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# MEMORANDUM

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**To:** Members of the Education Subcommittee

**From:** Doug Wilson, Legislative Fiscal Office  
(503) 986-1837

**Date:** June 2, 2015

**Subject:** HB 2411 Work Session Recommendations

## **Background Information**

HB 2411 changes the name of the Teacher Standards and Practices Commission (TSPC) to the Professional Educator Standards Board (PESB) as well as changes in related terminology to reflect the name change. The bill (section 22) also increases the maximum fee the Commission/Board is allowed to charge for a number of licenses. The changes in the maximum authority for the fees include;

- increase from \$100 to \$350 for the basic teacher licenses,
- increase from \$75 to \$350 for registration as a charter school teacher or administrator,
- increase from \$25 to \$40 per month for late renewal of a license,
- increase from \$100 to \$200 for issuance of an emergency license through an expedited process, and an increase from \$150 to \$300 for reinstatement of suspended or revoked license for gross neglect of duty or gross unfitness.

These are the maximum amount the Commission/Board may charge. The Governor's budget assumes lower increases. For example, the basic teacher renewal license is assumed to increase from \$100 to \$140 for either a five or three year license.

## **Recommended Changes to Appropriation Bill:**

There is one amendment to the bill which would remove the change of the name of the Commission from the Teacher Standards and Practices Commission (TSPC) to the Professional Educator Standards Board (PESB).

*Please see the attached amendment (-A2) for the LFO recommend changes to the bill.*

Sen. /Rep. \_\_\_\_\_ moves the -A2 amendment to HB 2411.

**HB 2411 Final Subcommittee Action:**

***Final Motion:***

*Sen./Rep. \_\_\_\_\_ moves HB 2411-A to the full committee as amended with a “do pass” recommendation.*

**STAFF MEASURE SUMMARY**

**House Committee On Education**

**Fiscal:** Fiscal impact issued

**Revenue:** No Revenue Impact

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**Action Date:** 04/15/15

**Action:** Do Pass As Amended, Be Printed Engrossed, And Bill Be Referred To Ways And Means.

**Meeting Dates:** 04/01, 04/15

**Vote:**

Yeas: 9 - Barreto, Doherty, Frederick, Hack, McLain, Piluso, Reardon, Sprenger, Wilson

**Prepared By:** Richard Donovan, Committee Administrator

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**WHAT THE MEASURE DOES:**

Changes name of Teacher Standards and Practices Commission (TSPC) to Professional Educator Standards Board. Updates terms for teacher education programs and institutions. Streamlines licensure structure for teachers and administrators. Increases maximum amount allowed for fees for issuance of license. Declares emergency, effective July 1, 2015.

**ISSUES DISCUSSED:**

- History of TSPC, including drop in revenue and resulting 30% reduction in staff in past three years
- Current low level of service, long wait times for teachers applying for license
- Fee increases as enabling return to proper level of service
- Actions taken to address existing licensure process
- “Teacher” as anachronistic term; “educator” more accurate, given broad range of licenses issued by TSPC

**EFFECT OF COMMITTEE AMENDMENT:**

Reduces proposed fee cap.

**BACKGROUND:**

The Teacher Standards and Practices Commission (TSPC) was established in 1965, and is the state licensing agency for educators. The TSPC has three main areas of responsibility: approval of teacher preparation programs offered by Oregon colleges and universities; licensure of teachers, administrators and other personnel employed in Oregon schools; and management of disciplinary actions relevant to educators conduct, including violations of the Standards for Competent and Ethical Performance.

House Bill 2411-A clarifies existing statutes to reflect the organizational restructuring and renaming of the Teacher Standards and Practices Commission to the Professional Educator Standards Board. The bill also increases the amount of fees charged for educator licenses and subsequent license renewals, as well as modifies the names associated with the various levels of licensure.

**FISCAL IMPACT OF PROPOSED LEGISLATION**

Measure: HB 2411 - A

Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session  
Legislative Fiscal Office*Only Impacts on Original or Engrossed  
Versions are Considered Official*Prepared by: Krista McDowell  
Reviewed by: Doug Wilson  
Date: 5/26/2015**Measure Description:**

Changes name of Teacher Standards and Practices Commission to Professional Educator Standards Board.

