



Office of Senator Sara Gelsler Blouin

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## **ICYMI: Legislature Enforces Civil Rights of Students with Disabilities, Promising Access to Full School Days**

**SALEM, Ore.** - In case you missed it, students with disabilities will have new tools to access their right to attend public school all day thanks to the final passage of bipartisan legislation on Saturday, June 24.

[Senate Bill 819](#) requires the Department of Education to enforce the law by prohibiting school districts from offering students with disabilities fewer hours of school than nondisabled students unless the parents provide consent. Denying a student access to a full school day without consent could lead to loss of state school funds or action against superintendents by the Teacher Standards and Practices Commission.

“Every child has a basic right to attend school. Unfortunately, that has not been a reality for far too many Oregon students with disabilities. That’s not just wrong, it’s a violation of federal law,” **said Senator Sara Gelsler Blouin (D - Corvallis)** who championed the measure. “We’re providing students and parents meaningful tools to access the public education to which they are entitled. More importantly, it enshrines in Oregon statute clear guidance to help districts ensure that the civil rights of all students are honored.”

Shortened school day placements are a significant problem in Oregon, with over 1000 students with disabilities languishing without access to full time access to school. Many of these students receive as few as four hours a week of school, sometimes for months or years at a time even though the school districts are reimbursed for educating these students on a full-time basis. Most of these students are in elementary school.

The problem led to a pending federal class action lawsuit against the state for an alleged failure to enforce federal laws that guarantee students with disabilities equal access to public school.

If signed into law, students currently on abbreviated school day programs will be enrolled in full time school days on the first day of the 2023-24 school year if their parents provide written

objection to shortened school days at least 14 days before the first day of school. Moving forward, new abbreviated day placements cannot be made without parental consent. If a parent revokes consent, full time access must be restored within five school days unless a later date is identified by the parent.

“I believe school districts want to do the right thing for kids. This measure will help them do that by providing explicit guidance to parents, students and school districts about compliance with federal law. It also provides a simple path to remedy for violations that eliminates the need for formal complaints, which are lengthy and expensive for families and school districts,” **said Gelsner Blouin**. “Most importantly, this bill makes it very clear that all students, regardless of type or severity of their disability, have a right to a full-time public education. ‘All’ really does mean all.”

The Legislature also made [significant investments](#) in special education infrastructure this session, including increased access to training, workplace protections and financial incentives.

Supporting Oregon’s students is a key component of [Senate Democrats’ 2023 Oregon Works agenda](#).

SB 819 is one of the hundreds of bills that Senate Democrats rescued by negotiating an end to the Senate Republican walkout. Thanks to Senate Democrats showing up, doing their jobs, and delivering results for the people of Oregon, this bill now heads to the Governor’s desk for consideration.

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