



Oregon  
Tina Kotek, Governor



OREGON  
DEPARTMENT OF  
EDUCATION

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**Colt Gill**

Director of the Department of Education

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**SB 819: Abbreviated School Day Program Requirements**  
**Senate Education Committee**  
**February 7, 2023**

Chair Dembrow, Vice-Chair Weber, and members of the committee, I am Colt Gill, Director for the Oregon Department of Education (ODE). Thank you for the opportunity to provide information on Senate Bill 819 regarding abbreviated school day program requirements. At this time, ODE has no position on this bill.

**Background**

Before we turn to analysis of this particular bill, ODE must first recognize the grounding truth that our system doesn't serve all its students equitably. The agency is fully committed to creating lasting systems change in partnership with the Legislature; we must make real progress for our students, particularly our students experiencing discrimination. By federal law, every student with a disability is entitled to a free appropriate public education (FAPE). Our ultimate goal as an agency is ensuring that every student who interacts with our educational system feels that not only have they received what they are legally entitled to, but they have truly received an inclusive and meaningful education – full of joy, understanding, exploration, and learning. The concept behind this bill moves Oregon closer to this goal.

**Opportunities**

This bill presents an opportunity for Oregon to consider the requirements related to abbreviated school day program placements in order to meet and document the rights of impacted students and clearly articulate processes that can ensure that all abbreviated school day program placements are carefully considered and utilized in conformity with all required Federal and State authorities.

**Additional Considerations**

ODE looks forward to continuing to work with the Legislature on the bill. It may be helpful to review the impacts of the definition of an abbreviated day on specific student groups.

ODE is also interested in working with the Legislature to review the bill's timeline for ensuring meaningful access to the same number of hours of instruction or educational services. We see an opportunity to work together on the bill's requirements related to planning for high school graduation for students served through abbreviated school day program placements.

ODE values parents as full partners in their children's education. Given this value, we believe additional collaboration will be beneficial regarding the roles of IEP team members, including parents and



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advocates, and the district's obligation to make an ultimate offer of FAPE in instances of non-consensus among IEP team members. The bill may also benefit from further work to clarify investigation pathways and requirements within the bill in order to ensure due process, accountability, and efficient resolution of concerns.

ODE would require additional resources to implement the investigations required by this bill in order for each eligible child to have an educational program that enables the provision of FAPE.

ODE looks forward to working with the Committee on this bill.

Respectfully submitted,

Colt Gill  
Director