

## SENATE AMENDMENTS TO SENATE BILL 1540

By COMMITTEE ON HUMAN SERVICES

February 8

- 1 On page 1 of the printed bill, line 2, after “419B.005” insert “, 419B.045”.
- 2 On page 2, line 16, delete “14” and insert “12”.
- 3 On page 3, after line 40, insert:
- 4 “**SECTION 2.** ORS 419B.045 is amended to read:
- 5 “419B.045. (1) **The Department of Human Services or a law enforcement agency has the**
- 6 **authority to conduct an investigation, on school premises, of a report of child abuse.**
- 7 “[1] (2) [I/] **When** an investigation of a report of child abuse is conducted on school premises,
- 8 the school administrator shall first be notified that the investigation is to take place, unless the
- 9 school administrator is a subject of the investigation.
- 10 “(3) **The department or the law enforcement agency conducting the investigation shall**
- 11 **present adequate identification to school staff members.**
- 12 “(4) **After the department or law enforcement agency presents adequate identification,**
- 13 **school staff members shall cooperate with the investigation by, at a minimum:**
- 14 “(a) **Allowing the department or law enforcement agency access to the child who is the**
- 15 **suspected victim in the report of child abuse; and**
- 16 “(b) **Providing a private space in which to conduct an interview of the child.**
- 17 “(5) The [*Department of Human Services*] **department** or the law enforcement agency conduct-
- 18 ing the investigation is not required to reveal information about the investigation to the school as
- 19 a condition of conducting the investigation.
- 20 “(6) The school administrator or a school staff member designated by the administrator may,
- 21 at the investigator’s discretion, be present to facilitate the investigation.
- 22 “(7) The investigator shall be advised by a school administrator or a school staff member of
- 23 [a] **the child’s disabling conditions, if any, prior to any interview with the child.**
- 24 “(8)(a) A school administrator or school staff member may not notify any person, including [a]
- 25 **the child’s parents or guardian, other than the department or law enforcement agency and any**
- 26 **school employee necessary to enable the investigation,** of an investigation described in this
- 27 section and may not disclose any information obtained during an investigation[, *nor shall the infor-*
- 28 *mation become part of the child’s school records*].
- 29 “(b) **Information obtained during an investigation is not part of the child’s school records.**
- 30 “(9) [*The*] **A** school administrator or school staff member may testify at any subsequent court
- 31 proceeding relating to the investigation and may be interviewed by the respective litigants prior to
- 32 any court proceeding.
- 33 “[2] (10) A school district, school administrator or school staff member may not be held liable
- 34 for civil damages as a result of compliance with [*the notification and disclosure prohibitions in sub-*
- 35 *section (1) of*] this section.

1           “[(3)] (11) [Subsections (1) and (2) of] This section [apply] **applies** solely to an investigation that  
2 involves an interview of the suspected victim in the report of child abuse or witnesses and [do] **does**  
3 not apply to an investigation or interview of a person who is suspected of having committed the  
4 abuse that is the subject of the report.”.

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

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

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