**Government Unit(s) Affected:**

Teacher Standards and Practices Commission, Department of Education

**Summary of Revenue Impact:**

	2015-17 Biennium	2017-19 Biennium
Other Funds	1,133,124	1,630,760
<b>Total Funds</b>	<b>\$1,133,124</b>	<b>\$1,630,760</b>

**Local Government Mandate:**

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**Analysis:**

The bill changes the name of the Teacher Standards and Practices Commission (TSPC) to the Professional Educator Standards Board. The bill also updates terms for teacher education programs and makes changes to the licensure structure for teachers and administrators. The new licensure system will be comprised of the following types of licenses: preliminary educators, professional educators, distinguished educators, legacy educators, and new out-of-state educators. The maximum amount allowed for fees for issuance of license is also increased from \$100 to \$350.

The bill will permit the TSPC to increase application fees for new, renewing and reinstating licenses. The TSPC plans to implement the following fee increases beginning January 1, 2016, contingent upon legislative approval:

- License Renewal \$100 to \$140
- New In-State Licenses \$100 to \$140
- New Out of State Licenses \$120 to \$190
- Charter School Registrations \$25 to \$140
- Late Fees \$25 to \$40/month cap at \$200
- Reinstatements (expired license) \$100 to \$250
- Reinstatements (disciplinary reinstatement) \$100 to \$300

This is estimated to increase revenue by \$1,133,124 Other Funds (OF) in the 2015-17 biennium and \$1,630,760 OF in the 2017-19 biennium. The Legislative Fiscal Office notes that while the bill establishes a higher \$350 fee cap, the TSPC will still be required, under ORS 291.055, to return to the Legislative Assembly to ratify any future fee increases or the fee increases will be automatically rescinded on adjournment sine die of the next regular session of the Legislative Assembly.

Costs associated with this bill, particularly associated with the name change, are anticipated to be minimal and absorbable within the existing parameters of the TSPC budget.

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 2411**

1 On page 1 of the printed A-engrossed bill, line 2, after the first semicolon  
2 delete the rest of the line and lines 3 through 9 and insert “amending ORS  
3 329.788, 332.075, 336.635, 338.135, 342.120, 342.125, 342.127, 342.130, 342.136,  
4 342.137, 342.138, 342.144, 342.147, 342.165, 342.175, 342.195, 342.197, 342.200,  
5 342.203, 342.223, 342.360, 342.390, 342.430, 342.437, 342.443, 342.447, 342.950,  
6 342.971, 351.115 and 681.360; repealing ORS 342.135 and 342.140; and declaring  
7 an emergency.”.

8 Delete lines 11 through 25 and delete pages 2 through 47 and insert:

9 **“SECTION 1.** ORS 329.788 is amended to read:

10 “329.788. As used in ORS 329.788 to 329.820:

11 “(1) ‘Beginning administrator’ means a principal or superintendent who:

12 “(a) Possesses [*an administrative license*] a **preliminary administrative**  
13 **license** issued by the Teacher Standards and Practices Commission;

14 “(b) Is employed as a principal or superintendent by a school district; and

15 “(c) Has been assigned for fewer than two school years in the  
16 administrator’s present position.

17 “(2) ‘Beginning teacher’ means a teacher who:

18 “(a) Possesses a **preliminary teaching license or reciprocal license** is-  
19 sued by the Teacher Standards and Practices Commission;

20 “(b) Is employed at least half-time, primarily as a classroom teacher, by  
21 a school district; and

22 “(c) Has taught fewer than two school years as a licensed probationary

1 teacher in any public, private or state-operated school.

2 “(3) ‘Mentor’ means an individual who:

3 “(a) Is an acting or retired teacher, principal or superintendent;

4 “(b) Has met established best practice and researched-based criteria as  
5 defined by the State Board of Education by rule;

6 “(c) Possesses a teaching or administrative license issued by the Teacher  
7 Standards and Practices Commission;

8 “(d) Has successfully served for five or more years as a licensed teacher,  
9 principal or superintendent in any public school; and

10 “(e) Has been selected and trained as described in ORS 329.815.

11 “(4) ‘Mentorship program’ means a program provided by a mentor to a  
12 beginning teacher or administrator that includes, but is not limited to, direct  
13 classroom observation and consultation, assistance in instructional planning  
14 and preparation, support in implementation and delivery of classroom in-  
15 struction, development of school leadership skills and other assistance in-  
16 tended to assist the beginning teacher or administrator to become a confident  
17 and competent professional educator who makes a positive impact on student  
18 learning.

