

# Work Shouldn't HURT

**N**obody ever wanted to talk about it. Years went by, and we would hear special education (SPED) assistants confide in low tones how they were getting hit, kicked, spat upon, scratched and screamed at by their students.

Then they would fall silent, and no amount of coaxing could entice anyone to say more about it. They love their kids and don't want to "get them in trouble." In some cases, they've told their stories to a supervisor and not been heard.

But beginning in 2015, classified employees have started coming forward, and our union, the Oregon School Employees Association (OSEA), started telling their stories. OSEA members have taken a giant first step by speaking out. Now we have to expand this process by gathering data and pushing for laws and regulations, including enforcement mechanisms, to ensure that work doesn't hurt.

## Scope of problem

To determine how widespread the problem is, OSEA conducted a statewide survey along with AFT-Oregon and the Oregon Education Association (OEA). To date, 1,988 education staff members from 106 school districts have responded to the survey. Here are the preliminary results:

- **More than 50 percent** of respondents felt their school was **NOT** adequately staffed to protect students, teachers and staff from workplace assaults.
- **60 percent** of respondents reported they had been assaulted at work.
- **96 percent** of assaults occurred during regular school hours, of which 61 percent took place in a classroom.
- **74 percent** of those who had suffered a physical assault felt the reason was due to behavioral issues and/or outbursts.
- **36 percent** of respondents experienced sleep problems they associate with their incident, **63 percent** had symptoms of distress or anxiety on a regular basis and **47 percent** suffered depression or sadness.
- **30 percent** reported they knew of a colleague who had quit their job due to violence and other behavioral issues.



Courtesy the Statesman Journal

Prior to the proliferation of locally offered special education, thousands of Oregon children were sent to the Fairview Training Center (pictured in 1971).

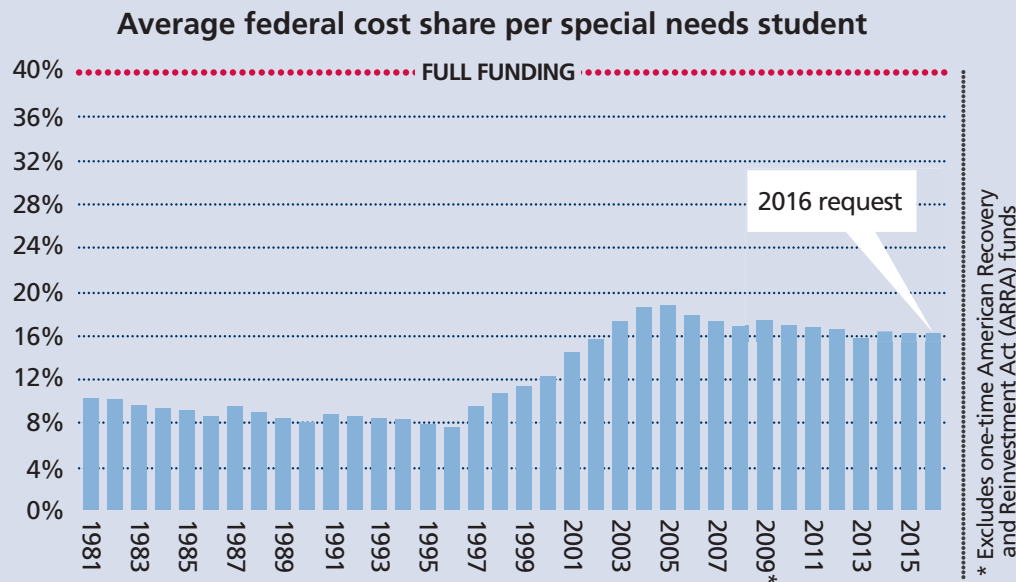
# How did we get

The modern system of special education in the United States arose out of inconsistent and sometimes horrific treatment of children with disabilities. Educational opportunities varied depending on the state or locality in which a child lived, as well as the severity of his or her disability. A child with a relatively mild learning disability was likely to be placed in a regular classroom, with no assistance to keep up with peers. Those with more severe disabilities were often institutionalized or placed in schools for the "retarded," while others received no education at all because schools were allowed to refuse them entry.

After parents and disability rights groups

## Inadequate SPED funding

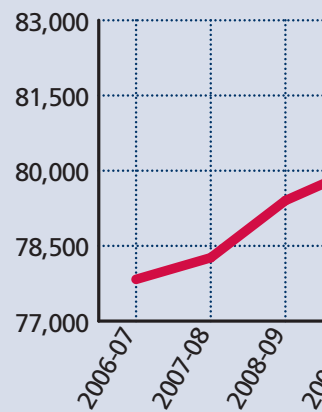
The assumption underlying IDEA is the cost of educating children with disabilities is about twice the average cost of other children. In 1981, Congress determined the federal government would pay up to 40 percent of the excess costs (full funding). Federal funding has never come close to this goal.



