

**PRELIMINARY STAFF MEASURE SUMMARY****CARRIER:**

Senate Committee on Education

**REVENUE: No revenue impact****FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO:****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Gretchen Engbring, Administrator**Meeting Dates:** 3/10

**WHAT THE MEASURE DOES:** Limits instances under which students under 12 may be suspended or expelled. Requires convening team of school employees to ensure and plan for student's return to classroom. Considers student as removed from classroom for half day if student is out of school for under three hours, and full day if student is out for three or more hours. Declares emergency, effective July 1, 2015.

**ISSUES DISCUSSED:****EFFECT OF COMMITTEE AMENDMENT:**

-1 amendments (proposed) clarify that removal from classroom setting of student under 12 is prohibited unless student inflicted or threatened physical harm. Allows parents, guardians, or community organization members to participate in convening team alongside school employees after student under 12 has been removed from classroom setting by suspension or expulsion.

-2 amendments (proposed) clarify that use of out-of-school suspension or expulsion of student under 12 is prohibited unless student inflicted or threatened physical harm. Allows parents, guardians, or community organization members to participate in convening team alongside school employees after student under 12 has an out-of-school suspension.

**BACKGROUND:** Currently, ORS 339.250 allows suspension or expulsion for students of all ages, but requires that the age of a student be considered prior to imposing their suspension or expulsion. Findings from six Oregon school districts in 2011-2012 indicated that approximately 6.4 percent of students were suspended or expelled from school, and that nearly 40 percent of students who were suspended received more than one suspension.

Senate Bill 553 prohibits the expulsion or suspension of students under 12 unless the student has intentionally inflicted or threatened physical injury upon a student or school employee or unless it is required by law. The bill additionally requires a team of school employees to convene as soon as practicable to facilitate the return of a student under 12, and specifies that a student be considered removed from the classroom for a half day if the student is out of school for under three hours, and for a full day if the student is out for three hours or more.

Legislation restricting suspensions and expulsions has been introduced and enacted in other states. In California, AB 420 (2014) eliminated the authority to suspend a pupil enrolled in kindergarten up to grade three, and the authority to recommend for expulsion for students enrolled in kindergarten through grade 12, for disrupting school activities or defying the authority of school personnel.

3/9/2015 2:47:00 PM \*

***This summary has not been adopted or officially endorsed by action of the committee.***