

HB 3339 and the -1 Amendments

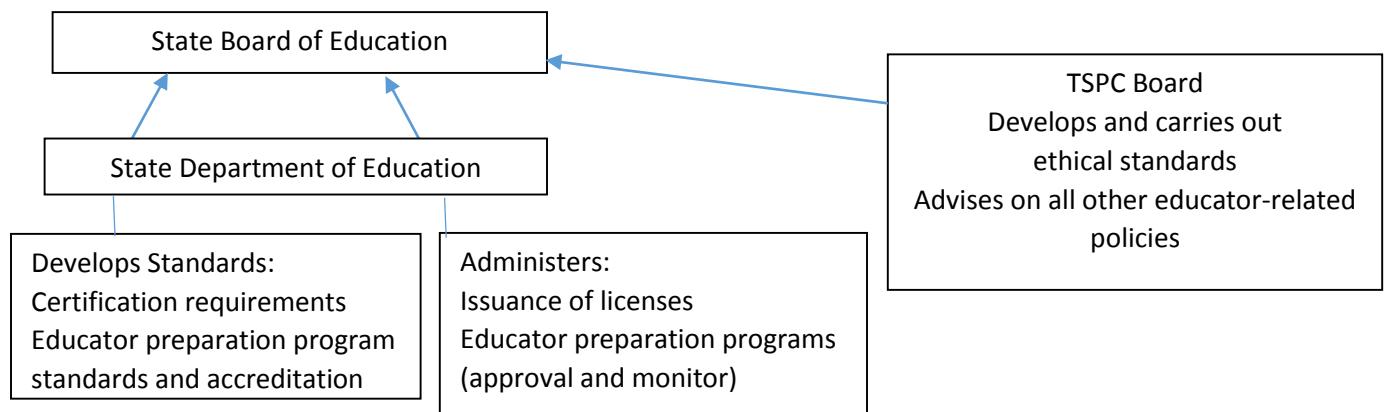
INTENT

HB 3339 is introduced to create vertical alignment of education policy and implementation in Oregon. Currently, the State Board of Ed and the Department of Education exist in one silo while TSPC exists in another, with their charges clearly defined. Oregon can improve the educator profession through greater policy and administrative coordination in the areas of educator licensing, certification, and preparation program approval. HB 3339 changes TSPC from being an *autonomous* agency to a *semi-independent* agency in order to preserve the best aspects of Board input and educators assisting in the decision making process while creating greater efficiency and benefitting the profession as a whole.

WHAT THE BILL DOES

[Contained in the -1 amendments]

- Establishes a Teacher Standards and Practices Division within the Oregon Department of Education. All oversight, rulemaking and policy making, and administrative responsibilities currently carried out by the Teacher Standards and Practices Commission will be transferred to the TSPC Division.
- There will remain a Teacher Standards and Practices Board to handle disciplinary procedures independently from the TSPC Division and ODE.
 - TSPC Board composition remains the same (*17 members with an educator majority*) and the disciplinary process remains the same (*all discipline assessment and proceedings carried out by Board*)
 - The Governor will continue to be responsible for appointing the Board.
- A Division Head, who reports to the Deputy Superintendent, will act as a liaison between the Division and the Board runs the Division.
 - Division Head is hired by and reports to the Deputy Superintendent.
- Licensing rulemaking will be completed by the State Board of Education after consideration of recommendations offered by TSPC Division and TSPC Board.



HISTORY AND BACKGROUND:

- Nationally: 19 states currently regulate the education profession through an independent board, rather than within their state board of education. The scope of their authority varies.
 - In 5 of the 13 states at least one member of the board is tied to the state board of education and/or the state department of education.
 - 6 are autonomous regarding discipline or ethics and advisory on policy.
- Oregon:
 - Authority: TSPC first established in 1965 with advisory responsibility. TSPC given full authority for granting and revoking educator certificates/licenses in 1973.
 - Commissioners: 1965-1979 Commissioners were appointed by the State Board of Education. Governor given appointment authority in 1979 to align the Commission with other professional standards board.
 - Standards-setting responsibility: Certification (licensing), ethical expectations, professional expectation, educator preparation programs.
Administrative responsibility: Issuance, discipline, and oversight of certification.
Program approval and oversight of educator preparation.

