

# Supports for Staff

Starting in the 2018-19 school year



**In the 2017 legislative session, every senator and representative, regardless of party affiliation, voted for House Bill (HB) 3318 in hopes of keeping staff and students safe in Oregon's schools.**

## **Background**

For a number of years, Oregon School Employees Association (OSEA) has heard from its instructional assistants and school bus drivers working in special education about preventable injuries occurring on the job in Oregon's schools.

Though the Individuals with Disabilities Act (IDEA) and best practice guides on the development of Individualized Education Programs (IEPs) encourage school districts to proactively consider student behavior and implement behavior intervention plans (BIPs)\* as a part of the IEP, this often does not happen. As a result, this puts unaware staff and students at risk of serious bodily injury.

**HB 3318** begins in the 2018-19 school year and will ensure educators working with students in special education are provided with the necessary information to avoid injury by requiring school districts to:

- Conduct a functional behavior assessment (FBA)\*\* for students with an IEP or 504 Plan who have behaviors that put themselves, other students or staff at imminent risk of serious bodily injury within 45 school days upon receipt of parent consent;
- Develop, review or revise a BIP following an incident that puts students and staff at risk of serious bodily injury; and
- Allow relevant service providers to provide meaningful input into the development, review or revision of the BIP, as well as require them to be notified of relevant changes and training opportunities.

## **Additional Information**

Prior to the passage of HB 3318, school districts were only required to complete an FBA and/or a BIP once the school district had already decided to expel or change the educational placement of a child with a disability because of a violation of a code of student conduct.<sup>1</sup>

**\*Behavioral intervention plan (BIP)**<sup>2</sup> is an individualized plan, including positive interventions, designed to assist a student to decrease inappropriate behavior and increase or teach an alternative appropriate behavior.

**\*\*Functional behavior assessment (FBA)**<sup>3</sup> 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 behavior intervention plan.

<sup>1</sup> Disciplinary Removals of More than 10 School Days (Pattern or Consecutive) OAR 581-015-2415.

<sup>2</sup> Behavioral intervention plan (BIP) as defined by OAR 581-015-2400 (1).

<sup>3</sup> Functional behavior assessment (FBA) as defined by OAR 581-015-2400 (4).

