

## **HB 2942 -7, -8 STAFF MEASURE SUMMARY**

### **House Committee On Judiciary**

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**Prepared By:** Amie Fender-Sosa, Counsel

**Sub-Referral To:** House Committee On Education

**Meeting Dates:** 2/11, 3/18

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#### **WHAT THE MEASURE DOES:**

Removes certain non-violent crimes from list of crimes that create automatic ineligibility for being issued a license or registration by the Teacher Standards and Practices Commission (TSPC). Requires TSPC to establish standards for issuing a license or registration to a person who has been convicted of certain listed crimes, who has been convicted of an attempt to commit one of the listed crimes, or has been convicted of a crime involving the illegal use, sale or possession of controlled substances or marijuana. Requires that the standards established may not indefinitely prohibit a license or registration for a person convicted of one of the listed crimes, but may prescribe a minimum length of time that must lapse before license or registration is granted. Requires TSPC to consider facts surrounding the conviction and the specific professional standards in determining the applicant's fitness. Permits a school district to decline to employ or contract with a person after considering the facts surrounding the conviction and the specific professional standards in determining the person's fitness.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

-7 Replaces the measure. Without limiting the current statutory powers of the Teachers Standards and Practices Commission (TSPC), directs TSPC to not issue license or registration to a person who within the last five years has been convicted of certain non-violent crimes (prostitution and certain drug offenses) or who has been convicted of an attempt to commit one of those crimes.

-8 Replaces the measure. Without limiting the current statutory powers of the Teachers Standards and Practices Commission (TSPC), gives the TSPC discretion regarding whether to refuse to issue a license or registration to a person who has been convicted of certain non-violent crimes (prostitution and certain drug offenses) or who has been convicted of an attempt to commit one of those crimes. Directs the Department of Education (ODE) to inform a school district if a contractor or employee, except when prohibited by state or federal law, to disclose the crime for which the person was convicted when informing the school district that a person has been convicted of a crime. Allows the school district to choose whether to employ or contract with a person convicted of one of the listed crimes. Allows the TSPC to revoke a license or registration if the person has been convicted of any of the listed crimes.

##### **BACKGROUND:**

The Teacher Standards and Practices Commission (TSPC) is Oregon's licensing agency for all educators. The TSPC was established in 1965 to maintain and improve performance in the education profession by approving teacher preparation programs offered by Oregon colleges and universities; by licensing teachers, administrators and other personnel employed in Oregon schools; and by taking disciplinary actions when educators commit crimes or violate Standards for Competent and Ethical Performance.

House Bill 2942 removes certain non-violent crimes from the list of crimes that create automatic ineligibility for being issued a license or registration by the Teacher Standards and Practices Commission.