SENATE AMENDMENTS TO
SENATE BILL 1540
By COMMITTEE ON HUMAN SERVICES
February 8

On page 1 of the printed bill, line 2, after “419B.005” insert “, 419B.045”.
On page 2, line 16, delete “14” and insert “12”.
On page 3, after line 40, insert:

“SECTION 2. ORS 419B.045 is amended to read:

“(1) The Department of Human Services or a law enforcement agency has the authority to conduct an investigation, on school premises, of a report of child abuse.

“(2) When an investigation of a report of child abuse is conducted on 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.

“(3) The department or the law enforcement agency conducting the investigation shall present adequate identification to school staff members.

“(4) After the department or law enforcement agency presents adequate identification, school staff members shall cooperate with the investigation by, at a minimum:

“(a) Allowing the department or law enforcement agency access to the child who is the suspected victim in the report of child abuse; and

“(b) Providing a private space in which to conduct an interview of the child.

“(5) The department 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.

“(6) The school administrator or a school staff member designated by the administrator may, at the investigator’s discretion, be present to facilitate the investigation.

“(7) The investigator shall be advised by a school administrator or a school staff member of the child’s disabling conditions, if any, prior to any interview with the child.

“(8)(a) A school administrator or school staff member may not notify any person, including the child’s parents or guardian, other than the department or law enforcement agency and any school employee necessary to enable the investigation, of an investigation described in this section and may not disclose any information obtained during an investigation, nor shall the information become part of the child’s school records.

“(b) Information obtained during an investigation is not part of the child’s school records.

“(9) A school administrator or school staff member may testify at any subsequent court proceeding relating to the investigation and may be interviewed by the respective litigants prior to any court proceeding.

“(10) 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) (11) [Subsections (1) and (2) of] This section [apply] applies solely to an investigation that
involves an interview of the suspected victim in the report of child abuse or witnesses and [do] does
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.”.

In line 41, delete “2” and insert “3”.

On page 6, line 21, delete “3” and insert “4”.

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