

TO: Senate Committee on Education
FROM: Joel Greenberg - Staff Attorney, Disability Rights Oregon
DATE: February 12, 2026
RE: Oppose SB 1572 (2026)

Chair Frederick, Vice Chair Webber and Members of the Committee,

As the federally designated Protection and Advocacy agency for the state of Oregon, Disability Rights Oregon protects the legal rights of people with disabilities in our state.

As part of that work, DRO strongly opposes this measure as a short-sighted quick and entirely ineffective fix to many systemic problems. Our opposition is based on the fact many of the measure's provisions will directly violate the rights of children with disabilities to attend school with their non-disabled classmates if it becomes law.

DRO's experience over decades of effort to ensure that children with disabilities are not shut out of education and the related right to participation in the life of our country suggests that SB 1752 may be a sincere attempt to address the well-known and long-voiced frustrations of teachers who are frequently asked to do more with less. Many of them are faced with classrooms that are not adequately supported by the skilled behavioral experts, psychologists, speech pathologists, and occupational therapists. They are expected to prepare lessons and attend meetings while helping their students achieve the skills needed for citizenship including proficient literacy and academic skills in a state that provides one of the shortest school years in the country. The teachers and district administrators who face the very real difficulty of shrinking budgets and inflexible burdens is one that is well known to this committee and the argument about how to fix those problems is not one that will end regardless of whether this measure moves forward or not. Indeed, reasonable people may disagree about how to solve a raft of problems, including student behavior, that are the result of many issues which impact every classroom in Oregon.

However, reasonable people cannot disagree that the people least able to pay the price for ensuring that children with disabilities receive a useful education which maximizes their ability to be part of our world should be those very children, children whose predecessors were once consigned to basements, attics, and institutions as ineducable problems to be hidden from view.

Regardless of the reasoning that led to the introduction of SB 1752, its core concept flies directly in the face of the ADA and IDEA, two federal statutes that were passed by Congress to bring people with disabilities out of the shadows. For that reason, it should be rejected for both moral and practical reasons.

History has demonstrated repeatedly that bad things happen when a group of people are empowered to relieve their own frustrations and difficulties by excluding a more disadvantaged group from public life by being given the power to control who gets to be in the classroom, the university, the lunch counter, or the voting booth. The idea that a justifiably frustrated teacher should be freed from the important and necessary requirements of the above-noted federal statutes to reduce budget and staffing issues that have been building for decades is as short sighted as it is morally offensive. It places the cost of those addressing systemic difficulties on the shoulders of children who need more help than their classmates to become well educated productive adults. DRO's long experience with many children with disabilities and their parents tells us that a typical child who would pay the price for SB 1752 if it becomes law is a 6-year old boy of normal intelligence who needs high quality specially designed instruction and robust social skills training to overcome difficulties related to autism or a developmental disability. Without that help, his inability to sit still for more than 10 minutes or make and maintain a friendship may become a permanent factor for the rest of his life. The cost of ignoring those difficulties to that child will be enormous for him and for the society and schools that would isolate him until and if he can "behave normally."

SB 1752 is equally objectionable on a practical level because its provisions related to student exclusion from the classroom directly contradict the requirements and protections of major federal statutes that have set the boundaries of education for decades. For that reason, its passage would certainly result in multiple costly lawsuits from many quarters.

In conclusion, DRO strongly objects to SB 1752 on moral, legal, and practical grounds. We urge the committee to reject any further action or study of SB 1752.