

Legislative Education Day

March 5-6, 2017 • State Capitol • Salem, Oregon



Workplace Violence/Work Shouldn't Hurt

Overview: Nobody ever wanted to talk about it. For years, the Oregon School Employees Association (OSEA) would hear special education (SPED) assistants confide in low tones how they were getting injured by students every day. These injuries ranged from minor cuts and bruises to severe and life-changing physical and psychological damage. Most went unreported, and, if they were reported, it was rare anything was done to make the worksite (classroom) safer.

Classified employees are no longer remaining silent as OSEA is gathering data and pushing for laws and regulations to ensure that work doesn't hurt.

OSEA supports Senate Bill (SB) 363

Relating clause: Directs Oregon Department of Education (ODE) to conduct study on methods for improving safety of work environments for staff involved in SPED and related services; requires department to report results of study to interim committee of the legislative assembly related to education.

This bill would:

- Require ODE to conduct a study on methods for improving the safety of work environments for staff involved in SPED and related services
- Examine appropriate staff levels for SPED and related services
- Examine types of safety training required for staff involved in SPED and related services
- Require ODE to report the results of the study to an interim committee of the legislative assembly related to education by Sept. 15, 2018

OSEA supports House Bill (HB) 3318

Relating clause: Establishes procedures for conducting Functional Behavioral Assessments (FBAs)* and developing, reviewing and revising Behavioral Intervention Plans (BIPs)** for students with IEPs or 504 Plans.

This bill would:

- Require school districts to conduct a FBA and BIP for students in special education or with a

(over)

* **Functional Behavioral Assessment (FBA)** as defined by OAR 581-015-2400 is an individualized assessment of the student that results in a hypothesis about the function of a student's behavior and, as appropriate, recommendations for a Behavioral Intervention Plan.

** **Behavioral Intervention Plan (BIP)** as defined by OAR 581-015-2400 is an individualized plan, including positive interventions, designed to assist a student to decrease inappropriate behavior and increase or teach an alternative appropriate behavior.

HB 3318 (continued)

504 Plan who need additional support to avoid injury to self, other students and SPED service providers

- Should an injury occur or continue to occur, require the completion or revision of an existing BIP within 60 days following an incident resulting in an injury
- Allow SPED service providers to be included in the development or modification of the FBA and BIP to provide meaningful input and follow up, including the development of SPED service provider supports
- Provide training for SPED service providers on the implementation of the BIP
- Clarify that SPED service providers include all school-related personnel working directly with a student with a FBA and/or BIP

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