

## HOUSE AMENDMENTS TO HOUSE BILL 3474

By COMMITTEE ON EDUCATION

April 16

1 In line 2 of the printed bill, after “screenings” insert a period and delete the rest of the line.

2 Delete lines 4 through 25 and insert:

3 **“SECTION 1. (1) When a school district causes to be conducted a mental health screening**  
4 **of all of the students in one or more classrooms or all of the students in one or more grades,**  
5 **the school district must allow the student or the parents or legal guardians of the student**  
6 **to request in writing that the student not participate in the mental health screening.**

7 **“(2) At least two weeks prior to a school district causing a mental health screening to**  
8 **be conducted of all of the students in one or more classrooms or all of the students in one**  
9 **or more grades, the school district shall mail written notice of the mental health screening**  
10 **to the last-known address of the family of the student.**

11 **“(3) The notice provided under subsection (2) of this section must:**

12 **“(a) Explain that either a student or a parent or a legal guardian of a student has the**  
13 **right to request in writing that the student not participate in the mental health screening;**

14 **“(b) Explain that the student may refuse to participate in the mental health screening**  
15 **on the day of the screening even if the student had not provided prior written notice under**  
16 **subsection (1) of this section;**

17 **“(c) Explain who will administer the mental health screening and who will have access**  
18 **to the results of the screening; and**

19 **“(d) Meet any other requirements established by the State Board of Education by rule.**

20 **“(4) The results of a mental health screening that is described in subsection (1) of this**  
21 **section may not be included in the education records of the student.**

22 **“(5) Nothing in this section allows a school district to cause a mental health screening**  
23 **to be conducted for an individual student without first receiving the written consent of a**  
24 **parent or legal guardian of the student if the screening is not conducted as part of a**  
25 **screening of all students in one or more classrooms or all students in one or more grades.**

26 **“(6) Nothing in this section alters the rights of a child with a disability who is eligible for**  
27 **special education or the rights of a child who may have a disability, as those rights are**  
28 **provided in ORS chapter 343. Any evaluations conducted for the purpose of evaluation, ree-**  
29 **valuation or placement for special education must meet the consent requirements of ORS**  
30 **343.164.**

31 **“SECTION 2. Section 1 of this 2013 Act applies to mental health screenings conducted**  
32 **on or after the effective date of this 2013 Act.”.**

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