

REVENUE: No revenue impact

FISCAL: May have fiscal impact, statement not yet issued

Action:	Without Recommendation as to Passage and Be Printed Engrossed and Be Referred to the Committee on Elections, Ethics, and Rules
Vote:	7 - 1 - 1
Yeas:	Dallum, Komp, Krummel, Lim, Roblan, Whisnant, Buckley
Nays:	Greenlick
Exc.:	Clem
Prepared By:	Derrick Olsen, Administrator
Meeting Dates:	5/24, 5/30

WHAT THE MEASURE DOES: Permits issuance of teaching, personnel service or administrative license or registration to person convicted of misdemeanor prostitution if Teacher Standards and Practices Commission determines that person is fit to be teacher and date of conviction is more than five years prior to date of application. Allows school district to employ or contract with person convicted of misdemeanor prostitution if district determines that person is fit to be employed by or contract with district and date of conviction is more than five years prior to date of employment or date contract is entered into. Allows school districts to seek criminal records check directly from the Department of State Police instead of through the Department of Education. Requires a state and nationwide criminal records check for those people required to have a background check. Prohibits school districts from using a person as a volunteer if the person has been convicted of a crime listed in Oregon Revised Statutes (ORS) 342.143 or has made a false statement about being convicted for a crime and authorizes private schools to do the same. Directs school districts to consider volunteer noncompliance with criminal records check or fingerprint requirement to be mandatory grounds for termination of volunteer status. Upon request from a school district contractor or private school contractor and with consent of the individual requires the Department of Education request that the State Police conduct a state and nationwide criminal records check for a volunteer for a school district contractor or a private school contractors who has or may have direct, unsupervised contact with school children. Expands criminal records check coverage to employees or contractors that "may have" direct, unsupervised contact with students. Authorizes criminal records check for school district volunteers or private school volunteers. Broadens the authorization for school districts or private schools to require fingerprints of contractors, direct employees, and volunteers who "may have" direct, unsupervised contacts with students. Declares an emergency and takes effect July 1, 2007.

ISSUES DISCUSSED:

- Forgiveness and fresh start for people who have changed their lives; rationale for five year waiting period
- High rate of previous sexual assault and other crimes against women who resort to or are forced into prostitution
- Misdemeanor crimes vs. felony crimes, expunging misdemeanor convictions, and revocation/denial of approval
- Criminal background checks and roles of local school districts, Teacher Standards and Practices Commission, Department of Education, and Oregon State Police; requirements for employees/contractors/volunteers

EFFECT OF COMMITTEE AMENDMENT: The amendment adds sections to the bill on criminal records checks.

BACKGROUND: Oregon Revised Statute (ORS) 342.121 requires the Teacher Standards and Practices Commission (TSPC) to issue licenses to teachers and administrators who possess the minimum competencies, knowledge and skills to teach and administer in the public schools of Oregon. Statute and administrative rule set forth requirements to become a licensed teacher. SB 724-B would allow the TSPC to license people convicted of the misdemeanor crime of prostitution or a substantially equivalent crime to become teachers or be employed by districts if the date of conviction is more than five years prior to date of application for licensure. The Senate Education and General Government Committee gave SB 724-A a Do Pass as Amended recommendation with a 5-0 vote, and it passed the Senate 20-7-3.

6/5/2007 5:48:00 PM

This summary has not been adopted or officially endorsed by action of the committee.