

Requested by Representative OLSON

**PROPOSED AMENDMENTS TO
B-ENGROSSED SENATE BILL 101**

1 On page 1 of the printed B-engrossed bill, delete lines 4 through 23 and
2 delete page 2 and insert:

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

4 “419B.045. (1) If an investigation of a report of child abuse is conducted
5 on [*public*] school premises, the school administrator shall first be notified
6 that the investigation is to take place, unless the school administrator is a
7 subject of the investigation. **The Department of Human Services or the**
8 **law enforcement agency conducting the investigation is not required**
9 **to reveal information about the investigation to the school as a con-**
10 **dition of conducting the investigation.** The school administrator or a
11 school staff member designated by the administrator may, at the
12 investigator’s discretion, be present to facilitate the investigation. The [*De-*
13 *partment of Human Services or the law enforcement agency making the inves-*
14 *tigation*] **investigator shall be advised by a school administrator or a**
15 **school staff member** of [*the*] a child’s disabling conditions, if any, prior to
16 any interview with the [*affected*] child. A school administrator or **school**
17 **staff member** [*is not authorized to reveal anything that transpires*] **may not**
18 **notify any person, including a child’s parents or guardian, other than**
19 **the department or law enforcement agency of an investigation de-**
20 **scribed in this section and may not disclose any information obtained**
21 during an investigation [*in which the administrator or staff member partic-*

1 *ipates*], nor shall the information become part of the child’s school records.
2 The school administrator or **school** staff member may testify at any subse-
3 quent [*trial*] **court proceeding** resulting from the investigation and may be
4 interviewed by the respective litigants prior to any [*such trial*] **court pro-**
5 **ceeding**.

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

10 “(3) Subsections (1) and (2) of this section apply solely to an inves-
11 tigation that involves an interview of the suspected victim in the re-
12 port of child abuse or witnesses and does not apply to an investigation
13 or interview of a person who is suspected of having committed the
14 abuse that is the subject of the report.

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

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