

# House Bill 2756

Sponsored by COMMITTEE ON EDUCATION

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits public education program from purchasing, building or otherwise taking possession of seclusion cell or from using seclusion cells.

Directs public education program to remove seclusion cells from classrooms by specified date and to remove seclusion cells from premises of public education program by specified date.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to seclusion of students; creating new provisions; amending section 7, chapter 665, Oregon  
3 Laws 2011; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) As used in this section:**

6 (a) **"Public education program" means a program that:**

7 (A) **Is for students in early childhood education, elementary school or secondary school;**

8 (B) **Is under the jurisdiction of a school district, an education service district or another  
9 educational institution or program; and**

10 (C) **Receives, or serves students who receive, support in any form from any program  
11 supported, directly or indirectly, with funds appropriated to the Department of Education.**

12 (b) **"Seclusion cell" means a self-contained unit that is used to:**

13 (A) **Isolate a student from other students; or**

14 (B) **Physically prevent a student from leaving the unit or cause the student to believe  
15 that the student is physically prevented from leaving the unit.**

16 (2) **A public education program may not:**

17 (a) **Purchase, build or otherwise take possession of a seclusion cell; or**

18 (b) **Use a seclusion cell.**

19 (3) **Nothing in this section prevents a public education program from using seclusion as  
20 allowed under sections 1 to 6, chapter 665, Oregon Laws 2011.**

21 **SECTION 2. Section 1 of this 2013 Act is amended to read:**

22 **Sec. 1. (1) As used in this section:**

23 (a) **"Public education program" means a program that:**

24 (A) **Is for students in early childhood education, elementary school or secondary school;**

25 (B) **Is under the jurisdiction of a school district, an education service district or another edu-  
26 cational institution or program; and**

27 (C) **Receives, or serves students who receive, support in any form from any program supported,  
28 directly or indirectly, with funds appropriated to the Department of Education.**

29 (b) **"Seclusion cell" means a self-contained unit that is used to:**

30 (A) **Isolate a student from other students; or**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (B) Physically prevent a student from leaving the unit or cause the student to believe that the  
2 student is physically prevented from leaving the unit.

3 (2) A public education program may not:

4 (a) Purchase, build or otherwise take possession of a seclusion cell; or

5 (b) Use a seclusion cell.

6 *[(3) Nothing in this section prevents a public education program from using seclusion as allowed*  
7 *under sections 1 to 6, chapter 665, Oregon Laws 2011.]*

8 **SECTION 3.** Section 7, chapter 665, Oregon Laws 2011, is amended to read:

9 **Sec. 7. (1)** Sections 1 to 6 *[of this 2011 Act]*, **chapter 665, Oregon Laws 2011**, are repealed on  
10 June 30, 2017.

11 **(2) The amendments to section 1 of this 2013 Act by section 2 of this 2013 Act become**  
12 **operative on the date specified in subsection (1) of this section.**

13 **SECTION 4. (1) As used in this section:**

14 (a) **“Public education program” has the meaning given that term in section 1 of this 2013**  
15 **Act.**

16 (b) **“Seclusion cell” has the meaning given that term in section 1 of this 2013 Act.**

17 **(2) No later than July 1, 2013, a public education program shall ensure that all seclusion**  
18 **cells are removed from the classrooms of the public education program.**

19 **(3) No later than September 1, 2013, a public education program shall ensure that all se-**  
20 **clusion cells are removed from the premises of the public education program.**

21 **SECTION 5. This 2013 Act being necessary for the immediate preservation of the public**  
22 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
23 **on its passage.**