

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2939 - A

Seventy-Sixth Oregon Legislative Assembly – 2011 Regular Session
Legislative Fiscal Office

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Date: 4-8-2011

Measure Description:

Prohibits use of mechanical restraint, chemical restraint or prone restraint on student in public education program.

Government Unit(s) Affected:

Department of Education, Department of Human Services (DHS), Education Service Districts (ESD), School Districts

Summary of Expenditure Impact: See Analysis

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

The measure prohibits the use of mechanical restraint, chemical restraint or prone restraint on a student in a public education program, allows the use of physical restraint or seclusion under certain circumstances, and describes procedures to be followed if physical restraint or seclusion is used. The measure requires annual reporting by public education programs on the use of restraint and seclusion and outlines the minimum reporting requirements, and to whom the report must be made available. The measure requires that the Department of Education approve training programs in physical restraint and seclusion that are consistent with the philosophies, practices and techniques established by rule or policy of the Department of Human Services. The measure contains an operative date of July 1, 2012.

The Department of Education states that the anticipated workload for the updating of administrative rules and the approval of restraint and seclusion trainings will be absorbed by existing staff.

The fiscal impact to local school districts for the professional development of staff and the reporting requirements is indeterminate and will vary district to district and may require additional resources.

There is no fiscal impact to the Department of Human Services as a result of this measure.