

In general, abbreviated school day programs for adult students (aged 18-21 years) in secondary transition programs must meet the same requirements that SB 819 (2023) establishes for all students with disabilities. However, there are some unique requirements related to students in these programs that are important for school districts to note.

Key SB 819 Requirements for Secondary Transition Programs (Ages 18-21):

- The IEP team must document how the student's abbreviated school day program will support their progress toward individualized learning goals and transition plan.
- Required transition services must continue to be provided during the student's abbreviated school day program placement.
- For adult students who are not expected to graduate on-time, and who have been on an abbreviated school day for at least 90 cumulative days, the superintendent must document:
 - The student's plan for credit recovery/services to ensure on-time graduation
 - The student's progress toward graduation
- If the student's rights have transferred upon their reaching the age of majority, the school district must inform the student directly of their right to a full school day.
- As an adult, the student can also grant or revoke consent for an abbreviated school day program.
- When the adult student, parent, or foster parent revokes consent, the school district must restore meaningful access to a full school day within 5 days.

However, there are previously existing authorities related to instructional time in secondary transition programs to which school districts and programs must also adhere. Secondary transition programs for 18-21 year-old students must follow both SB 819 and applicable OARs (OAR 581-022-2010(14)(f), OAR 581-022-2015(8)(f), and OAR 581-022-2020(7)(f)).

Taken together with SB 819, these OARs mean that secondary transition programs must ensure that:

- Students have access to instructional hours, transition service hours, and other service hours designed to meet their unique needs.
- Their total hours must equal at least what is available to the majority of other students who are in Grade 12 within the student's resident school district, or 966 hours, whichever is greater.
- In order for a student's transition services to count towards the length of their school day, the services being provided provide meaningful access to SB 819's definition of instruction or educational services.
- The IEP team determines the appropriate number of total hours, and documents it in the IEP based on the student's needs.
- School districts cannot unilaterally decrease total hours regardless of a student's age.
- School districts must inform parents/students if the student will not access the total hours available for all students and must receive informed and written consent before this occurs.
- School districts are allowed to enter into interagency agreements to provide transition services.

If you have specific questions about implementing SB 819 in your secondary transition program, please reach out to ODE.SB819Questions@ode.oregon.gov.