

House Bill 3474

Sponsored by Representative GELSER; Representatives FREDERICK, OLSON, SPRENGER

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**.

Allows student or parent or legal guardian of student to request in writing that student not participate in mental health screening conducted for all students in specified grade or classroom.
Takes effect July 1, 2014.

A BILL FOR AN ACT

1
2 Relating to consent for health-related screenings; and prescribing an effective date.

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

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

8 (2) At least two weeks prior to a school district causing a mental health screening to be
9 conducted of all of the students in one or more classrooms or all of the students in one or
10 more grades, the school district shall provide written notice of the mental health screening
11 to students and to the parents and legal guardians of students.

12 (3) The notice provided under subsection (2) of this section shall:

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

15 (b) Meet any other requirements established by the State Board of Education by rule.

16 (4) Nothing in this section allows a school district to cause a mental health screening to
17 be conducted for an individual student without first receiving the written consent of a parent
18 or legal guardian of the student.

19 (5) Nothing in this section alters the rights of a child with a disability who is eligible for
20 special education or the rights of a child who may have a disability, as those rights are
21 provided in ORS chapter 343. Any evaluations conducted for the purpose of evaluation, ree-
22 valuation or placement for special education must meet the consent requirements of ORS
23 343.164.

24 **SECTION 2. Section 1 of this 2013 Act first applies to the 2014-2015 school year.**

25 **SECTION 3. This 2013 Act takes effect on July 1, 2014.**

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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.