

House Bill 3007

Sponsored by Representative NERON; Senators PATTERSON, REYNOLDS (Presession filed.)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Requires schools to use a form when a student has a brain injury. (Flesch Readability Score: 83.0).

Prescribes the requirements of a form to be used when a public education provider receives notification that a student has been diagnosed with a concussion or other brain injury.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to accommodations for students diagnosed with a brain injury; creating new provisions;
3 amending ORS 336.495; and declaring an emergency.

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

5 **SECTION 1.** ORS 336.495 is amended to read:

6 336.495. (1) **As used in this section, "public education provider" means a school district,**
7 **a public charter school or an education service district.**

8 [(1)] (2) The Department of Education shall develop a form for public education [*programs*]
9 **providers** to use when a student has been diagnosed with a concussion or other brain injury **to**
10 **assist the public education provider in developing an immediate and temporary accommo-**
11 **dations plan for the student.**

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

16 (3) **The form developed under this section must enable a public education provider to:**

17 (a) **Determine if immediate physical activity limitations or prohibitions are necessary to**
18 **ensure the safety of the student and to minimize the risk of reinjury, including physical ac-**
19 **tivity limitations or prohibitions related to physical education, recess, active play, inter-**
20 **scholastic sports and similar activities provided by or sponsored through the public education**
21 **provider. Any limitations or prohibitions imposed under this paragraph may be removed only**
22 **when the student receives a medical release from a qualified health care professional, as**
23 **defined in ORS 336.485.**

24 (b) **Describe for educators and other employees, students, parents and guardians the**
25 **challenges associated with a concussion or other brain injury and the signs and symptoms**
26 **of concussions and other brain injuries.**

27 (c) **Identify and implement immediate and temporary academic, social-emotional, behav-**
28 **ioral or other accommodations determined to be appropriate for the student.**

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

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

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

5 (4)(a) Any accommodations identified in the form must:

6 (A) Be in effect no later than five school days after notification has been received by the
7 public education provider regarding the concussion or other brain injury; and

8 (B) Be reviewed no more than two months after the date that accommodations are
9 identified.

10 (b) If a student requires accommodations for six months or more, the public education
11 provider must refer the student for evaluation for special education and related services or
12 for reasonable accommodations under section 504 of the Rehabilitation Act of 1973, 29 U.S.C.
13 794.

14 [(3)(a)] (5)(a) The department must distribute the form developed under this section to public
15 education [programs] providers and must provide technical assistance to public education
16 providers relating to the use of the form.

17 (b) The department must make the form developed under this section available for use by edu-
18 cators and other [program] employees, students, parents and guardians and must provide technical
19 assistance to educators and other employees, students, parents and guardians relating to the
20 use of the form.

21 [(4)(a)] (6) A public education [program] provider must make the form developed under this
22 section available as soon as practicable to an educator, [a program] an employee, a student, a parent
23 or a guardian when:

24 [(A)] (a) The public education [program] provider receives notice that a student has been diag-
25 nosed with a concussion or other brain injury[; or]. The notice provided under this section may
26 be by any written communication.

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

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

30 [(5)] (7) The State Board of Education may adopt any rules necessary for the implementation
31 of this section to ensure alignment to the greatest extent practicable with the requirements
32 of ORS 336.485.

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

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