

**PROPOSED AMENDMENTS TO
HOUSE BILL 3474**

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

3 Delete lines 4 through 25 and insert:

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

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

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

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

19 **“(b) Explain that the student may refuse to participate in the**
20 **mental health screening on the day of the screening even if the stu-**
21 **dent had not provided prior written notice under subsection (1) of this**
22 **section;**

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

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

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

8 **“(5) Nothing in this section allows a school district to cause a**
9 **mental health screening to be conducted for an individual student**
10 **without first receiving the written consent of a parent or legal guard-**
11 **ian of the student if the screening is not conducted as part of a**
12 **screening of all students in one or more classrooms or all students in**
13 **one or more grades.**

14 **“(6) Nothing in this section alters the rights of a child with a disa-**
15 **bility who is eligible for special education or the rights of a child who**
16 **may have a disability, as those rights are provided in ORS chapter 343.**
17 **Any evaluations conducted for the purpose of evaluation, reevaluation**
18 **or placement for special education must meet the consent require-**
19 **ments of ORS 343.164.**

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

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