

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

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| Action: | Do Pass as Amended and Be Printed Engrossed |
| Vote: | 8 - 0 - 0 |
| Yeas: | Conger, Dembrow, Frederick, Huffman, Komp, Parrish, Gelser, Wingard |
| Nays: | 0 |
| Exc.: | 0 |
| Prepared By: | Victoria Cox, Administrator |
| Meeting Dates: | 2/16, 4/6 |

WHAT THE MEASURE DOES: Prohibits use of mechanical, chemical and prone restraint on students in public education programs. Specifies circumstances under which physical restraint and seclusion may be used and describes procedures to be followed. Directs the Department of Education (ODE) to approve training programs in the use of physical restraint and seclusion. Requires entities with jurisdiction over public schools to prepare and make publicly available annual report on use of physical restraint and seclusion.

ISSUES DISCUSSED:

- Excessive use of seclusion and restraint in specific schools and on certain students
- Incomplete or insufficient notification
- Training of instructional assistants and insufficient training in some districts
- Injuries to staff
- Cost of reporting requirements in original measure

EFFECT OF COMMITTEE AMENDMENT: Clarifies that ODE will approve training programs that meet the standards of Department of Human Services. Removes requirements to report to Superintendent of Public Instruction on the use of physical restraint and seclusion. Deletes provisions specifying process for submission of written complaints to ODE.

BACKGROUND: For the purposes of this measure, mechanical restraint refers to the use of a device to restrict student movement; chemical restraint refers to the use of drugs on students to control behavior; and prone restraint indicates a situation in which a student is restrained face down on the floor. House Bill 2939-A prohibits the use of all mechanical, chemical and prone restraint in public education programs.

Physical restraint is defined as the restriction of students' movements by one or more persons holding them. Seclusion refers to the involuntary confinement of students in rooms from which they are physically prevented from leaving. House Bill 2939-A specifies the conditions under which physical restraint and seclusion may be used in public education programs and the notices that must be given following the use of physical restraint and seclusion. The measure also specifies that physical restraint and seclusion training programs approved by ODE must meet the standards of the Department of Human Services.