

HOUSE AMENDMENTS TO HOUSE BILL 2585

By COMMITTEE ON EDUCATION

March 4

1 On page 1 of the printed bill, line 2, after the semicolon insert “creating new provisions;” and
2 delete “sections 4 and” and insert “section”.

3 Delete lines 5 through 28 and delete page 2.

4 On page 3, delete lines 1 through 15 and insert:

5 **“SECTION 1. Section 2 of this 2013 Act is added to and made a part of sections 1 to 6,
6 chapter 665, Oregon Laws 2011.**

7 **“SECTION 2. The State Board of Education shall adopt by rule:**

8 **“(1) A process for an organization or an individual to submit to the Superintendent of
9 Public Instruction a written, signed complaint alleging that a public education program is
10 violating or has violated a provision of sections 1 to 6, chapter 665, Oregon Laws 2011. The
11 complaint must indicate that, prior to submitting the complaint to the superintendent, the
12 organization or individual attempted to seek a remedy for the complaint from the board or
13 governing body overseeing the entity that has jurisdiction over the public education program
14 against which the complaint is being submitted.**

15 **“(2) A process for investigating a complaint submitted under subsection (1) of this sec-
16 tion.**

17 **“(3) The minimum standards for any rooms used by a public education program for se-
18 clusion of a student. The standards must:**

19 **“(a) Take into account the health and safety of students and personnel of the public ed-
20 ucation program and the respect and dignity of students; and**

21 **“(b) Include consideration of the size, safety features, lighting and ventilation of the
22 rooms.**

23 **“SECTION 3. The minimum standards adopted by the State Board of Education for rooms
24 used by a public education program for seclusion of a student, as provided by section 2 (3)
25 of this 2013 Act, first apply to the 2014-2015 school year. The State Board of Education may
26 not apply or enforce standards related to rooms used for seclusion until on or after July 1,
27 2014.**

28 **“SECTION 4. Section 5, chapter 665, Oregon Laws 2011, is amended to read:**

29 **“Sec. 5. (1) Each entity that has jurisdiction over a public education program must prepare and
30 submit to the Superintendent of Public Instruction an annual report detailing the use of phys-
31 ical restraint and seclusion for the preceding school year, including, at a minimum:**

32 **“(a) The total number of incidents involving physical restraint.**

33 **“(b) The total number of incidents involving seclusion.**

34 **“(c) The total number of seclusions in a locked room.**

35 **“(d) The total number of rooms available for use by the public education program for**

1 **seclusion of a student and a description of the dimensions and design of the rooms.**

2 “[*d*] (e) The total number of students placed in physical restraint.

3 “[*e*] (f) The total number of students placed in seclusion.

4 “[*f*] (g) The total number of incidents that resulted in injuries or death to students or personnel
5 as a result of the use of physical restraint or seclusion.

6 “[*g*] (h) The number of students who were placed in physical restraint or seclusion more than
7 10 times in the course of a school year and an explanation of what steps have been taken by the
8 public education program to decrease the use of physical restraint and seclusion for each student.

9 “[*h*] (i) The number of incidents in which the personnel of the public education program ad-
10 ministering physical restraint or seclusion were not trained as provided by section 6 [*of this 2011*
11 *Act*], **chapter 665, Oregon Laws 2011.**

12 “[*i*] (j) The demographic characteristics of all students upon whom physical restraint or se-
13 clusion was imposed, including race, ethnicity, gender, disability status, migrant status, English
14 proficiency and status as economically disadvantaged, unless the demographic information would
15 reveal personally identifiable information about an individual student.

16 “(2)(a) Each entity that has jurisdiction over a public education program shall make its annual
17 report about physical restraint and seclusion available to:

18 “(A) The public at the entity’s main office and the website of the entity;

19 “(B) The board or governing body overseeing the entity;

20 “(C) If the entity is an education service district, the component school districts of the education
21 service district; and

22 “(D) If the entity is a public charter school, the sponsor of the public charter school.

23 “(b) Parents and guardians of students in a public education program shall be advised at least
24 once each school year about how to access the report.”.

25 In line 16, delete “3” and insert “5”.

26