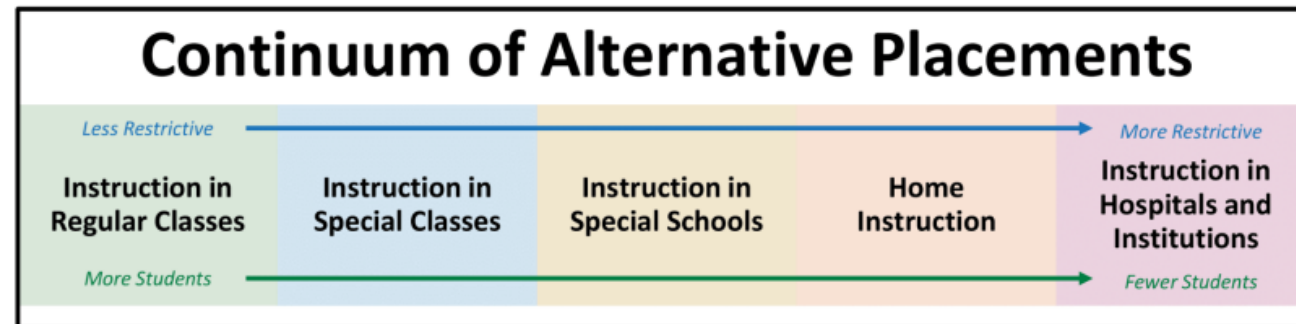
Johnny is a fifth-grade student with an IEP. He currently attends The Best Place, a Long-Term Care and Treatment (LTCT) facility in Beautiful, Oregon. The school day for all students, including Johnny, at The Best Place is Monday through Friday from 8:30 am to 2:00 pm. The school day in Johnny's resident school district, Amazing School District, is Monday through Friday 8:00 am to 3:00 pm.

Although Johnny does not attend school for the same number of hours as his peers in his resident school district, **he is exempt from the requirements of ASDP due to his attendance at the LTCT.** His comparison group is his same grade level peers who attend The Best Place, not students in his resident district.



ASDP and Home Instruction

- Home instruction is a placement on Oregon's continuum of placement options and is not synonymous with Home Schooling.



- All Abbreviated School Day Program requirements apply to home instruction placements.
- A student's right to a full school day under ASDP is not altered by the requirement to provide at least 5 hours per week of home instruction to claim ADM.

ASDP Home Instruction Example



Noah is an eight-year-old boy with an IEP who recently underwent surgery. His IEP team has convened to discuss how to best meet his needs while he recovers.

The team agrees that to meet Noah's unique needs, a special education teacher will provide in person instruction, in his home, for one hour daily during his recovery period. He will also be provided with asynchronous lessons for days he is feeling better.

As soon as the team proposes this schedule the facilitator shares this would be an ASDP placement and therefore certain protections apply. The facilitator provides the parent with the appropriate forms prior to continuing the discussion.

