

February 7, 2024

Rep. Courtney Neron, Chair
House Committee on Education
Oregon State Capitol
900 Court St. NE
Salem, OR 97301

Re: HB 4077 – Dash 2 Amendments

Chair Neron and members of the House Committee on Education

My name is Mamiko Garvey. I am a member of OSEA, and I am sharing this information to help you understand why HB 4077 is so important. I worked as a classified substitute staff for an Oregon school district for several years, mainly as a long-term substitute staff working directly with students in a self-contained specialized program. I became a paraeducator II in the same school district this school year so that I can continue to work in the same specialized program. I urge you to support HB 4077-2, so decision makers will have the data to better understand how educators need support for our students when they become dysregulated.

In all my years in the district as both a classified substitute staff and a paraeducator II, I have witnessed many triumph moments in student learning experiences. Many times, we will end activities due to significantly concerning safety issues from both staff and students. I have seen my colleagues, both certified and classified staff, getting choked, slapped, hit, punched, bit, grabbed, shoved, and scratched. I have also seen my colleagues clawed or kicked. We get hurt in many places, including the face, head, shoulders, arm, hand, leg, back or stomach. They have also been hit by hands and feet. They are also hit with or a thrown chair, table, toy or iPad.

I have seen students attacking their bus drivers, parents, or caretakers in the same manner at drop off/pick up. I have seen numerous behavior incidents that resulted in staff injuries were often caused by daily repeaters (some of them even have multiple outbursts in a day), usually leading to staff's rapid physical and emotional exhaustion .

Incident reporting guidelines seem vague, often we do not see a direct effect of reporting, either. It doesn't change anything.' There are many disregarded incidents that are unreported because they did not break skin, did not give concussions or did not leave bruises, etc. But they all challenged staff's physical and emotional health, just like the ones that were reported formally.

This situation is very difficult to manage. On some days, multiple students are severely dysregulated and aggressive at the same time and we are "putting out fires" constantly. All we can do is de-escalate, protect other students and staff and attend to staff that have been injured. Sometimes we just make tally marks of aggressive behavior. It is too overwhelming, so we do not have the bandwidth to fill out the incident report in a timely manner.

Physical aggression I have witnessed is observed not only in students with emotional/behavioral disabilities but also in autistic students. Many of such behaviors are unexplained with no obvious warning or triggers. Safety Care training is available but not required nor openly encouraged to certified/classified substitute staff in my school district. And those substitute staff willing to work in specialized programs are very hard to come by because they are not trained to deal with student aggression. They do not feel safe. Untrained substitute staff will often cause or fuel student dysregulation and aggression. As a result, they will often become their targets and get hurt. This is a lose-lose situation that often discourages staff from making scheduled absences for self-care, which also adds to our extreme physical and emotional exhaustion.

I have seen many of my colleagues, both certified and classified, request different assignments and never return. I don't blame them. They not only leave for safety reasons but because they don't feel support. from the special education administration.

The current specialized program I am assigned in is chronically understaffed. We are left on our own to analyze and come up with different intervention strategies, constantly. The only thing special education administrators care about seems to be a perfect student-teacher ratio. They don't seem to take into consideration that students experiencing severe dysregulation can be aggressive. Sometimes two staff are being attacked, or it takes two staff to de-escalate. If two students are blowing up at the same time, four staff may be taken away to deal with the incidents, leaving less staff to support the remaining students. Often this result is not an appropriate student-teacher ratio. My current classroom has eight students and five staff (1 certified/lead teacher and 4 classified/paraeducator II). 2 of those students are "repeaters", and they often have outbursts at the same time. This means that four staff could be taken away, leaving one staff to manage the remaining six special needs students.

My team has worked tirelessly to document and apply for one-on-one help to support our aggressive "repeater" students who are ". These students have outbursts multiple times a day. We didn't even request for them to be considered for different placements. Other students and staff are exposed to constant fear of their outbursts and aggression. My team was concerned for the safety of students and staff, but we also for lack the appropriate staffing to ensure advancement of other students' educational experiences. We want all of our students to have good experiences. Now we hope for our highest needs students to qualify for one-on-one help. But, after an agonizingly lengthy process of gathering information, including observation reports and functional behavior analysis submitted by a special education facilitator, an Autism specialist and school psychologist, our one-on-one help request was denied. I have not seen these special education administrators put their feet in to our classroom. They don't even know the faces of the students we are trying to support. They didn't even attend the meeting.

I do hope that OSEA's Work Shouldn't Hurt campaign will 1) advance definitions and process of student-related injury reporting, 2) increase availability of behavior specialists and easy access

to them, 3) requiring restraint-training to all staff directly working with students in specialized programs and 4) allow all education staff directly involved to access, input and help make decisions on placement needs. by changing the hearts and minds of legislators to fund HB 4077-1 and create an online form, process so that educators like me will have better support for our students and ourselves.

We need access to the incident report forms now. My first language is Japanese, and I work with colleagues from Poland, Vietnam, and India. All our diverse staff need to have this form available in our first language.

Please support the dash two amendments and a technical fix that includes training to the form criteria so that the state can monitor how well our educational workforce is trained and make policy decisions with more information.

Thank you for your time.

Sincerely,
Mamiko Garvey
OSEA member