19 “**SECTION 2.** ORS 332.075, as amended by section 1, chapter 43, Oregon  
20 Laws 2014, is amended to read:

21 “332.075. (1) Any district school board may:

22 “(a) Fix the days of the year and the hours of the day when schools shall  
23 be in session.

24 “(b) Adopt textbooks and other instructional materials as provided in ORS  
25 337.120 and 337.141 and courses of study for the use of such schools as pro-  
26 vided in ORS 336.035.

27 “(c) Authorize the use of the schools for purposes of training students of  
28 an approved [*teacher education institution*] **educator preparation provider**,  
29 as defined in ORS 342.120, and for such purposes may enter into contracts  
30 with the approved [*teacher education institutions*] **educator preparation**

1 **provider** on such terms as may be agreed upon. Such contracts as they relate  
2 to student teachers shall have the same effect and be subject to the same  
3 regulations as a contract between a licensed teacher and a district school  
4 board.

5 “(d) Develop and operate with other school districts or community college  
6 districts secondary career and technical education programs for pupils of  
7 more than one district and fix by agreement the duration of the district’s  
8 obligation to continue such activity, subject to the availability of funds  
9 therefor.

10 “(e) Authorize the school district to be a member of and pay fees, if any,  
11 to any voluntary organization that administers interscholastic activities or  
12 that facilitates the scheduling and programming of interscholastic activities.

13 “(f) Accept money or property donated for the use or benefit of the school  
14 district and, consistent with the laws of this state, use such money or prop-  
15 erty for the purpose for which it was donated.

16 “(g) Enter into an approved written agreement with the governing body  
17 of a federally recognized Native American tribe in Oregon to allow the use  
18 of a mascot that represents, is associated with or is significant to the Native  
19 American tribe entering into the agreement. An agreement entered into un-  
20 der this paragraph must:

21 “(A) Describe the acceptable uses of the mascot;

22 “(B) Comply with rules adopted by the State Board of Education that:

23 “(i) Are adopted after consultation with the federally recognized tribes in  
24 Oregon pursuant to ORS 182.164 (3); and

25 “(ii) Prescribe the requirements for approval; and

26 “(C) Be approved by the State Board of Education, which the board must  
27 provide if the agreement meets the requirements of this paragraph and the  
28 rules adopted under this paragraph.

29 “(2) All contracts of the school district must be approved by the district  
30 school board before an order can be drawn for payment. If a contract is made

1 without the authority of the district school board, the individual making  
2 such contract shall be personally liable.

3 “(3) Notwithstanding subsection (2) of this section, a district school board  
4 may, by resolution or policy, authorize its superintendent or the  
5 superintendent’s designee to enter into and approve payment on contracts for  
6 products, materials, supplies, capital outlay, equipment and services that are  
7 within appropriations made by the district school board pursuant to ORS  
8 294.456. A district school board may not authorize its superintendent or the  
9 superintendent’s designee under this subsection to enter into and approve  
10 payment on contracts that are collective bargaining agreements or service  
11 contracts that include the provision of labor performed by employees of the  
12 school district.

13 **“SECTION 3.** ORS 336.635 is amended to read:

14 “336.635. (1) The parent or guardian of a student may enroll the student  
15 in one of the proposed public alternative education programs or private al-  
16 ternative education programs of instruction or instruction combined with  
17 counseling if:

18 “(a) The enrollment is necessary to meet the student’s educational needs  
19 and interests.

20 “(b) The program is appropriate and accessible to the student.

21 “(c) For a program in a school district in which the student is a resident,  
22 the resident school district approves the enrollment.

23 “(d) For a program in a school district in which the student is not a  
24 resident, the resident school district and the attending school district ap-  
25 prove the enrollment.

26 “(e) For a private alternative education program, the program is regis-  
27 tered with the Department of Education.

28 “(2) If the student is eligible for special education under ORS 343.221 to  
29 343.236 and 343.261 to 343.295, the program must be approved by the Depart-  
30 ment of Education prior to the placement of the student in the program.



1 “(3) A student enrolled pursuant to this section is considered enrolled in  
2 the schools of the district offering the program for purposes of the distrib-  
3 ution of the State School Fund.

