



**The Occupational Therapy Association of Oregon is asking you to support HB 3263<sup>1</sup>.** We believe it is necessary to further explore the topic of school-based OT workload standards before concluding that the resources are not available to address this ongoing issue. This bill aims to create a pathway for OTs to remain in compliance with their licensure board - and their personal ethics. *Most importantly, HB 3263 creates a tactile conversation about how to best serve students who meet federal disability requirements, their classmates and their parents.*

**HB 3263 is not an unfunded mandate.** Occupational therapy (OT) is considered a related service under Part B of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), and its provision is already federally mandated to qualifying special education students.

**HB 3263 does not require OTs or OT Assistants as new IEP team members.** Occupational therapists are already required, under IDEA, to participate on the IEP teams of qualifying students. OTAs do not need to be present.

If a child has a disability, as defined by IDEA, and needs special education he or she will be evaluated for program placement and related service eligibility. That child will require an OT evaluation and subsequent services if they are exhibiting significant learning needs in the following areas:

- handwriting or fine motor skills for completing written assignments;
- oral motor or swallowing concerns for eating while at school;
- organize sensory information and arousal levels in the classroom environment in order to attend to activities appropriately and follow directions;
- accessing classroom facilities, equipment or learning materials due to a disability (i.e. poor muscle tone, low vision, hearing loss, lack of coordination, or a communication disorder).

**HB 3263 can serve to ease unnecessary litigation and oversight costs.**

Legal fees and woes are the unfortunate consequence incurred by Oregon school districts who are doing their best, yet remain unintentionally out of compliance with IDEA. By adopting tested, and increasingly common, best-practice guidelines, the bill has the potential to create safeguards against stakeholder lawsuits or mismanaged resources.

The current system is not working and many are suffering, most importantly, the students. Each state uses a different formula to address the requirements of IDEA; the conversation has been successful in other states across the nation.

**Please support HB 3263 and support finding a service solution that benefits everyone.**

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<sup>1</sup> Presented by Bill Cross & Niki Terzieff on behalf of OTAO