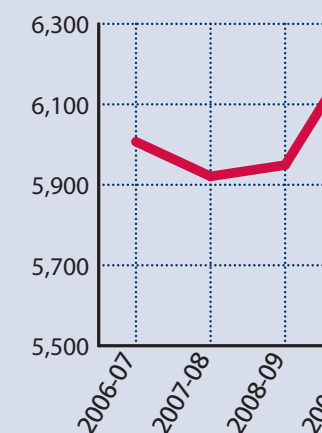
Oregon similarly funds special education by doubling the average per-pupil allocation, but caps funding at 11 percent of the student body. The average school district has a SPED population of 13.4 percent. All told, 152 of 176 districts with SPED students report SPED populations of at least 11 percent.

SOURCES: National Education Association, Oregon Department of Education

### Number of Oregon SPED



### Full-time equivalent of



SOURCE: Oregon Department of Education

# Where are we? History, funding, staffing

organized around the issue and states such as Oregon began to take steps at the local level, Congress acted to ensure all children received a “free, appropriate public education” (FAPE) in the “least restrictive environment.”

This is now known as the Individuals with Disabilities Education Act (IDEA).

### Court decisions place additional mandates

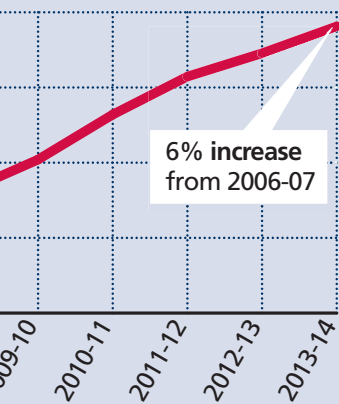
In 1985, the U.S. Supreme Court ruled parents can seek reimbursement of private school expenses when the local school district cannot meet the FAPE standard. The nation’s top court has also ruled catheterization and “continuous nursing service” must be provided under IDEA.

### Restraint and seclusion

As courts asked more from school districts, horror stories emerged of children placed in closets or strapped to chairs for long periods throughout the school day.

In 2011, OSEA supported legislation severely curtailing the use of restraint and seclusion. The bill passed the Oregon Legislature with bipartisan support. Prone, mechanical and chemical (drug) restraint are now banned outright, and physical restraint can only be used in instances where there is likelihood of imminent harm to the student or others. Strict reporting is required when restraint is used.

SPED students ages 3-21



## Staffing hasn't kept pace with expanding student population

Reflecting the devastating financial impact of the Great Recession, the full-time equivalent of teachers and other specialists assigned to special education fell from 2006-07 levels. The result: Oregon schools in 2013-14 had significantly less teachers, occupational and physical therapists, psychologists, social workers and counselors dedicated to students with developmental disabilities.

### Full-time equivalent of Oregon teachers and non-instructional assistants

	2006-07	2013-14	% change
Teachers	3591.45	2936.95	-18.2%
Audiologists	16.39	18.19	11.0%
Speech-language pathologists	590.14	712.61	20.8%
Interpreters	123.98	62.05	-50.0%
Psychologists	308.22	247.99	-19.5%
Occupational therapists	143.7	127.94	-11.0%
Physical therapists	75.87	48.14	-36.5%
Physical education teachers and recreation and therapeutic recreation specialists	57.73	42.39	-26.6%
Social workers	31.27	13.71	-56.2%
Medical/nursing service staff	7.11	69.58	878.6%
Counselors and rehabilitation counselors	230.46	25.8	-88.8%
Orientation and mobility specialists	4.95	18.46	272.9%

NOTE: Complete data for 2014-15 not yet available.

of SPED paraprofessionals



Department of Education



## We need your help

Change can only occur if policy-makers clearly understand what is happening in Oregon classrooms. If you get injured on the job, make sure you fill out and submit an incident report. Also, send a copy to your chapter president and/or the OSEA State Office. The more data we can gather, the better we can make our case.

A Member's Union  
**OSEA**



AFT Local 6732

## OSEA members speak out

*"I wonder: Will my short-term memory loss ever improve? What about my vision? Or my stamina? Will I ever be able to read a sewing pattern and make heads or tails of it? Will I ever sleep all night again?"*

*"They say this is part of the job. I never signed a job description stating that I would consider being hurt on the job as part of the job. That I would accept being paid two-thirds of my salary while healing from a beating. Or that I may have to deal with brain issues for the rest of my life. Will I always have to pray for my safety before going to work every day?"*

*"There has to be a better way."*  
 — **Ruth Creek**, Ontario Chapter 23

...

*"(A student) has spit on me;*

*he has kicked me; he has hit me. ... I love my job, and I love this kid, (but) there (are) days when we don't want to come to work, quite honestly. I go home, and I'm washed out because I have to be so hypervigilant."*

— **Monica McCanna**, OSEA Zone VI Director, Harney County Chapter 75

...

*"I feel like I have really good training, but there comes a point ... where (the level of staffing) puts everyone around that student in danger."*

— **Beth** (pseudonym), an OSEA member in western Oregon who was kicked in the head by a student she was working with; she says the incident "changed my life."



Share your experiences on Tumblr at [osea6732.tumblr.com](http://osea6732.tumblr.com).