



OREGON
DEPARTMENT OF
EDUCATION

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**DIVISION 37
EDUCATIONAL ASSISTANTS**

This division applies to all educational assistants including those who work in general education, special education, Title I, Part A of the federal Elementary and Secondary Education Act, and Early Childhood/Early Childhood Special Education programs.

[581-037-0005](#)

Definitions

The definitions below apply to OAR 581-037-0005 to 581-037-0025:

- (1) "Educational assistant" means an educational assistant as defined in [ORS 342.120](#). The terms "paraprofessional" and "instructional aide" have the same meaning as "educational assistant".
- (2) "Early Childhood Specialist" means a person as defined in OAR 581-015-2905"
- (3) "Early Childhood Supervisor" means a person as defined in OAR 581-015-2910
- (4) "Related service provider" means a person registered, certified or licensed by the State of Oregon as qualified to provide a particular related service, as defined in ORS 343.035, that requires State registration, certification or licensing.
- (5) "Title I, Part A (I-A)" means a supplemental federally funded program under the Elementary and Secondary Education Act.
- (6) "Title I-A educational assistant" means an educational assistant employed or contracted in:
 - (a) A Title I-A targeted assisted school and is paid in whole or in part with Title I, Part A funds;
or
 - (b) A Title I-A school-wide program school; or
 - (c) A school district expending Title I, Part A funds to provide instructional support to a public school teacher who provides equitable services to eligible private school children.
- (7) "Teacher" means a teacher as defined in ORS 342.120.

Stat. Auth.: [ORS 326.051](#)

Stats. Implemented: ORS 326.051, 342.120, 343.041

Hist.: 1EB 118, f. 11-28-67, ef. 12-25-67; 1EB 131, f. 5-12-72, ef. 6-1-72; 1EB 227, f. & ef. 6-4-76; 1EB 15-1980, f. & ef. 6-9-80; EB 7-1990, f. & cert. ef. 1-26-90

581-037-0006

Qualifications of Educational Assistants

(1) All educational assistants or others employed or contracted in that capacity must:

- (a) Have a high school diploma or the equivalent;
- (b) Be at least 18 years of age; and
- (c) Have standards of moral character as required of teachers (OAR584-005-0005).

(2) In addition to the qualifications listed in section (1) of this rule, educational assistants providing translation services must have demonstrated proficiency and fluency, knowledge of and the ability to provide accurate translations from a language other than English into English and from English into a language other than English.

(3) In addition to the qualifications listed in section (1) of this rule, Title I-A educational assistants must have:

- (a) Completed two years of study at an institution of higher education; **or**
- (b) Obtained an Associate's (or higher) degree; **or**
- (c) Met a rigorous standard of quality and demonstrate through a formal state, or local academic assessment or para-educator certificate program, knowledge of and the ability to assist in instructing:
 - (A) Reading, writing, and mathematics; **or**
 - (B) Reading readiness, writing readiness, and mathematics readiness, as appropriate.

Stat. Auth: [ORS 326.051](#)

Stats. Implemented: ORS 326.051

Hist.: 1EB 227, f. & ef. 6-4-76; 1EB 20-1980(Temp), f. & ef. 7-15-80; 1EB 5-1981, f. & ef. 2- 12-81; EB 7-1990, f. & cert. ef. 1-26-90

581-037-0015

Assignment and Direction and Supervision of Educational Assistants

(1) The educational assistant shall assist a teacher or Early Childhood Specialist or Supervisor or related service provider only in a supportive capacity. The role of the educational assistant is adaptable to many support tasks, and nothing in these rules should be interpreted as limiting assistants only to the performance of classroom duties. Educational assistant tasks may include but are not limited to:

- (a) Instructional support -- Tasks performed by assistants to supplement students' basic instruction by offering students opportunities to practice and apply what they have learned, including social skills, life skills, and transition skills;
- (b) Clerical support -- Tasks such as preparing materials, duplicating and operating audiovisual equipment, which are primarily concerned with the physical arrangement of the learning environment; and
- (c) Student control -- Duties such as supervision of students in school buildings, buses, and grounds including but not limited to lunch rooms, and playground areas, assisting with fire drills, monitoring students in hallways, etc.
- (d) Personal care;
- (e) Translation or Parent/Family Involvement activities; and
- (f) Media center or computer laboratory support.

(2) Any educational assistant assigned to instruction-related activities shall work under the supervision of an appropriately licensed teacher (or administrator, Early Childhood Specialist or Supervisor; or related service provider). Supervision means:(a) The assigned teacher (or administrator, Early Childhood Specialist or Supervisor; or related service provider) plans the instructional activities that the educational assistant carries out;

(b) The assigned teacher (or administrator, Early Childhood Specialist or Supervisor; or related service provider) evaluates the achievement of the students with whom the educational assistant is working; and

(c) The assigned teacher (or administrator, Early Childhood Specialist or Supervisor; or related service provider) provides a supervision plan that includes regular monitoring of the educational assistant's effectiveness and access to assistance and consultation.

(3) In addition to the supervision requirements under section (2) of this rule, Title I educational assistants must work in close and frequent proximity to the appropriately licensed teacher identified as "highly qualified" as defined by the federal Elementary and Secondary Education Act.

(4) A plan of supervision for the educational assistant shall provide for:

(a) Access to assistance and consultation; and

(b) Regular monitoring of the educational assistant's performance to determine effectiveness of the assigned tasks and the effect on students and their families

Stat. Auth.: [ORS 326.051](#)

Stats. Implemented: ORS 326.051

Hist.: 1EB 131, f. 5-19-72, ef. 6-1-72; 1EB 15-1980, f. & ef. 6-9-80; EB 7-1990, f. & cert. ef. 1-26-90

581-037-0025

Training of Educational Assistants

Districts employing educational assistants in any capacity shall provide or arrange for suitable training to prepare them to perform such functions as they may be assigned.

Stat. Auth.: ORS 326.051

Stats. Implemented: ORS 326.051

Hist.: 1EB 131, f. 5-19-72, ef. 6-1-72; EB 7-1990, f. & cert. ef. 1-26-90