



Open Government Impact Statement

80th Oregon Legislative Assembly
2019 Regular Session

Measure: SB 155-A

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Requires investigations of all reports involving suspected abuse or suspected sexual conduct by school employees, contractors, agents and volunteers.

Establishes requirements for law enforcement agencies and Department of Human Services to conduct investigations related to reports of abuse that involve child and person who is school employee, contractor, agent or volunteer. Establishes requirements for Teacher Standards and Practices Commission to conduct investigations related to reports of suspected sexual conduct that may have been committed by school employee, contractor, agent or volunteer who is licensed by commission. Establishes requirements for Department of Education to conduct investigations related to reports of suspected sexual conduct that may have been committed by school employee, contractor, agent or volunteer who is not licensed by commission. Allows education provider to use findings of agencies when making employment determinations. Prescribes timelines for completing investigations and making employment determinations.

Revises definitions of terms of "education provider," "sexual conduct" and "student" for purposes of certain laws related to abuse and sexual conduct by school employees, contractors, agents and volunteers.

Prohibits individual who is school employee, contractor or agent from assisting other school employee, contractor or agent in obtaining new job if individual knows or has probable cause to believe school employee, contractor or agent engaged in abuse or sexual contact with student. Provides exceptions. Allows commission to discipline individual for any violations of prohibition.

Prohibits certain agreements or contracts that have effect of terminating or impairing ongoing investigations or of suppressing information relating to substantiated report of abuse or sexual conduct.

Directs Department of Human Services and law enforcement agencies that receive report of child abuse to notify Department of Education if alleged child abuse occurred in school or was related to school-sponsored activity.

Declares emergency, effective July 1, 2019.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure makes information and reports of the Teacher Standards and Practices Commission detailing investigations of abuse or sexual conduct by school employees exempt from public disclosure unless the commission makes a final determination to take disciplinary action against the school employee.



If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could gain information related to ongoing investigations being conducted by the Teacher Standards and Practices Commission and investigations in which the allegations could not be substantiated.