

HB 3318 A STAFF MEASURE SUMMARY**Carrier:** Rep. Doherty**House Committee On Education****Action Date:** 04/17/17**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 8-0-1-0**Yeas:** 8 - Doherty, Evans, Hernandez, McLain, Parrish, Sollman, Vial, Wilson**Exc:** 1 - Sprenger**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Alethia Miller, LPRO Analyst**WHAT THE MEASURE DOES:**

Requires school districts conduct functional behavioral analysis and develop behavior intervention plan for every student who has Individualized Education Plan (IEP) or places other students or staff at risk of serious bodily harm because of behavior. Requires the functional behavioral analysis take place within 60 calendar days of the student putting others in imminent harm. Allows behavior intervention plans to have input from the service provider in the development, review or revision. Allows behavior intervention plans to inform service providers about relevant portions of behavior. Requires service providers be informed of any portions of behavior intervention plan that are relevant and any training opportunities for the service providers. Requires notifications to members of IEP team or 504 Plan team regarding changes to behavior intervention plan. Defines behavior intervention plan, 504 plan, functional behavioral plan, service provider and serious bodily injury. Becomes effective on July 1, 2017; declares emergency.

ISSUES DISCUSSED:

- Assessment of students on 504 plan or Individualized Education Plan (IEP)
- Effect of serious bodily injury to teachers and staff from students
- Clarifications provided by amendments and technical language

EFFECT OF AMENDMENT:

Changes the definition of service provider to include those willing to provide service to students of Individualized Education Program (IEP) or 504 plan, and those not holding administrative licenses or teaching licenses. Changes requirement school districts conduct functional behavioral analysis to include students who place others in risk of serious bodily injury. Requires school district ensure behavior intervention plan does functional analysis by qualified person. Requires school district ensure behavior intervention plan meets the student's needs. Requires school district inform service provider about training opportunities when behavior intervention plan is developed or changed. Requires school district ensure plan was correctly implemented when behavior intervention plan was developed or changed. Requires members on IEP Team or 504 Plan Team be notified of any changes when plans developed are changed.

BACKGROUND:

School districts and education services districts are required by the Oregon Department of Education to complete the standard Oregon Individualized Education Plan (IEP) for each school-aged student who qualifies for such plan, unless granted approval for an alternate form of intervention. Part 2 of the federal Individuals with Disabilities Education Act (IDEA) identifies specific instructions for states working to implement IEPs. A guide was created in July 2000 by This Summary has not been adopted or officially endorsed by action of the committee.

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the U.S. Department of Education with the National Information Center for Children and Youth with Disabilities. Students with IEPs have a wide range of behaviors spanning verbal and physical. Such children may have autism, traumatic brain injuries, emotional and behavioral disorders and/or other specific learning disabilities.

HB 3318-A requires the school district conduct a functional behavioral analysis to develop a behavior intervention plan for any IEP student, or those students who have placed others in risk of serious bodily injury. Such analysis is required to take place within 60 calendar days of the student placing others at risk. HB 3318-A requires the IEP Team and 504 Plan Team are notified of any changes to behavior intervention plans.