4 “(4) An alternative education program that is offered to a student who is  
5 not a resident of the school district may bill tuition to the school district  
6 where the student is a resident. The billing may be made annually or at the  
7 end of each term or semester of the alternative education program. For each  
8 full-time equivalent student enrolled in the alternative education program,  
9 the resident school district shall pay the actual cost of the program or an  
10 amount at least equivalent to 80 percent of the district’s estimated current  
11 year’s average per student net operating expenditure, whichever is less, in  
12 accordance with rules adopted by the State Board of Education. The alter-  
13 native education program is accountable for the expenditures of all State  
14 School Fund moneys and other local school support moneys and shall provide  
15 the resident school district with an annual statement of the expenditures.

16 “(5) A private alternative education program that is registered with the  
17 department is not required to employ only licensed teachers or administra-  
18 tors. Teachers and administrators in private programs are not considered  
19 employees of any school district for purposes of ORS 342.173.

20 “(6) A school district is not required to provide a public alternative edu-  
21 cation program if the student can be referred to public or approved private  
22 alternative education programs that are appropriate for and accessible to the  
23 student.

24 “(7) Any [*basic, standard, initial* or] **preliminary teaching license**, pro-  
25 fessional teaching license or **distinguished** teacher leader license issued by  
26 the Teacher Standards and Practices Commission is valid for teaching all  
27 subjects and grade levels in an alternative education program operated by a  
28 school district or education service district.

29 “**SECTION 4.** ORS 338.135 is amended to read:

30 “338.135. (1) Employee assignment to a public charter school shall be

1 voluntary.

2 “(2)(a) A public charter school or the sponsor of the public charter school  
3 is considered the employer of any employees of the public charter school. If  
4 a school district board is not the sponsor of the public charter school, the  
5 school district board may not be the employer of the employees of the public  
6 charter school and the school district board may not collectively bargain  
7 with the employees of the public charter school. The public charter school  
8 governing body shall control the selection of employees at the public charter  
9 school.

10 “(b) If a virtual public charter school or the sponsor of a virtual public  
11 charter school contracts with a for-profit entity to provide educational ser-  
12 vices through the virtual public charter school, the for-profit entity may not  
13 be the employer of any employees of the virtual public charter school unless:

14 “(A) The employee is an administrator who does not have any teaching  
15 responsibilities; and

16 “(B) Both the executive officer of the sponsor and the public charter  
17 school governing body approve employment by the for-profit entity. The  
18 executive officer or governing body may choose to grant approval under this  
19 subparagraph:

20 “(i) For all employees of the for-profit entity who meet the description in  
21 subparagraph (A) of this paragraph;

22 “(ii) Based on the job categories of the employees who meet the de-  
23 scription in subparagraph (A) of this paragraph; or

24 “(iii) On a case-by-case basis for each employee who meets the description  
25 in subparagraph (A) of this paragraph.

26 “(3) The school district board of the school district within which the  
27 public charter school is located shall grant a leave of absence to any em-  
28 ployee who chooses to work in the public charter school. The length and  
29 terms of the leave of absence shall be set by negotiated agreement or by  
30 board policy. However, the length of the leave of absence may not be less

1 than two years unless:

2 “(a) The charter of the public charter school is terminated or the public  
3 charter school is dissolved or closed during the leave of absence; or

4 “(b) The employee and the school district board have mutually agreed to  
5 a different length of time.

6 “(4) An employee of a public charter school operating within a school  
7 district who is granted a leave of absence from the school district and re-  
8 turns to employment with the school district shall retain seniority and ben-  
9 efits as an employee pursuant to the terms of the leave of absence.  
10 Notwithstanding ORS 243.650 to 243.782, a school district that was the em-  
11 ployer of an employee of a public charter school not operating within the  
12 school district may make provisions for the return of the employee to em-  
13 ployment with the school district.

14 “(5) For purposes of ORS chapters 238 and 238A, a public charter school  
15 shall be considered a public employer and as such shall participate in the  
16 Public Employees Retirement System.

17 “(6) For teacher licensing, employment experience in public charter  
18 schools shall be considered equivalent to experience in public schools.

19 “(7)(a) Any person employed as an administrator in a public charter  
20 school shall be licensed or registered to administer by the Teacher Standards  
21 and Practices Commission.

22 “(b) Any person employed as a teacher in a public charter school shall  
23 be licensed or registered to teach by the commission.

24 “(c) Notwithstanding paragraph (a) or (b) of this subsection, at least  
25 one-half of the total full-time equivalent (FTE) teaching and administrative  
26 staff at the public charter school shall be licensed by the commission pur-  
27 suant to ORS [342.135, 342.136, 342.138 or 342.140] **342.125**.