Parent Choice and ASDP



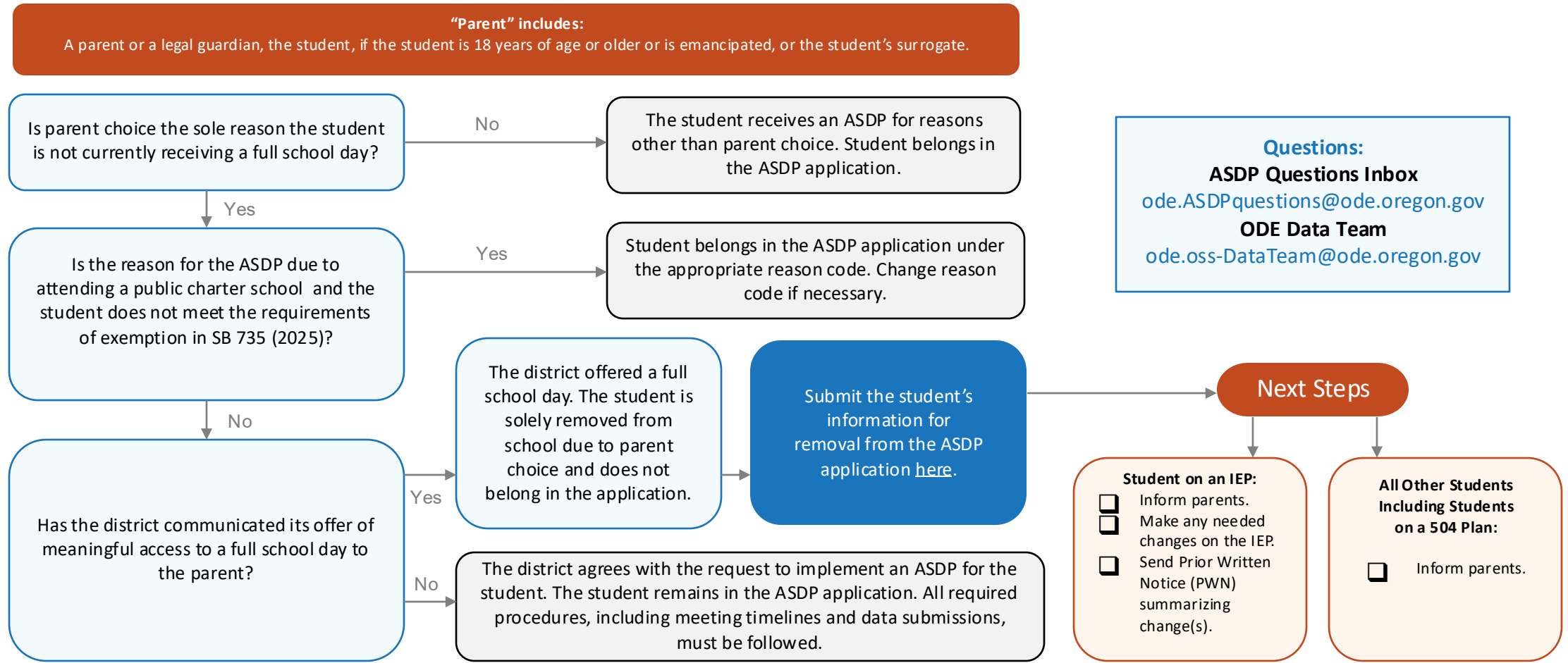
Parent Rights and ASDP Reminders

- Parents must give informed and written consent for an ASDP **before** a student is placed on an ASDP.
- Parents must be given **ample opportunity to participate** in meetings related to ASDPs.
- **Parents can:**
 - Request an ASDP
 - Refuse an ASDP
 - Revoke consent for an ASDP



Flowchart to Determine Whether a Parent's Choice to Abbreviate a Student's Day Constitutes an Abbreviated School Day Program (ASDP) and Requires Reporting to the ASDP Application

Use this tool to assess whether a parent-requested ASDP meets the criteria for reporting under ORS 343.328.



School District Attendance Policies and ASDP

What if a student has poor attendance or a parent removes a child repeatedly, are those examples of Abbreviated School Day Programs?

- Absences could impact the provision of FAPE for the student.
 - In most cases, the school district would want to review the student's absences and make appropriate determinations to ensure that FAPE can be provided.
- ASDPs are only appropriate when based on the student's individual needs and should not be based on the family's decision to attend appointments or activities outside of the school day.

Parent Choice Example



Lucinda is a middle school student with a Section 504 plan for anxiety and depression. Her mother has requested an ASDP placement for Lucinda so that she can attend equine therapy three times per week, which would result in her missing the last period of the school day on Monday, Wednesday, and Friday.



Question: How should the 504 team address this request?

Raise your hand so we can unmute you or put your thoughts in the chat.



ASDP Revocation or Refusal

Parent Rights and ASDP: *Refuse an ASDP*



Parents must give informed and written consent for an ASDP.



