

Enrolled House Bill 3007

Sponsored by Representatives NERON, MCINTIRE; Representatives BOICE, HELM, LEVY B, WRIGHT, Senators GELSER BLOUIN, MEEK, PATTERSON, REYNOLDS (Presession filed.)

CHAPTER

AN ACT

Relating to accommodations for students diagnosed with a brain injury; creating new provisions; amending ORS 336.495; and declaring an emergency.

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

SECTION 1. ORS 336.495 is amended to read:

336.495. *[(1) The Department of Education shall develop a form for public education programs to use when a student has been diagnosed with a concussion or other brain injury.]*

[(2) The form required under this section must describe academic accommodations that a public education program may make for a student who has been diagnosed with a concussion or other brain injury. The accommodations must be optional for a public education program to provide and must be nonmedical.]

[(3)(a) The department must distribute the form developed under this section to public education programs.]

[(b) The department must make the form developed under this section available for use by educators and other program employees, students, parents and guardians.]

[(4)(a) A public education program must make the form developed under this section available as soon as practicable to an educator, a program employee, a student, a parent or a guardian when:]

[(A) The public education program receives notice that a student has been diagnosed with a concussion or other brain injury; or]

[(B) Requested by an educator, a program employee, a student, a parent or a guardian.]

[(b) Nothing in this subsection requires a public education program to provide any or all of the academic accommodations described on the form.]

[(5) The State Board of Education may adopt any rules necessary for the implementation of this section.]

(1) As used in this section:

(a) "Health care professional" means a person who is licensed or registered under the laws of this state as a physician, a chiropractic physician, a naturopathic physician, a psychologist, a physical therapist, an occupational therapist, a physician associate or a nurse practitioner.

(b) "Public education provider" means a school district, a public charter school or an education service district.

(2)(a) The Department of Education shall establish a procedure for public education providers to use to develop and implement an immediate and temporary accommodations plan for a student who has been diagnosed with a concussion or other brain injury by a health

care professional to ensure the safety and recovery of the student and to reduce the risk of reinjury or additional injury to the student.

(b) The department shall prepare a sample form, and include written instructions for the sample form, to assist public education providers in following the procedure to develop and implement an immediate and temporary accommodations plan.

(3) Upon receiving written notification from a parent or guardian that a student has been diagnosed with a concussion or other brain injury by a health care professional and that accommodations are being requested, a public education provider shall initiate the procedure to develop and implement an immediate and temporary accommodations plan.

(4) The procedure to develop and implement an immediate and temporary accommodations plan shall be used by a public education provider to:

(a) Determine if immediate physical activity limitations are necessary to ensure the safety and recovery of the student and to minimize the risk of reinjury or additional injury to the student, including activities such as physical education, recess, unstructured play and similar activities provided by or sponsored through the public education provider that involve running, jumping, climbing, throwing, catching or other movements that pose a risk of falls, collisions or physical injury. The public education provider shall implement any immediate physical activity limitations determined to be necessary.

(b) Describe present challenges and symptoms associated with the student's concussion or other brain injury.

(c) Identify and implement immediate and temporary academic, social-emotional, behavioral or other necessary accommodations determined to be appropriate for the student to support meaningful participation in educational activities at a level that is appropriate for the student's recovery.

(d) Communicate accommodations identified under paragraph (c) of this subsection with:

(A) All teachers who provide instruction to the student; and

(B) Other employees of the public education provider who have regular responsibilities for the student's supervision or health, including school nurses, counselors, physical education teachers, coaches, athletic trainers and staff supervising recess or other physical activities.

(e) Ensure that the accommodations identified under paragraph (c) of this subsection are:

(A) In effect no later than 10 school days after written notification has been received by the public education provider regarding the concussion or other brain injury; and

(B) Reviewed as needed, but no later than every two months, based on the student's recovery.

(5) The department shall make available to all public education providers the procedure and sample form developed under this section.

SECTION 2. The amendments to ORS 336.495 by section 1 of this 2025 Act first apply to the 2025-2026 school year.

SECTION 3. This 2025 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect on its passage.

Passed by House April 15, 2025

Repassed by House May 29, 2025

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Timothy G. Sekerak, Chief Clerk of House

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Julie Fahey, Speaker of House

Passed by Senate May 27, 2025

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Rob Wagner, President of Senate

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State