28 “(8) Notwithstanding ORS 243.650, a public charter school shall be con-  
29 sidered a school district for purposes of ORS 243.650 to 243.782. An employee  
30 of a public charter school may be a member of a labor organization or or-

1 ganize with other employees to bargain collectively. Bargaining units at the  
2 public charter school may be separate from other bargaining units of the  
3 sponsor or of the school district in which the public charter school is lo-  
4 cated. Employees of a public charter school may be part of the bargaining  
5 units of the sponsor or of the school district in which the public charter  
6 school is located.

7 “(9) An entity described in ORS 338.005 (5) may not waive the right to  
8 sponsor a public charter school in a collective bargaining agreement.

9 **“SECTION 5.** ORS 338.135, as amended by section 7, chapter 327, Oregon  
10 Laws 2013, is amended to read:

11 “338.135. (1) Employee assignment to a public charter school shall be  
12 voluntary.

13 “(2)(a) A public charter school or the sponsor of the public charter school  
14 is considered the employer of any employees of the public charter school. If  
15 a school district board is not the sponsor of the public charter school, the  
16 school district board may not be the employer of the employees of the public  
17 charter school and the school district board may not collectively bargain  
18 with the employees of the public charter school. The public charter school  
19 governing body shall control the selection of employees at the public charter  
20 school.

21 “(b) If a virtual public charter school or the sponsor of a virtual public  
22 charter school contracts with a for-profit entity to provide educational ser-  
23 vices through the virtual public charter school, the for-profit entity may not  
24 be the employer of any employees of the virtual public charter school.

25 “(3) The school district board of the school district within which the  
26 public charter school is located shall grant a leave of absence to any em-  
27 ployee who chooses to work in the public charter school. The length and  
28 terms of the leave of absence shall be set by negotiated agreement or by  
29 board policy. However, the length of the leave of absence may not be less  
30 than two years unless:

1       “(a) The charter of the public charter school is terminated or the public  
2 charter school is dissolved or closed during the leave of absence; or

3       “(b) The employee and the school district board have mutually agreed to  
4 a different length of time.

5       “(4) An employee of a public charter school operating within a school  
6 district who is granted a leave of absence from the school district and re-  
7 turns to employment with the school district shall retain seniority and ben-  
8 efits as an employee pursuant to the terms of the leave of absence.  
9 Notwithstanding ORS 243.650 to 243.782, a school district that was the em-  
10 ployer of an employee of a public charter school not operating within the  
11 school district may make provisions for the return of the employee to em-  
12 ployment with the school district.

13       “(5) For purposes of ORS chapters 238 and 238A, a public charter school  
14 shall be considered a public employer and as such shall participate in the  
15 Public Employees Retirement System.

16       “(6) For teacher licensing, employment experience in public charter  
17 schools shall be considered equivalent to experience in public schools.

18       “(7)(a) Any person employed as an administrator in a public charter  
19 school shall be licensed or registered to administer by the Teacher Standards  
20 and Practices Commission.

21       “(b) Any person employed as a teacher in a public charter school shall  
22 be licensed or registered to teach by the commission.

23       “(c) Notwithstanding paragraph (a) or (b) of this subsection, at least  
24 one-half of the total full-time equivalent (FTE) teaching and administrative  
25 staff at the public charter school shall be licensed by the commission pur-  
26 suant to ORS [342.135, 342.136, 342.138 or 342.140] **342.125**.

27       “(8) Notwithstanding ORS 243.650, a public charter school shall be con-  
28 sidered a school district for purposes of ORS 243.650 to 243.782. An employee  
29 of a public charter school may be a member of a labor organization or or-  
30 ganize with other employees to bargain collectively. Bargaining units at the

1 public charter school may be separate from other bargaining units of the  
2 sponsor or of the school district in which the public charter school is lo-  
3 cated. Employees of a public charter school may be part of the bargaining  
4 units of the sponsor or of the school district in which the public charter  
5 school is located.

6 “(9) An entity described in ORS 338.005 (5) may not waive the right to  
7 sponsor a public charter school in a collective bargaining agreement.

8 **“SECTION 6.** ORS 342.120 is amended to read:

9 “342.120. As used in this chapter, unless the context requires otherwise:

10 “(1) ‘Administrator’ includes but is not limited to all superintendents,  
11 assistant superintendents and principals in the public schools or education  
12 service districts.