Consent can be given virtually as long as the parent has been offered the opportunity to meet with their child's team in person.



Parents have the right to refuse an ASDP for their child, and the team must then develop a plan for the student to attend the school for a full school day.

Parent Rights and ASDP: *Revoke Consent*

- Parents have the right to **revoke consent** or object **in writing** after giving consent to an abbreviated school day program.
- After a parent(s) revokes consent, the school district must ensure that, **within five school days**, the student has meaningful access to the same number of hours of instruction and educational services that are provided to the majority of other students in the same grade within the resident school district.
 - Unless a one time, 5 school day extension is agreed upon with the parent(s).

When and How to Hold ASDP Meetings



Exceptions: Groups with Non-Standard Meeting Schedules

Pediatric Nursing Facilities

Students on 504 Plans

Virtual Public Charter Schools

Terminally Ill Students

Conducting Compliant Meetings

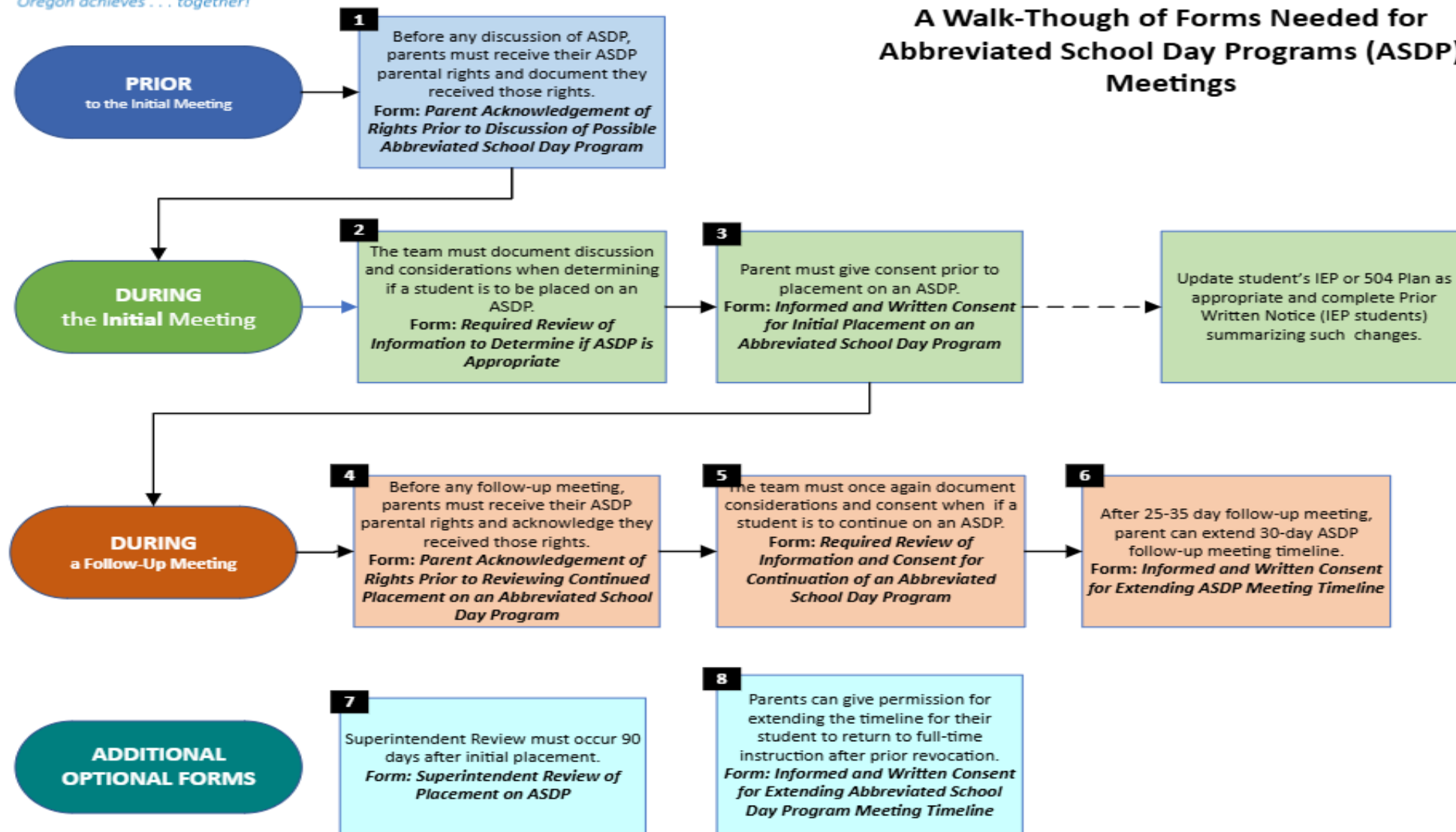
Three Meeting Types

- Initial Placement Meeting
- 25-to-35 Days Follow-Up Meeting
- Ongoing Follow-Up Meetings

