

Enrolled Senate Bill 101

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CHAPTER

AN ACT

Relating to child abuse investigations; amending ORS 419B.045; and declaring an emergency.

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

SECTION 1. ORS 419B.045 is amended to read:

419B.045. (1) If an investigation of a report of child abuse is conducted on *[public]* school premises, the school administrator shall first be notified that the investigation is to take place, unless the school administrator is a subject of the investigation. **The Department of Human Services or the law enforcement agency conducting the investigation is not required to reveal information about the investigation to the school as a condition of conducting the investigation.** The school administrator or a school staff member designated by the administrator may, at the investigator's discretion, be present to facilitate the investigation. The *[Department of Human Services or the law enforcement agency making the investigation]* **investigator** shall be advised by a **school administrator or a school staff member** of *[the]* a child's disabling conditions, if any, prior to any interview with the *[affected]* child. A school administrator or **school** staff member *[is not authorized to reveal anything that transpires]* **may not notify any person, including a child's parents or guardian, other than the department or law enforcement agency of an investigation described in this section and may not disclose any information obtained** during an investigation *[in which the administrator or staff member participates]*, nor shall the information become part of the child's school records. The school administrator or **school** staff member may testify at any subsequent *[trial resulting from]* **court proceeding relating to** the investigation and may be interviewed by the respective litigants prior to any *[such trial]* **court proceeding.**

(2) **A school district, school administrator or school staff member may not be held liable for civil damages as a result of compliance with the notification and disclosure prohibitions in subsection (1) of this section.**

(3) **Subsections (1) and (2) of this section apply solely to an investigation that involves an interview of the suspected victim in the report of child abuse or witnesses and do not apply to an investigation or interview of a person who is suspected of having committed the abuse that is the subject of the report.**

SECTION 2. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.

Passed by Senate May 1, 2017

Repassed by Senate June 19, 2017

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 13, 2017

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State