

SB 51 A -A5 STAFF MEASURE SUMMARY

House Committee On Human Services

Prepared By: Iva Sokolovska, LPRO Analyst

Meeting Dates: 4/28, 5/24

WHAT THE MEASURE DOES:

Refines provisions concerning investigations of suspected child abuse or sexual conduct in educational settings. Specifies required notifications and content of notice made by the Oregon Department of Education (ODE) upon receipt of specified information from the Department of Human Services (DHS). Prohibits ODE from disclosing any identifying information about persons reporting suspected abuse. Prohibits further disclosure by recipients of notice and deems same is not a public record. Defines administrators for purposes of statutes governing youth dating violence. Clarifies that ODE's obligation to notify others when an investigation of an unlicensed person is complete, includes legal guardians and known suspects. Clarifies notice of complete investigation need only be provided to regulatory boards ODE knows are relevant, and only if a report is substantiated. Specifies retention of records by ODE for 25 years. Clarifies right to appeal determination that a report is substantiated via contested case process. Declares emergency, effective on passage.

Senate Committee on Human Services, Mental Health and Recovery : Passed with amendments, unanimously.

Senate Vote: Passed. Ayes, 28; Nays, 1--Heard; Excused, 1--Thatcher.

Fiscal Impact: No Fiscal Impact

Revenue Impact: No Revenue Impact

ISSUES DISCUSSED:

- Overview of technical changes requested by Oregon Department of Education (ODE)
- Disclosure parameters
- Appeal process and limits
- Consistency with other policies on accountability and transparency

EFFECT OF AMENDMENT:

-A5 Extends the period that the Department of Education must retain documents and materials related to any report to 75 years.

Resolves conflict.

BACKGROUND:

In 2019 the Legislative Assembly enacted Senate Bill 155 to impose new obligations on the Department of Human Services (DHS), the Teacher Standards and Practices Commission (TSPC), and the Oregon Department of Education (ODE) with respect to investigations of suspected child abuse or sexual conduct in educational settings.

Senate Bill 51 A clarifies provisions of the earlier legislation primarily concerned with streamlining notifications, eliminating duplication, refining confidentiality provisions, and specifying retention of ODE records for 25 years, in cases of suspected sexual conduct or child abuse in educational settings.