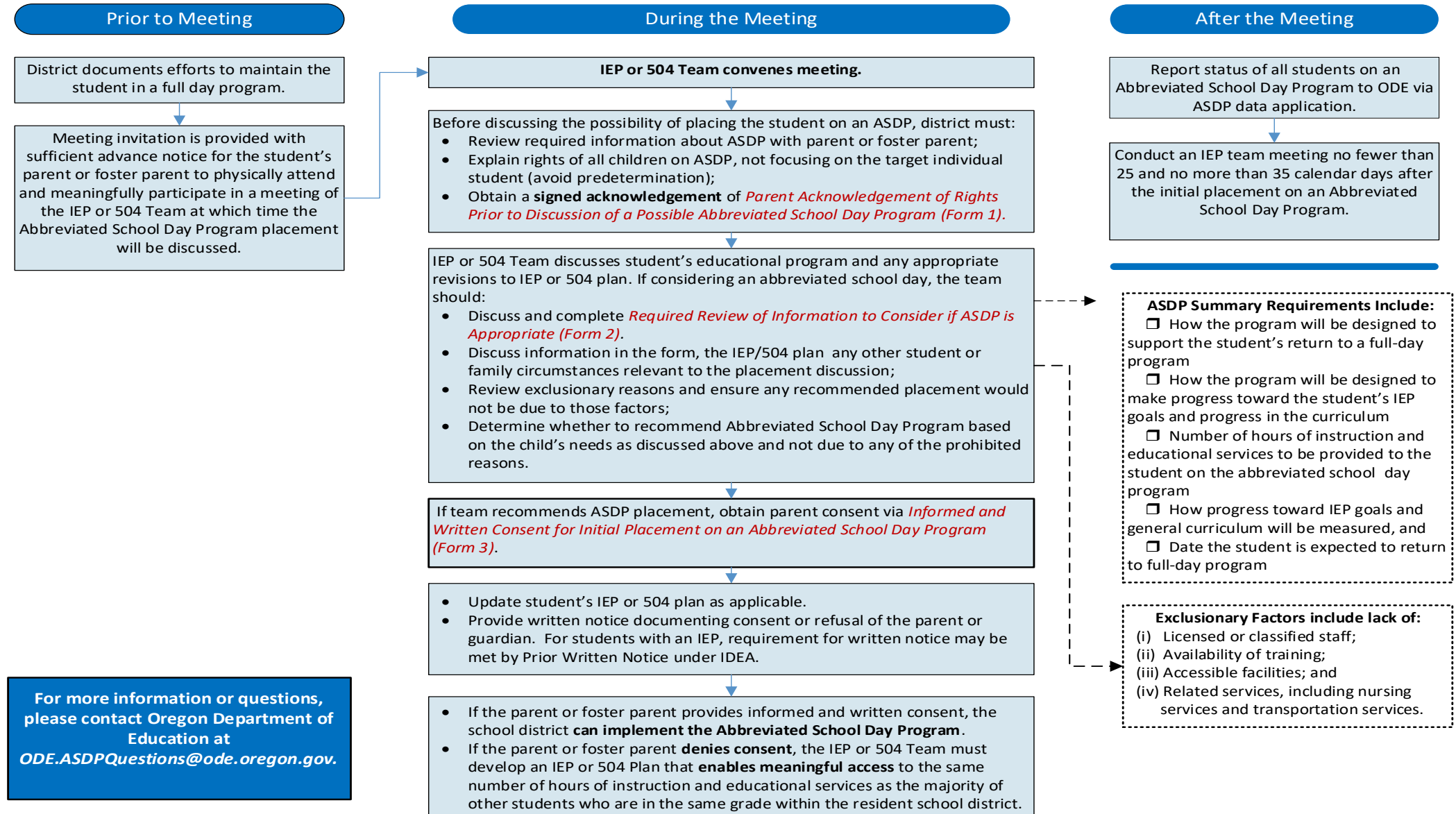


ODE has tools and resources to support teams with this process such as sample forms, train-the-trainer slide decks, etc.

A Walk-Through of Forms Needed for Abbreviated School Day Programs (ASDP) Meetings



At-a-Glance Suggested Meeting Procedures for Initial Meeting to Consider Placement on an Abbreviated School Day Program (ASDP)



Andrew's ASDP Timeline - Reminder

Andrew's mother requests an IEP team meeting to discuss concerns regarding his behavioral challenges.

September 15, 2025

The IEP team reconvenes to review the data collected as part of the FBA/BIP and adjusts interventions.

November 17, 2025

Informed and written consent is provided for an ASDP by Andrew's mother.

February 6, 2026

The IEP team holds the required 25–35-day follow-up meeting and reviews the updated results of the FBA/BIP.

March 2, 2026

October 1, 2025

IEP team meeting held to discuss concerns and review data with and consent for an FBA is provided.

January 26, 2026

Along with the FBA/BIP, the IEP team discusses the possibility of an ASDP for Andrew.

February 9, 2026

Andrew begins the abbreviated school day program schedule with an updated FBA/BIP based on the new schedule.

Initial Placement Meeting

Prior to the Meeting

- Before any discussion of ASDP, parents must receive their rights (Form #1).
- Parents must sign form stating they have received and understand their rights.
- Only then can the team continue discussion about possible placement on ASDP.

During the Meeting

- Must be a review of information to determine if initial placement on ASDP is appropriate (Form #2).
