



# 2024-2025 Special Education Staff Stipends Frequently Asked Questions and Answers

Please visit the [2024-25 SPED Staff Stipends Grant Webpage](#) for more information, including Grant Guidance. Please send additional questions to [ode.spedstipends@ode.oregon.gov](mailto:ode.spedstipends@ode.oregon.gov).

*Answers to additional questions will be added to this document as they are received.*

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## Applying for and Receiving Funds

**Q: Can eligible entities (i.e. school or education service districts) opt out of receiving funds?**

**A:** The Legislature has the expectation that these funds will reach every qualifying staff member. ODE has developed a process to make it as easy as possible for districts to access and distribute these funds. However, there is no legislative requirement that districts engage in this process. ODE is not able to pay individuals whose districts choose not to participate.

**Q: Who submits the application, claims funds, and is responsible for reporting for staff employed at charter schools (including virtual) or other programs that have contractual relationships with districts (e.g. Early Intervention/Early Childhood Special Education)?**

**A:** The entity that is the employer of the staff should count the staff and will receive funds for the stipend. If a charter school or program uses a district as their fiscal agent for ODE, they will need to work with their fiscal agent to access funds.

**Q: What happens if districts miss the deadline or fail to apply but want to?**

**A:** Per [OAR 581-017-1000](#), applications will not be accepted after the deadline on 5PM January 13, 2025.

**Q: Does our district need to enter into a collective bargaining process with local unions regarding the use of these funds?**

**A:** The language of Section 209 of SB 5701 (2024) says that funds are to be used for “stipends to licensed educators and classified school employees working in special education during the 2024-2025 school year.” ODE recommends that you consult with your legal counsel.

**Q: Will the stipends be paid from the general fund, area 320, increasing Maintenance of Effort or should they be run through a special revenue fund and exclude area 320? Should the expenses be recorded through the general fund, area 320, to be reflected as part of maintenance of effort (MOE)?**

**A:** These funds are restricted Special Revenues from the state. This one-time funding should not be included in ongoing Maintenance of Effort (MOE), and should not be reported under AofR320.

Additionally, these are earmarked resources, non-discretionary, so they will be received and paid from Special Revenues at the district, not General Fund.

## **Use of Funds**

**Q: Our district is already providing stipends to special education staff with other funding. Can we use these funds to offset those stipends?**

**A:** The intent of this legislation is for state-sponsored stipends to be issued to special education staff. These stipend funds are to supplement and not supplant any other funding sources, so they may not be used in place of nor to reimburse the district for other, local payments made to staff by the district.

**Q: Are stipends prorated for part-time staff?**

**A:** No, stipends may not be prorated for part-time staff. Per [OAR 581-017-1000](#), all stipends issued to staff must be in the amount published by ODE.

**Q: Can funds be used to cover associated payroll taxes?**

**A:** No, funds cannot be used to cover payroll taxes. Per [OAR 581-017-1000](#), all funds received by a district must be distributed as stipends to qualifying staff in the per-person amount identified by ODE.

**Q: Can districts pay for indirect or other administrative costs with these funds?**

**A:** No, these funds cannot be used for indirect or other administrative costs. Per [OAR 581-017-1000](#), all funds received by a district must be distributed as stipends to qualifying staff in the per-person amount identified by ODE.

**Q: Are stipends considered taxable income?**

**A:** Yes, stipends received by individuals under this grant are considered taxable income.

## Qualifying Staff Definition

**Q: How do we understand what is meant by “75 percent or more of the educator or employee’s student caseload” for staff who do not work based on an assigned caseload?**

**A:** The language comes from Section 5 of Senate Bill 283, and the legislative intent is to identify those staff who provide “significant special education support” within a school system. ODE understands that many staff work in classrooms or other school settings where they are not assigned a specific student caseload, but where they spend a significant portion of their time working with students who have an IEP. Therefore, this requirement can be understood as applying to staff who spend at least 75% of their work time **supporting students with IEPs/IFSPs**, whether that is based on their work time in a classroom or school assignment, performing job duties, or any combination of activities. The following examples could all qualify for the stipend under this law:

- District Special Education director or administrator
- Instructional assistant or paraeducator serving in a special education classroom
- Special education teacher employed by an ESD that travels to multiple school sites to serve students with IEPs
- Instructional assistant, paraeducator, or special education teacher serving students with IEPs in inclusive classrooms
- Substitute teacher that teaches special education
- EI/ECSE teacher providing early intervention services in a school district
- School Psychologist, Occupational Therapist, Speech Language Pathologists, etc. primarily serving students with IEPs
- Bus driver for special education students
- Nutritional services staff serving a special education program

**Q: Do staff who work in a school or program that is in an inclusive environment (where the majority of the students in a classroom may not have an IEP, but the student or students they are primarily supporting and working with do have an IEP) qualify?**

**A:** Yes, if 75% or more of their day is working with students with IEPs in a classroom with a majority of students who don’t have IEPs, the staff does qualify for the stipend.

**Q: Do ELL staff and nurses qualify for the stipend?**

**A:** These staff may qualify if they meet the qualifications described, namely if they work in a role through which 75% or more of their student caseload or time is spent serving students with IEPs.

**Q: Do part-time staff qualify for the stipend?**

**A:** Yes, part-time staff qualify for the stipend. There is no minimum FTE requirement for qualifying staff.

**Q: Are early learning and care educators and providers (serving children birth to age 5) eligible?**

A: Yes, staff who are employed at an eligible entity, who serve students with an Individualized Family Service Plan (IFSP), may be eligible so long as they meet the qualifications.

**Q: Are staff who serve in Long Term Care and Treatment programs or Regional Inclusive Services programs eligible?**

A: Yes, so long as the program is administered by an eligible entity and the staff meet the qualifications.

**Q: Are only staff that are assigned area 320 and within the range of standard SPED related functions eligible (as long as they also meet the >75% of caseload on an IEP)?**

A: No, any staff member meeting the qualifications described may receive a stipend.