

Youth, Rights & Justice

ATTORNEYS AT LAW

SB 553 was created to dramatically reduce the rates of suspension and expulsion of Oregon students in grades K-5. It passed with strong bipartisan votes in the Oregon Senate and House and was signed into law by Governor Brown. This new law went into effect July 1, 2015.

Summary:

SB 553 amends Oregon's school discipline statutes in ORS 339.250 to do the following:

1. *Prohibit out-of-school suspension and expulsion* for students in Grade 5 and below except in instances when:

- A. The student causes serious physical harm to a student or school employee through non-accidental conduct.
- B. An administrator determines that the student's behavior poses a direct threat to the health or safety of students or school employees.
- C. When required by law. ORS 339.250(2)(d)

In the cases of A and B, the school is not required to exclude the student from school if the administrator determines that alternative forms of discipline are adequate and appropriate to deal with the behavior. When federal law requires an expulsion, the district superintendent retains discretion to "Modify the expulsion requirement for a student on a case-by-case basis." ORS 339.250(7)(c)(B)

2. *Require schools to take steps when elementary school students are suspended* so that the behaviors can be reduced or avoided in the future and so that the amount of time the student misses academic instruction is minimized. The bill does not prescribe specific strategies for accomplishing this requirement, but instead allows individual schools and districts to determine their own procedures to comply with this requirement. ORS 339.250(2)(e)

3. *Standardize the manner by which all schools count student suspension and expulsion days* regarding half and full school days, based upon the length of the day(s) during which the student is excluded. Exclusion that lasts more than half of the scheduled day is reported as a full day of suspension or expulsion. ORS 339.250(10)

Youth, Rights & Justice thanks the sponsors of SB 553: Senator Gelser (Chief); Senators Devlin, Roblan and Rosenbaum; and Representatives Keny-Guyer and Komp. Thank you to Senator Gelser and Representative Piluso for carrying the bill to final passage.

And we thank the many supporters of SB 553: Black Male Achievement Portland (City of Portland Office of Equity and Human Rights); Children First for Oregon; Northwest Health Foundation; Oregon Alliance for Education Equity (Representing Adelante Mujeres, ACLU Oregon, APANO, Chalkboard Project, Centro Cultural of Washington County, Coalition of Communities of Color, The Education Trust, NAACP Eugene-Springfield, Salem/Keizer Coalition for Equity, Portland Teachers Program, REAP, Salem-Keizer NAACP, and Stand for Children); Oregon Juvenile Department Directors Association; Oregon School Boards Association; and the Portland Parent Union.

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