13 “[2) ‘Approved teacher education institution’ is one which meets the stan-  
14 dards of the Teacher Standards and Practices Commission for preparation of  
15 teachers for preprimary programs and grades 1 through 12.]

16 “[3) ‘Approved teacher education program’ is one offered by an approved  
17 teacher education institution and is so recognized by the Teacher Standards  
18 and Practices Commission, after considering recommendations of the State  
19 Board of Education.]

20 “[4) ‘Commission’ means the Teacher Standards and Practices Commis-  
21 sion.]

22 **“(2) ‘Approved educator preparation program’ is a licensure pro-**  
23 **gram offered by an approved educator preparation provider and re-**  
24 **cognized by the Teacher Standards and Practices Commission.**

25 **“(3) ‘Approved educator preparation provider’ is a provider that**  
26 **meets the standards of the Teacher Standards and Practices Commis-**  
27 **sion for preparation of licensed educators for preprimary programs**  
28 **through grade 12.**

29 “[5) (4) ‘Educational assistant’ means a classified school employee who  
30 does not require a license to teach, who is employed by a school district or

1 education service district and whose assignment consists of and is limited  
2 to assisting a licensed teacher in accordance with rules established by the  
3 State Board of Education.

4 “[(6)] (5) ‘Instruction’ includes direction of learning in class, in small  
5 groups, in individual situations, in the library and in guidance and coun-  
6 seling, but does not include the provision of related services, as defined in  
7 ORS 343.035, to a child identified as a child with a disability pursuant to  
8 ORS 343.146 to 343.183 when provided in accordance with ORS 343.221.

9 “[(7)] (6) ‘Intern teacher’ means a regularly enrolled student of an ap-  
10 proved [*teacher education institution*] **educator preparation provider** who  
11 teaches under the supervision of the staff of the [*institution*] **provider** and  
12 of the employing school district in order to acquire practical experience in  
13 teaching and for which the student receives both academic credit from the  
14 [*institution*] **provider** and financial compensation from the school district or  
15 education service district.

16 “[8] (8) ‘State board’ means the State Board of Education.]

17 “[(9)] (7) ‘Teacher’ includes all licensed employees in the public schools  
18 or employed by an education service district who have direct responsibility  
19 for instruction, coordination of educational programs or supervision or  
20 evaluation of teachers and who are compensated for their services from  
21 public funds. ‘Teacher’ does not include a school nurse as defined in ORS  
22 342.455.

23 “[(10)] (8) ‘Teaching license’ means a license issued under ORS 342.125  
24 or 342.144.

25 “[(11)] (9) ‘Underrepresented person’ means:

26 “(a) A person having origins in any of the black racial groups of Africa,  
27 but who is not Hispanic;

28 “(b) A person of Hispanic culture or origin;

29 “(c) A person having origins in any of the original peoples of the Far  
30 East, Southeast Asia, the Indian subcontinent or the Pacific Islands; or

1 “(d) An American Indian or Alaskan Native having origins in any of the  
2 original peoples of North America.

3 **“SECTION 7.** ORS 342.125 is amended to read:

4 “342.125. (1) Teaching licenses shall be issued and renewed by the Teacher  
5 Standards and Practices Commission by the authority of the State of Oregon,  
6 subject to ORS 342.120 to 342.430 and the rules of the commission.

7 “[~~(2)~~ *Subject to subsection (4) of this section, teaching licenses shall be of*  
8 *the following types:*]

9 “[*(a) Basic teaching license.*]

10 “[*(b) Standard teaching license.*]

11 “[*(c) Administrative license.*]

12 “[*(d) Restricted teaching license.*]

13 “[~~(3)~~ **(2)** Subject to ORS 342.130 and to subsection [~~(4)~~ **(3)** of this section  
14 *[and in addition to the teaching licenses described in subsection (2) of this*  
15 *section]*, licenses shall be of the following types:

16 “[*(a) [Initial] Preliminary* teaching license.

17 “[*(b) Professional* teaching license.

18 “[*(c) Distinguished* teacher leader license.

19 “[*(d) [Initial] Preliminary* personnel service license.

20 “[*(e) [Continuing] Professional* personnel service license.

21 “[*(f) [Initial] Preliminary* administrative license.

22 “[*(g) [Continuing] Professional* administrative license.

23 “[**(h) Reciprocal** license.

24 “[**(i) Legacy** license.

