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## MEMORANDUM

DATE: May 18, 2017  
TO: Senate Committee on Education  
FROM: Ava Bartley, FACT Oregon  
RE: HB 3318A and -3 amendments

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Chair Roblan, Vice Chair Linthicum, and Members of the Senate Committee on Education:

My name is Ava Bartley, and I am the Advocacy and Engagement Director for FACT Oregon. FACT Oregon's mission is to empower Oregon families experiencing disability in pursuit of whole lives in their community. The outcome of our work is families with high expectations for their child and a vision for the future where all communities are accessible, welcoming, and embrace that disability is natural.

**HB 3318A**, as amended by the "-3" amendment to the bill, establishes procedures for conducting functional behavioral assessment and for developing, reviewing and revising behavior intervention plans for students with individualized education programs or 504 Plans.

In our work supporting families whose children experience disability, we often hear that school districts are struggling to meet the needs of students with disabilities who experience behavior challenges. In fact, our statewide helpline data indicates that use of shortened school days for students experiencing behavior challenges remains a widespread problem for Oregon students with disabilities. Often, these decisions have been made without first making reasonable efforts to gather and analyze data in order to better understand the child's behaviors.

We believe HB 3318A, as amended by the "-3" amendments, will help school districts better meet the needs of students who experience behavioral challenges. We support HB 3318A-3 to the extent it does the following:

Empower Oregon families experiencing disability in their pursuit of a whole life by expanding awareness, growing community, and equipping families.

- Ensure that the process for addressing the behavior of a student who is experiencing behavioral challenges is a *data-driven process* by requiring that school districts perform functional behavior assessments to understand the behavior and develop behavior intervention plans that focus on positive interventions designed to help the student decrease inappropriate behaviors and increase alternative appropriate behaviors.
- Require that the person working with the IEP Team or 504 Plan Team to conduct the functional behavior assessment be a “qualified person” as that term will be further defined by rule, which would generally mean behavior analysts or professionals who have adequate training and experience in the area of behavior supports and interventions for children.
- Enable people who will be involved in implementing the IEP or 504 Plan (such as classified staff) to have an opportunity to provide meaningful input and participate in the process and be provided with information that will help them do their job.
- Ensure that existing behavior support plans are properly implemented before making further changes to them.

These procedural protections and safeguards will ensure that the needs of children experiencing behavioral challenges in the classroom will be better understood and met so they can be successful in school and receive their free appropriate public education.

Thank you for your support of Oregon children experiencing disability.

Respectfully,

Ava Bartley  
Advocacy and Engagement Director  
FACT Oregon