

SB 978-1
(LC 2108)
4/4/25 (HRS/ps)

Requested by Senator GELSER BLOUIN

**PROPOSED AMENDMENTS TO
SENATE BILL 978**

1 On page 1 of the printed bill, delete lines 5 through 29 and delete page
2 2.

3 On page 3, delete lines 1 through 4 and insert:

4 **“SECTION 1. (1) As used in this section:**

5 **“(a) ‘Abbreviated school day program’ has the meaning given that**
6 **term in ORS 343.321.**

7 **“(b) ‘Behavior intervention plan’ has the meaning given that term**
8 **in ORS 343.154.**

9 **“(c) ‘Individualized education program’ has the meaning given that**
10 **term in ORS 343.035.**

11 **“(d) ‘Related services’ has the meaning given that term in ORS**
12 **343.035.**

13 **“(e) ‘Special education’ has the meaning given that term in ORS**
14 **343.035.**

15 **“(2) Each school district shall prepare an annual report that sum-**
16 **marizes the legal expenditures of the school district and the legal**
17 **processes involved in by the school district, as described in subsections**
18 **(3) to (6) of this section.**

19 **“(3) The report required by this section must include the following**
20 **information related to special education and related services and ab-**
21 **breivated school day programs:**

1 “(a) The total amount spent on legal expenditures related to the
2 provision, planning and implementation of special education and re-
3 lated services or abbreviated school day programs including:

4 “(A) General legal guidance related to the provision, planning and
5 implementation of special education and related services or abbrevi-
6 ated school day programs;

7 “(B) Fees for private studies or learning groups that are related to
8 the provision, planning and implementation of special education and
9 related services or abbreviated school day programs and that are pro-
10 vided to administrators or other school district staff through a law
11 firm or by an attorney; and

12 “(C) Training, as provided by any means, that is related to the
13 provision, planning and implementation of special education and re-
14 lated services or abbreviated school day programs and that is pur-
15 chased through a law firm or from an attorney.

16 “(b) A disclosure about whether the school district incurred any
17 legal fees for:

18 “(A) Attendance at meetings for special education and related ser-
19 vices, including individualized education program meetings, behavior
20 intervention plan meetings, abbreviated school day program meetings,
21 disciplinary meetings or other meetings that are generally attended
22 by parents of students who receive special education and related ser-
23 vices; and

24 “(B) Legal services provided for mediations for complaints filed with
25 the Department of Education and for lawsuits filed in state or federal
26 court related to the provision, planning and implementation of special
27 education and related services or abbreviated school day program is-
28 sues.

29 “(4) For a school district with an average daily membership, as de-
30 fined in ORS 327.006, of 2,500 or more, the report required by this sec-

tion must include the following information:

“(a) The total amount spent on legal expenditures for attendance at meetings for special education and related services, including individualized education program meetings, behavior intervention plan meetings, abbreviated school day program meetings or other meetings that are generally attended by parents;

“(b) The total amount spent on legal services provided for mediations for complaints filed with the department or for lawsuits filed in state or federal court;

“(c) The total number of individualized education program meetings, behavior intervention plan meetings, abbreviated school day program meetings or other meetings that are generally attended by parents for which the school district paid for an attorney or representation of a law firm to participate;

“(d) The total amount spent on legal services related to contract negotiations, internal investigations, personnel actions and other labor relations, including:

“(A) General legal guidance;

“(B) Private studies or learning groups led through a law firm or by an attorney;

“(C) Training in negotiations or human resources purchased through a law firm or from an attorney;

“(D) Attendance by a representative of a law firm or by an attorney at disciplinary meetings or at appeals to disciplinary actions; and

“(E) Legal services provided for complaints filed by employees or volunteers and for lawsuits filed in state or federal court;

“(e) The total amount paid to students or families for settlements or judgments, disaggregated by payment for:

“(A) Whether the payment was for a settlement or a judgment;

“(B) Attorney fees and other costs; and

1 “(C) Controversies related to special education and related services
2 related to the provision, planning and implementation of special edu-
3 cation and related services or abbreviated school day program issues;

4 “(f) The total amount paid to employees or volunteers for settle-
5 ments or judgments, disaggregated by payment for:

6 “(A) Whether the payment was for a settlement or a judgment; and

7 “(B) Attorney fees and other costs; and

8 “(g) The total amount paid to a prevailing party not identified in
9 paragraph (e) or (f) of this subsection for settlements or judgments,
10 disaggregated by payment for:

11 “(A) Whether the payment was for a settlement or a judgment; and

12 “(B) Attorney fees and other costs.

13 “(5) The report required by this section must include the total
14 number of each of the following legal processes for the school district
15 for the school year:

16 “(a) Mediations related to special education and related services.

17 “(b) Formal complaints filed with the department related to special
18 education and related services, including due process claims.

19 “(c) Formal complaints filed with the department related to abbrev-
20 viated school day programs for the inappropriate use of restraint or
21 seclusion.

22 “(d) Lawsuits filed and lawsuits resolved in state or federal court
23 against the school district related to special education and related
24 services.

25 “(e) Lawsuits filed and lawsuits resolved in state or federal court
26 against the school district that were not related to special education
27 and related services.

28 “(f) Contested adverse employment actions.

29 “(6) The report required by this section must include the case
30 number and caption title of any action brought against the school

1 district that was active in any state or federal court during the school
2 year.

3 “(7) No later than October 15 of the year following the school year
4 for which the report is prepared, each school district must ensure that
5 the report is made available on the school district’s website and is
6 provided to:

7 “(a) The district school board; and

8 “(b) The department in the form and manner prescribed by the de-
9 partment.

10 “(8) No later than January 15 of the year following receipt of the
11 information described in subsection (7) of this section, the department
12 shall:

13 “(a) Compile the information received under subsection (7) of this
14 section and ORS 334.240 into a single report that allows for transpar-
15 ency and accountability;

16 “(b) Make available the report prepared under paragraph (a) of this
17 subsection on the department’s website; and

18 “(c) Provide a summary of the report prepared under paragraph (a)
19 of this subsection to the interim committees of the Legislative As-
20 sembly related to education and to the education subcommittee of the
21 Joint Interim Committee on Ways and Means.”.