

**A-Engrossed**  
**House Bill 2661**

Ordered by the Senate May 29  
Including Senate Amendments dated May 29

Sponsored by Representative KOMP (Pre-session filed.)

**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.

Provides that school drills and instruction on safety threats include [*lockdown*] procedures **related to lockdown, lockout, shelter in place and evacuation.**

**Expands, to kindergarten through grade 12, grades that are required to instruct and drill students on safety procedures.**

**Provides that matters related to school safety or plan that responds to safety threats may be conducted in executive session for purpose of public meetings law.**

Declares emergency, effective July 1, 2015.

**A BILL FOR AN ACT**

1  
2 Relating to student safety; amending ORS 192.660 and 336.071; and declaring an emergency.

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

4 **SECTION 1.** ORS 336.071 is amended to read:

5 336.071. (1) All schools are required to instruct and drill students on emergency procedures so  
6 that the students can respond to an emergency without confusion or panic. The emergency proce-  
7 dures shall include drills and instruction on:

8 (a) Fires;

9 (b) Earthquakes, which shall include tsunami drills and instruction in schools in a [*coastal*]  
10 **tsunami hazard** zone; and

11 (c) Safety threats.

12 (2)(a) Drills and instruction on fire emergencies shall include routes and methods of exiting the  
13 school building.

14 (b) Drills and instruction on earthquake emergencies shall include the earthquake emergency  
15 response procedure known as "drop, cover and hold on." A school may drill earthquake emergency  
16 response procedures in addition to "drop, cover and hold on" when the school determines, based on  
17 evaluation of specific engineering and structural issues related to a building, that "drop, cover and  
18 hold on" may not be the most effective earthquake emergency response procedure to prevent or limit  
19 injury or loss of life.

20 (c) Drills and instruction on tsunami emergencies shall include immediate evacuation after an  
21 earthquake when appropriate or after a tsunami warning to protect students against inundation by  
22 tsunamis.

23 (d) Drills and instruction on safety threats shall include:

24 **(A) Procedures related to lockdown, lockout, shelter in place and evacuation; and**

25 **(B) Other** appropriate actions to take when there is a threat to safety[, *such as lockdown pro-*

**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.

cedures if those procedures are appropriate to the safety threat].

(3)(a) At least 30 minutes in each school month shall be used to instruct students on the emergency procedures described in subsection (1) of this section.

(b) At least two drills on earthquakes shall be conducted each year.

(c) At least two drills on safety threats shall be conducted each year.

(d) In schools in a [coastal] tsunami hazard zone, at least three drills on earthquakes and tsunamis shall be conducted each year.

(4) All schools shall maintain all exit doors so that the doors can be opened from the inside without a key during school hours.

(5) Units of local government and state agencies associated with emergency procedures training and planning shall:

(a) Review emergency procedures proposed by schools; and

(b) Assist schools in the instruction and drilling of students in emergency procedures.

(6) As used in this section, "school" means any:

(a) Kindergarten through grade [eight] 12 public or private school; or

(b) Educational institution having an average daily attendance of 50 or more students.

**SECTION 2.** ORS 192.660 is amended to read:

192.660. (1) ORS 192.610 to 192.690 do not prevent the governing body of a public body from holding executive session during a regular, special or emergency meeting, after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for holding the executive session.

(2) The governing body of a public body may hold an executive session:

(a) To consider the employment of a public officer, employee, staff member or individual agent.

(b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.

(c) To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.063 including, but not limited to, all clinical committees, executive, credentials, utilization review, peer review committees and all other matters relating to medical competency in the hospital.

(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

(f) To consider information or records that are exempt by law from public inspection.

(g) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

(j) To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.

**(k) To consider matters relating to school safety or a plan that responds to safety threats made toward a school.**

[(k)] (L) If the governing body is a health professional regulatory board, to consider information

1 obtained as part of an investigation of licensee or applicant conduct.

2 [(L)] (m) If the governing body is the State Landscape Architect Board, or an advisory com-  
3 mittee to the board, to consider information obtained as part of an investigation of registrant or  
4 applicant conduct.

5 [(m)] (n) To discuss information about review or approval of programs relating to the security  
6 of any of the following:

7 (A) A nuclear-powered thermal power plant or nuclear installation.

8 (B) Transportation of radioactive material derived from or destined for a nuclear-fueled thermal  
9 power plant or nuclear installation.

10 (C) Generation, storage or conveyance of:

11 (i) Electricity;

12 (ii) Gas in liquefied or gaseous form;

13 (iii) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);

14 (iv) Petroleum products;

15 (v) Sewage; or

16 (vi) Water.

17 (D) Telecommunication systems, including cellular, wireless or radio systems.

18 (E) Data transmissions by whatever means provided.

19 (3) Labor negotiations shall be conducted in open meetings unless negotiators for both sides  
20 request that negotiations be conducted in executive session. Labor negotiations conducted in exec-  
21 utive session are not subject to the notification requirements of ORS 192.640.

22 (4) Representatives of the news media shall be allowed to attend executive sessions other than  
23 those held under subsection (2)(d) of this section relating to labor negotiations or executive session  
24 held pursuant to ORS 332.061 (2) but the governing body may require that specified information be  
25 undisclosed.

26 (5) When a governing body convenes an executive session under subsection (2)(h) of this section  
27 relating to conferring with counsel on current litigation or litigation likely to be filed, the governing  
28 body shall bar any member of the news media from attending the executive session if the member  
29 of the news media is a party to the litigation or is an employee, agent or contractor of a news media  
30 organization that is a party to the litigation.

31 (6) No executive session may be held for the purpose of taking any final action or making any  
32 final decision.

33 (7) The exception granted by subsection (2)(a) of this section does not apply to:

34 (a) The filling of a vacancy in an elective office.

35 (b) The filling of a vacancy on any public committee, commission or other advisory group.

36 (c) The consideration of general employment policies.

37 (d) The employment of the chief executive officer, other public officers, employees and staff  
38 members of a public body unless:

39 (A) The public body has advertised the vacancy;

40 (B) The public body has adopted regular hiring procedures;

41 (C) In the case of an officer, the public has had the opportunity to comment on the employment  
42 of the officer; and

43 (D) In the case of a chief executive officer, the governing body has adopted hiring standards,  
44 criteria and policy directives in meetings open to the public in which the public has had the op-  
45 portunity to comment on the standards, criteria and policy directives.

1 (8) A governing body may not use an executive session for purposes of evaluating a chief execu-  
2 tive officer or other officer, employee or staff member to conduct a general evaluation of an agency  
3 goal, objective or operation or any directive to personnel concerning agency goals, objectives, op-  
4 erations or programs.

5 (9) Notwithstanding subsections (2) and (6) of this section and ORS 192.650:

6 (a) ORS 676.175 governs the public disclosure of minutes, transcripts or recordings relating to  
7 the substance and disposition of licensee or applicant conduct investigated by a health professional  
8 regulatory board.

9 (b) ORS 671.338 governs the public disclosure of minutes, transcripts or recordings relating to  
10 the substance and disposition of registrant or applicant conduct investigated by the State Landscape  
11 Architect Board or an advisory committee to the board.

12 **SECTION 3. This 2015 Act being necessary for the immediate preservation of the public**  
13 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**  
14 **July 1, 2015.**