25 “[~~(4)~~ **(3)** The Teacher Standards and Practices Commission may establish  
26 other types of teaching licenses as [*it*] **the commission** considers necessary  
27 for operation of the public schools of the state and may prescribe the quali-  
28 fications for the licenses. However, no license established under the author-  
29 ity of this subsection is required for a regular classroom teaching position  
30 in the public schools.



1       “[(5)(a)] (4)(a) The Teacher Standards and Practices Commission shall  
2 establish a public charter school teacher and administrator registry. The  
3 commission shall require the applicant and the public charter school to  
4 jointly submit an application requesting registration as a public charter  
5 school teacher or administrator. The application shall include:

6       “(A) A description of the specific teaching or administrator position the  
7 applicant will fill;

8       “(B) A description of the background of the applicant that is relevant to  
9 the teaching or administrator position, including any post-secondary educa-  
10 tion or other experience; and

11       “(C) Documentation as required by the commission for the purposes of  
12 conducting a criminal records check as provided in ORS 181.534 and a  
13 background check through an interstate clearinghouse of revoked and sus-  
14 pended licenses.

15       “(b) Subject to the results of the criminal records check and background  
16 check and to information received under ORS 342.143 (2), the commission  
17 shall approve the application for registration. The commission may deny a  
18 request for registration only on the basis of the criminal records check, the  
19 background check through an interstate clearinghouse of revoked and sus-  
20 pended licenses or the information received under ORS 342.143 (2). The reg-  
21 istration is valid for [*three years and*] **a term established by the**  
22 **commission and, subject to information received under ORS 342.143 (2),**  
23 may be renewed upon joint application from the teacher or administrator and  
24 the public charter school.

25       “(c) A registration as a public charter school teacher qualifies its holder  
26 to accept the teaching position described in the application in the public  
27 charter school that submitted the application with the holder of the regis-  
28 tration.

29       “(d) A registration as a public charter school administrator qualifies its  
30 holder to accept the administrator position described in the application in

1 the public charter school that submitted the application with the holder of  
2 the registration.

3 “[6] (5) The Teacher Standards and Practices Commission shall adopt  
4 an expedited process for the issuance of any license established pursuant to  
5 this section. The process may require a school district superintendent or  
6 school district board and the applicant to jointly submit an application re-  
7 questing an emergency license. Within two working days after receiving a  
8 completed application the commission shall issue the emergency license.  
9 However, the commission may limit the number of applications for expedited  
10 service from a school district or education service district to not more than  
11 100 applications in a period of two working days. For purposes of this sub-  
12 section, the commission may not distinguish between a school district or  
13 education service district involved in a labor dispute and any other school  
14 district or education service district.

15 “**SECTION 8.** ORS 342.127 is amended to read:

16 “342.127. (1) The Teacher Standards and Practices Commission shall es-  
17 tablish and [*the commission shall*] collect:

18 “(a) A fee not to exceed [~~\$100~~] **\$350** for evaluation of the initial applica-  
19 tion for each [*teaching*] **educator** license for which application is made. If  
20 the applicant is eligible for the [*teaching*] **educator** license for which appli-  
21 cation is made [*and the license is issued within 90 days of original*  
22 *application*], the commission shall issue the license without additional  
23 charge.

24 “(b) A fee not to exceed [~~\$100~~] **\$350** for the renewal of each [*teaching*]  
25 **educator** license and a fee not to exceed [~~\$20~~] **\$50** for each [*duplicate teach-*  
26 *ing*] **official paper** license.

27 “(c) A fee not to exceed \$800 for a beginning [*teacher*] **educator** assess-  
28 ment conducted in lieu of an approved preparation program required for  
29 licensure.

30 “[*d*] A fee not to exceed \$200 for alternative assessment conducted in lieu

1 of a passing score on a licensure examination established by the commission.]

2 “[(e)] (d) A fee not to exceed [\$75] **\$350** for registration as a public charter  
3 school teacher or administrator that includes any fee charged pursuant to  
4 rules adopted under ORS 181.534.

5 “[(f)] (e) A fee not to exceed [\$75] **\$350** for renewal of a registration as  
6 a public charter school teacher or administrator that includes any fee  
7 charged pursuant to rules adopted under ORS 181.534.

8 “(2) In addition to the fee required by subsection (1) of this section for  
9 the issuance of [*a teaching license, the Teacher Standards and Practices*  
10 *Commission*] **an educator license, the commission** shall collect a fee not  
11 to exceed \$150 for the evaluation of an applicant requesting licensing based  
12 upon completion of other than an Oregon approved [*teacher education*] **edu-**  
13 **cator preparation** program.

