

**C-Engrossed**  
**Senate Bill 101**

Ordered by the House May 31  
Including Senate Amendments dated February 27 and April 26 and  
House Amendments dated May 31

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for Department of Human Services)

**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.

Authorizes child abuse investigation on school premises if investigation involves interview of suspected victim or witnesses but not person suspected of committing abuse.

Provides that Department of Human Services or law enforcement agency is not required to reveal information about investigation to school as condition of conducting investigation.

Prohibits school administrator or school staff member from notifying any person, **including child's parents or guardian**, other than department or law enforcement agency of investigation and from disclosing information obtained during investigation.

**Provides that school district, school administrator or school staff member may not be held liable for civil damages for compliance with notification and disclosure prohibitions.**

Declares emergency, effective on passage.

**A BILL FOR 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**

**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.

1 for civil damages as a result of compliance with the notification and disclosure prohibitions  
2 in subsection (1) of this section.

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

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

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