
MEMORANDUM

Legislative Fiscal Office
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To: *Education Subcommittee*

From: *Tim Walker, Legislative Fiscal Office*
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Date: June 13, 2013

Subject: *HB 2585 B*
Work Session

House Bill 2585 directs the State Board of Education to adopt a process for receiving and investigating complaints about the use of physical restraint or seclusion in schools, and requires entities that have jurisdiction over public education programs to submit annual reports on the use of physical restraint or seclusion in schools to the Superintendent of Public Instruction.

The Work Session packet, including measure, staff measure summary, and amendment are available on the Oregon Legislative Information System (OLIS). The measure has no revenue impact and an indeterminate fiscal impact.

Amendment

-A5 amendment adds appropriation language of \$102,674 General Fund to ODE for the purposes of Section 1 - 6 of the bill.

Motion #1: Move the –A5 amendment to HB 2585 A.

Measure as Modified

The measure, as amended, is recommended to be moved to the full Committee on Joint Ways and Means.

Motion #2: Move HB 2585 A to the full committee with a “do pass” recommendation, as modified.

Chair to assign carriers:

Full: _____

House: _____

Senate: _____

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2585 B

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Tim Walker
Reviewed by: Doug Wilson
Date: 06/17/2013

Measure Description:

Directs State Board of Education to adopt process for complaints about incidents involving use of physical restraint or seclusion in public education programs.

Government Unit(s) Affected:

Department of Education, School Districts

Summary of Expenditure Impact:

Summary of Expenditure Impact		
	2013-15 Biennium	2015-17 Biennium
General Fund	\$102,674	\$46,816
Lottery Funds		
Other Funds		
Federal Funds		
Total Funds	\$102,674	\$46,816
Positions		
FTE		

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: This bill would require the Department of Education (ODE) to adopt a process and report on complaints regarding the use of physical restraints and seclusion in public education programs and requires school districts to provide yearly reports to the Superintendent of Public Education on the use of physical restraints and seclusion events.

ODE would need to build and maintain a database for these events and reports. In addition, ODE would have ongoing costs for maintenance and investigation of complaints. School districts would have costs associated with investigations of the validity of complaints and provide reporting to the Superintendent of Public Education. It is not known, the exact costs to the school districts in the state, but reports from a number of districts of various sizes indicate a minimal fiscal impact.

Joint Committee on Ways and Means

Carrier – House: Rep.
Carrier – Senate: Sen.

Revenue:

Fiscal:

Action:

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

Prepared By: Tim Walker, Legislative Fiscal Office

Meeting Date: [Full Committee Meeting Date]

WHAT THE MEASURE DOES: Directs the State Board of Education to adopt a process for receiving and investigating complaints about the use of physical restraint or seclusion in schools, and requires entities that have jurisdiction over public education programs to submit annual reports on the use of physical restraint or seclusion in schools to the Superintendent of Public Instruction

ISSUES DISCUSSED:

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EFFECT OF COMMITTEE AMENDMENT: -A? amendment adds appropriation language for \$102,674 General Fund to Oregon Department of Education for the purposes of Section 2 of the bill.

BACKGROUND: Physical restraint or seclusion is only allowed under certain circumstances. After an incident involving the use of physical restraint or seclusion, a parent or guardian must have certain information provided to them verbally and in writing. This information includes such details as the location of the physical restraint or seclusion, the efforts made to de-escalate the situation, and a description of the student's activity that prompted the action. House Bill 2585 adds requirements for a process to investigating complaints, and submitting reports on an annual basis.

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2585**

1 On page 1 of the printed A-engrossed bill, line 3, after the semicolon in-
2 sert “appropriating money;”.

3 On page 2, after line 35, insert:

4 **“SECTION 5. In addition to and not in lieu of any other appropri-
5 ation, there is appropriated to the Department of Education, for the
6 biennium beginning July 1, 2013, out of the General Fund, the amount
7 of \$102,674, which may be expended by the department for costs in-
8 curred by the department related to the implementation of sections 1
9 to 6, chapter 665, Oregon Laws 2011.”.**

10 In line 36, delete “5” and insert “6”.

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