

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 0
Yeas:	Conger, Dembrow, Frederick, Huffman, Komp, Parrish, Gelser, Wingard
Nays:	0
Exc.:	0
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	2/2, 2/7, 2/14

WHAT THE MEASURE DOES: Adds to list of public and private officials required to report child abuse employees of higher education institution and public or private organizations providing child-related services or activities to youth groups or centers, scout groups or camps, summer or day camps, survival camps or groups, centers or camps that are operated under the guidance, supervision or auspices of religious, public or private educational systems or community service organizations; and coach, assistant coach or trainer of amateur, semiprofessional or professional athlete, if compensated and if athlete is a child. Excludes community-based, nonprofit organizations whose primary purpose is to provide confidential, direct services to victims of domestic violence, sexual assault, stalking or human trafficking. Allows alternate designated person to receive report of suspected abuse if the designee is the abuser. Clarifies that duty to report rests with individual, not organization where he or she works.

ISSUES DISCUSSED:

- Definition of “volunteer” and when mandatory reporter statute is applicable
- Liability of organization, employer, or school district
- Potential chilling effect on volunteers in schools or as coaches
- Training options for mandatory reporters
- Statute of limitation
- Circumstances that require mandatory reporter to notify proper authorities
- Definition of “trainer of an amateur, semiprofessional or professional athlete”
- Potential increase in number of false reports
- Evaluation system used in private organization when suspicions of abuse are presented
- Timeline for implementation by universities and community colleges

EFFECT OF COMMITTEE AMENDMENT: Removes volunteers from definition of mandatory reporters. Adds to list of public and private officials required to report child abuse employees of higher education institution and public or private organizations providing child-related services or activities to youth groups or centers, scout groups or camps, summer or day camps, survival camps or groups, centers or camps that are operated under the guidance, supervision or auspices of religious, public or private educational systems or community service organizations; and coach, assistant coach or trainer of amateur, semiprofessional or professional athlete, if compensated and if athlete is a child. Excludes community-based, nonprofit organizations whose primary purpose is to provide confidential, direct services to victims of domestic violence, sexual assault, stalking or human trafficking. Allows alternate designated person to receive report of suspected abuse if designee is abuser. Removes requirement that school board adopt policies related to initiation of investigation of suspected abuse of students by students. Clarifies that duty to report rests with individual, not organization where he or she works. Removes emergency clause.

BACKGROUND: Oregon state law requires that workers in certain professions must make reports if they have reasonable cause to suspect abuse or neglect of a child. These people are called mandatory reporters. Mandatory reporters must report suspected abuse or neglect of a child regardless of whether or not the knowledge of the abuse was gained in the reporter’s official capacity. ORS 419B.005 (3) – (4) identifies all professions that are mandatory reporters. Such professions include medical personnel; school and child care personnel; public employees including

members of the Legislative Assembly; law enforcement personnel; and other professions such as licensed clinical social workers, attorneys, firefighters, and court appointed special advocates.

Oregon's mandatory reporter statute does not include employees of higher education institutions including community colleges, public and private universities. House Bill 4016-A adds to the list of mandatory reporters employees of higher education institutions and public or private organizations providing child-related services or activities to youth.