- The review must include at least one reasonable alternative placement that will provide meaningful access compared to the appropriate comparison group.

Initial Placement Meeting

During the Meeting (continued)

- Must also document conditions the district proposes for the ASDP.
- Must obtain informed and written consent for ASDP from the parent or foster parent (Form #3).
- Update student's IEP or 504 plan as appropriate.
- Complete Prior Written Notice (PWN) for students on IEP summarizing changes to the student's placement.

Set up Next Meeting

- Must be held 25 to 35 days after the initial meeting.

First Review Meeting

Held 25 to 35 Days After Initial Meeting

- Send written notice of student rights along with the meeting notice.
- Must again obtain signed acknowledgement of rights (Form #4), parent consent (Form #5) and document required elements for the ASDP program

Set up Next Meeting

- With parent consent determine the ASDP meeting cadence in alignment with ASDP requirements. If parents agree to meeting longer than every 30 days, obtain parent agreement (Form #6).

Subsequent Follow-Up Meetings

Held at a Cadence to Which Parents Consented

1. Before the meeting, send written notice of parent rights along with meeting notice.
2. Obtained signed acknowledgement.
3. Ensure parent participation.
4. Review placement including required elements.
5. Obtain parent consent.
6. Document required elements for the review meeting
7. Determine next ASDP meeting data according to agreed upon cadence.

What About Andrew?



