

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

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Action: Do Pass the A-Engrossed Measure

Vote: 5 - 0 - 0

Yeas: Beyer, Knopp, Kruse, Roblan, Hass

Nays: 0

Exc.: 0

Prepared By: Richard Donovan, Administrator

Meeting Dates: 3/26

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**WHAT THE MEASURE DOES:** Prohibits public education program from purchasing, building, or possessing seclusion cells and directs public education program to remove seclusion cells from classrooms by July 1, 2013 and from premises by September 1, 2013.

**ISSUES DISCUSSED:**

- History of seclusion cell use statewide, nationally
- Key traits of seclusion cell as having a lock on the outside of the structure with no way for the person inside the cell to exit freely
- Difference between “seclusion cell,” a freestanding structure that would be prohibited, and “seclusion room,” or time-out room, which would still be allowed
- Potential impacts on students from being placed in these cells include anxiety, Post-Traumatic Stress Disorder, and other stress-related diagnoses
- Impact on students observing fellow classmates being put into seclusion and/or restraint
- Method of transfer to seclusion cells often includes physical conveyance, including but not limited to: carrying by belt/other pieces of clothing; dragging; and sometimes teachers/aides sitting upon students to restrain them
- No opposition in House or Senate committees

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Oregon Administrative Rules define seclusion as “the involuntary confinement of students alone in rooms from which they are physically prevented from leaving.” Under OAR 581-021-0553, seclusion may be used when there is an imminent threat of serious bodily injury and other, less restrictive means of controlling the behavior are ineffective. Seclusion may only be used until the emergency or crisis ends and may not be used for discipline or punishment. House Bill 2756 prohibits schools from using seclusion cells.