

Senate Bill 756

Sponsored by Senator GELSER BLOUIN (at the request of Oregon School Employees Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires school district employees assigned to work with students with specialized needs to have access to specified records related to students and to be consulted when education plan for student is reviewed or revised.

Specifies compensation, scheduling and training requirements for school district employees assigned to work with students with specialized needs to implement education plan.

Directs Department of Education, Teacher Standards and Practices Commission and Educator Advancement Council to identify career pathway for school district employees assigned to work with students with specialized needs.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to school district employees who work with students with specialized needs; and prescrib-
3 ing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Sections 2 and 3 of this 2023 Act are added to and made a part of ORS**
6 **chapter 343.**

7 **SECTION 2. (1) As used in this section:**

8 (a) **"504 Plan" means an education plan developed for a student in accordance with sec-**
9 **tion 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794.**

10 (b) **"School district employee" includes all school district employees, including classified**
11 **and licensed employees regardless of job title or position description.**

12 (c) **"Students with specialized needs" includes students who have an individualized edu-**
13 **cation program or a 504 Plan or who otherwise have specialized educational needs.**

14 (2)(a) **All school district employees assigned to work with a student with specialized needs**
15 **to promote the legitimate educational interests of the student must:**

16 (A) **Have access provided by the school district to the parts of the student's education**
17 **records that include any documentation of the student's physical needs, behavioral support**
18 **needs, academic support needs, social support needs or similar documentation; and**

19 (B) **Be consulted when the education plan for the student is being reviewed or revised,**
20 **including being invited to, and compensated for attending, meetings regarding an individual-**
21 **ized education program or a 504 Plan.**

22 (b) **For the purpose of paragraph (a) of this subsection, a school district employee at-**
23 **tending a meeting may not substitute for the participation of a licensed regular education**
24 **teacher.**

25 (3) **All school district employees assigned to work with a student with specialized needs**
26 **to implement an individualized education program or a 504 Plan must be:**

27 (a) **Scheduled to start work no less than 15 minutes before starting contact with the**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 student.

2 (b) Provided by the school district with minimum training, as prescribed under section 3
3 of this 2023 Act.

4 (c) Paid at a rate that is at least five percent more than the rate for school district
5 employees performing similar work with students who are not students with specialized
6 needs.

7 **SECTION 3.** (1) As used in this section:

8 (a) “504 Plan” means an education plan developed for a student in accordance with sec-
9 tion 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794.

10 (b) “School district employee” includes all school district employees, including classified
11 and licensed employees regardless of job title or position description.

12 (c) “Students with specialized needs” includes students who have an individualized edu-
13 cation program or a 504 Plan or who otherwise have specialized educational needs.

14 (2) The Department of Education, Teacher Standards and Practices Commission and Ed-
15 ucator Advancement Council shall collaborate to identify:

16 (a) Minimum training requirements for school district employees who work with students
17 with specialized needs.

18 (b) A career pathway for school district employees working with students with specialized
19 needs. The pathway shall include multiple levels of training and education requirements and
20 shall be structured in a manner to recognize progression with higher pay and to discourage
21 new employees from being assigned to work with students who have the highest or most
22 specialized needs.

23 **SECTION 4.** The provisions of section 2 (2)(a)(B) and (4) of this 2023 Act related to com-
24 pensation requirements and scheduling requirements apply:

25 (1) For school district employees covered by a collective bargaining agreement, on and
26 after the date that a collective bargaining agreement is entered into or revised regarding the
27 school district employee.

28 (2) For school district employees not covered by a collective bargaining agreement, on
29 and after the effective date of this 2023 Act.

30 **SECTION 5.** This 2023 Act takes effect on the 91st day after the date on which the 2023
31 regular session of the Eighty-second Legislative Assembly adjourns sine die.

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