What happens if the IEP team and his mother agree to continue with the ASDP placement at the first follow up meeting in April 2026?

- 1). The team should still determine if the number of minutes of instruction and educational services that he receives in school should be increased.
- 2). The meeting facilitator can ask the mother if she is willing to sign consent to extend the meeting cadence for the next follow up meeting to occur in 90 days rather than 30 days.
- 3). If the mother consents to this meeting cadence, the IEP team can meet in 90 days **UNLESS** the mother requests a meeting more frequently than that. If she does, the IEP team must meet within 14 calendar days of that request.

What about Returning Students?

- ASDP meetings are not required until the next scheduled date when a new school year begins. However, because it is a new school year with a new environment and other new circumstances, the district may want to hold meetings for some students **to reconsider placement** on an ASDP.
- The meeting cadence count continues from the last day of the previous school year.



ODE's Data Application

ASDP Data Collection Application: Highlights



- Every student on an ASDP is required to be reported to ODE's ASDP application.
- **Districts must upload the most recent consent document every time it is obtained.**
- Ensure there is a plan for internal collection of the data, monthly reporting, and monthly data verification.
- **Ensure staff have attended the data team training on ASDP.**
 - **Offered for 25-26 on September 16 & 18**

ASDP Data Collection: Identifying Appropriate Reason Codes

Code	Description
01 Social/Emotional/Behavioral Needs	Student exhibits behaviors that prevent them from attending full-day instruction.
02 Medical Needs	Student has medical issue that prevents them from attending full-day instruction.
06 Other	Student placed on abbreviated day for reason other than listed reason codes. Specifics listed in comment.
07 Adult Transition Needs	Student's transition plan does not include a full-day schedule.

ASDP Data Collection: Identifying Appropriate Reason Codes

Reason	Description
08 Charter School Schedule	Parent choice for child to attend charter school whose instructional minutes are less than sponsoring district.
09 Virtual Asynchronous Instruction	Parent choice for child to attend instructional model with more than one asynchronous class during the school day.
10 Special School or Program	Team decision for child to attend special school or program where meaningful access is less than the comparison group.
11 Virtual Public Charter School	Student attends Virtual Public Charter School registered under ORS Chapter 338 and does not meet SB 745 exemption.

Example of Reason Code 07: Adult Transition



- Anastasia attends an 18- to 21-year-old transition program in her school district after receiving a modified diploma and while working towards her standard diploma. She attends two classes in the morning focusing on developing her independent daily living skills and work readiness skills. In the afternoon she is working 2 hours three days per week with a job coach taking care of cats at Coffee Cats, a business that serves coffee and has a room to pet cats that are available for adoption from the Animal Rescue League.
- Because Anastasia's total instruction and education services are less than the majority of high school seniors in her district, **she is on an abbreviated school day program and must be reported to the data application.**

Example of Reason Code 10: Special School or Program



- Kevin has been placed by his IEP team at the ASPIRE program at his local ESD. The program focuses on developing positive social emotional skills in a highly structured environment.
- Kevin currently attends the ASPIRE program 300 minutes per day with plans to increase his instructional time in specified intervals over the next two months. Students at Kevin's grade level in Kevin's resident district attend school 420 minutes per day.
- Because Kevin is receiving fewer minutes of instruction and educational services than the majority of his peers in his resident district, **Kevin is on an abbreviated school day program and must be reported to the data application with reason code 10.**

One Final Reminder

Do not forget district child find responsibilities, especially for students not yet eligible or those eligible under Section 504.

Please review this resource for more information: [Q&A on Child Find Under Part B of the Individuals with Disabilities Education Act \(PDF\)](#).



Questions?



Please use this link or QR code to provide us feedback on this session.

ASDP Essentials Part 2



Oregon Department of Education

**Thank you for attending.
We are here to support you!**

For questions, comments, or concerns, please reach out to the ASDP technical assistance team at:

ODE.ASDPQuestions@ode.oregon.gov