

SB 819 Abbreviated School Day Programs Meeting Expectations and Exceptions

Expectations for Meeting Timelines

A core feature of SB 819's requirements is the need for the student's team to reconvene frequently to consider whether the student continues to require an abbreviated school day program placement. There are three different types of meetings associated with abbreviated school day program placements that SB 819 requires IEP and 504 teams to have. School districts should be prepared for:

- Initial Meetings to Consider Placement on an Abbreviated School Day Program;
- 25-35 Calendar Day Follow-Up Meeting to Review Placement on an Abbreviated School Day Program; and
- 30 Calendar Day Follow-Up Meetings for Regular Review of Placement on an Abbreviated School Day Program.

For a student **with an IEP** placed on an abbreviated school day program, the IEP team must meet:

- Initial meeting to consider placement;
- Between 25-35 calendar days after initial placement;
- At least every 30 calendar days after the initial meeting, unless the parent consents to meet less frequently, **but no less than every 90 calendar days after the initial meeting, even with parent consent;** and
- Within 14 calendar days if the parent requests a meeting, only if the parent has provided consent to meet less frequently than every 30 days.

For a student **with a 504 plan** placed on an abbreviated school day program, the 504 team must meet:

- Initial meeting to consider placement;
- Between 25-35 calendar days after initial placement;
- At least every 30 calendar days after the initial meeting, unless the parent consents to meet less frequently, **but no less than annually after the initial meeting, even with parent consent;** and
- Within 14 calendar days if the parent requests a meeting, only if the parent has provided consent to meet less frequently than every 30 days.

For a student **who is not yet eligible under IDEA or Section 504 of the Rehabilitation Act, but for whom an evaluation to determine eligibility is pending**, and who is placed on an abbreviated school day program, the team must meet:

- Initial meeting to consider placement;
- Between 25-35 calendar days after initial placement;
- At least every 30 calendar days after the initial meeting, unless the parent consents to meet less frequently; and
- Within 14 calendar days if the parent requests a meeting, only if the parent has provided consent to meet less frequently than every 30 days.

Exceptions to Required Meeting Timelines

Following the 25-35 calendar day follow-up meeting to review a student's placement on an abbreviated school day program, with parent consent students in certain settings are only required to meet annually:

- A student who is enrolled in a virtual public charter school that operates in compliance with ORS chapter 338 and who has meaningful access to the same number of hours of instruction and educational services as the majority of other students who are not disabled students and who are in the same grade within the school.
- A student receiving educational services in a pediatric nursing facility as provided in ORS 343.941.