Table II-1. Summary of Case Study State Board Attributes							
	<i>MA</i>	<i>NJ</i>	<i>RI</i>	<i>MD</i>	<i>KY</i>	<i>OR</i>	<i>WA</i>
Role and Duties							
Policy authority	Advisory			Semi-Auton.	Autonomous		
Major policy areas	All	Professional development	All	Certification	Certification, prep. programs	Certification, prep. programs.	Prep. programs, certification
Administrative areas	None	None	None	None	All (and discipline)	All (and discipline)	Prep. programs
Membership							
Majority	Educator	Teacher	Educator	Educator	Teacher	Educator	Teacher
Appointed by	Ed. Comm.*	Ed. Comm.*	Assns.**	Gov.	Gov.	Gov.	Gov.
Term length (yrs.)	3	2	-	3	4	3	4
Term limit	2 consec.	4	-	-	-	2	2
Other Characteristics							
Established	1980s***	1998	2001	1971	1990	1965	2000
Last major change	1993	-	-	1991	2000	1979	2005

IMPACT OF HB 3339

- *Problem:* Independent scope is broad but resources are limited. Relying only on fees causes fluctuations in available resources for the Commission to achieve their goal. Constant revenue changes creates an unpredictable situation for the commission and therefore hard to predict potential impacts.
Solution: The Oregon Department of Education can provide a stable administrative structure that more easily absorbs and adapts to policy changes or process changes. Providing technological support, helping to modernize the framework for license procession, will speed up

the overall process. This is just one example of how consistency in the areas of administration will better serve the education profession.

- *Problem:* Processing backlog of licenses (currently 2 years). Working towards online system is only part of the larger goal of improving the process. It will take time and resources to make the transition fluid while also addressing the backlog.
Solution: ODE can provide technological support to not only make this transition faster but also more efficient.
- *Problem:* Responsibilities born by TSPC will be increased, not decreased. Even with adopting the proposed fee increases this year, there is no guarantee that TSPC can accommodate new responsibilities. These new responsibilities will require more staff and attention than is currently capacity for or could be budgeted in the future at TSPC.
Solution: Oregon Department of Education can better coordinate policy changes and address increased responsibilities, as explained in the examples below, and offer a more aligned profession.
 - SB 78: Establishes Teacher Education Program Accreditation Account to enable TSPC to award grants to teacher education programs for CAEP accreditation. TSPC will require administrative capacity to monitor the progress of institutions and administer the grant properly.
 - HB 3069: Raises standards for teaching reading in elementary school. Increasing proficiency for teachers can be done at the institutional level, which requires greater accountability and reporting to TSPC. Should Oregon move toward additional proficiency requirements related to reading, as other states have, TSPC would be responsible for administering which would increase costs.
 - HB 2624: In order to increase the amount of CTE professionals in a classroom setting, TSPC will establish requirements for educator prep programs in order to issue licenses to professionals. While this goal may be achieved, there will be increased monitoring of training programs which will come at a cost.
- *Problem:* Access to knowledge and information about policy changes and implementation. The Commission has a single link to the legislature through the Executive Director, who experiences a burdensome amount of work and shoulders a tremendous amount of responsibility in the current structure, including acting as a legislative point of contact.
Solution: Oregon Department of Education has the personnel that can provide information and background on policy therefore allowing the Commission to be better informed about the priorities, changes, and implementation processes occurring at the legislature and around the state. Additionally, administrative staff will have greater access to background knowledge which will then be communicated at the district level to better support the profession.
- *Problem:* Rule changes getting lost in communication. The Commission establishes rule changes which are then carried out in day-to-day practices by the Executive Director through Commission staff. When communication about the rule change breaks down and Commission staff do not have the most up to date information, educators and school districts are negatively

impacted.

Solution: The Division Head established in the -1 amendments creates a better line of accountability for policy and rule changes to be communicated. Administrative staff will be better served through best-practices already occurring within ODE and changes made within one body creates a more efficient process, ultimately allowing staff to better support the profession.

- *Problem:* Inherent separation between Oregon Department of Education and TSPC. While efforts may be made to communicate between the two agencies, information may be lost in translation or not shared at all in day-to-day operations because

Solution: TSPC Agency established in HB 3339 is led by a Division head who reports directly to the Deputy Superintendent of Public Instruction. This will create a direct line of communication between the Commission and the Department to help align education policy and implementation. The Commission will continue to play an advisory role on policy, which gives them a larger platform to share their opinion and aligns the policy with strategic initiatives

- *Problem:* Lagging in the ability to reach our 40-40-20 is an ambitious, outcomes based goal. Oregon needs greater policy alignment in education. The rankings of Oregon's school system places an increased amount of pressure on the system to perform and on the policy makers to address clear problems.

Solution: Creating greater accountability of TSPC to ODE and to the legislature will allow policy makers to address inefficiencies and gaps in information.

Amendment Considerations:

Change effective date from January, 2016 to 2017

Change board composition to include a member of the State Board or Department of Education