14 “(3) In addition to the fees required by subsection (1) of this section, the  
15 [*Teacher Standards and Practices*] commission shall collect a late application  
16 fee not to exceed [\$25] **\$40** per month up to a maximum of [\$125] **\$200** from  
17 an applicant who fails to make timely application for renewal of the license  
18 or registration. The actual amount of the fee shall be determined in accord-  
19 ance with rules of the [*Teacher Standards and Practices*] commission.

20 “(4) **In addition to the fees required by subsection (1) of this section,**  
21 **the commission shall collect a late application fee not to exceed \$350**  
22 **for the reinstatement of an expired license. The requirements for**  
23 **reinstatement and the actual amount of the fee shall be determined**  
24 **in accordance with rules of the commission.**

25 “[(4)] (5) [*In spite of*] **Notwithstanding** the expiration date posted on the  
26 license, the license shall continue to be valid for [*purposes of ORS 342.173*  
27 *for an additional 120 days. However, the district may require a statement from*  
28 *the applicant indicating that the applicant has completed the requirements for*  
29 *license renewal.*] **an additional 120 days, provided the educator has made**  
30 **a timely application, as determined by the commission, for renewal**

1 **prior to the expiration date on the license.**

2 “[5] (6) In addition to the fee required by subsection (1) of this section  
3 for the issuance of [*a teaching license*] **an educator license**, the commission  
4 shall collect a fee not to exceed [\$150] **\$300** for the reinstatement of a license  
5 that has been **suspended or** revoked by the commission for gross neglect of  
6 duty or gross unfitness under ORS 342.175.

7 “[6] (7) In addition to the fee required by subsection (1) of this section  
8 for the issuance of [*a teaching license*] **an educator license**, the commission  
9 shall collect a fee not to exceed [\$100] **\$200** for the issuance of any emergency  
10 license through an expedited process at the request of any school district,  
11 **public charter school** or education service district that seeks to employ the  
12 applicant. **The fee shall be paid by the school district, public charter**  
13 **school or education service district.**

14 “[7] (8) Fee rates established under this section shall cover, but not ex-  
15 ceed, the full cost of administrative expenses incurred by the commission  
16 during any biennium.

17 **“SECTION 9.** ORS 342.130 is amended to read:

18 “342.130. (1) Nothing in ORS 342.120 to 342.173 is intended to invalidate  
19 the life of any certificate or diploma in effect on June 30, 1965, nor to in-  
20 validate the rights granted prior to June 30, 1965, by the law and the rules  
21 of the State Board of Education under which the certificate or diploma was  
22 issued.

23 “(2) Nothing in chapter 550, Oregon Laws 1965, is intended to invalidate  
24 the life of any teaching certificate in effect on August 13, 1965, or to alter  
25 the rights and privileges granted prior to August 13, 1965, by the law under  
26 which the teaching certificate was issued.

27 “(3) Nothing in ORS 342.120 to 342.173 is intended to invalidate the life  
28 of any basic or standard teaching or administrative license in effect prior to  
29 January 15, 1999, nor to invalidate the rights granted prior to January 15,  
30 1999, by the law and by the rules [*of the Teacher Standards and Practices*

1 *Commission*] under which the license was issued.

2 “(4) **Nothing in this 2015 Act is intended to invalidate the life of any**  
3 **teaching, administrative or personnel service license in effect on the**  
4 **effective date of this 2015 Act or to alter the rights and privileges**  
5 **granted prior to the effective date of this 2015 Act by the law under**  
6 **which the license was issued.**

7 “**SECTION 10.** ORS 342.136 is amended to read:

8 “342.136. (1) [*An initial*] **A preliminary** teaching, personnel service or  
9 administrative license shall qualify its holder to accept any assignment from  
10 preprimary through grade 12 for which the holder has completed the re-  
11 quirements established by the rules of the Teacher Standards and Practices  
12 Commission.

13 “(2) [*An initial*] **A preliminary** license shall be issued on application to  
14 an otherwise qualified person who has completed an approved professional  
15 education program and meets such other requirements as the commission  
16 may consider necessary to maintain and improve the quality of instruction  
17 in the public schools of the state.

18 “(3) [*An initial*] **A preliminary** license may be renewed if the applicant  
19 meets the requirements established by the commission by rule [*and may be*  
20 *renewed every three years up to three times*].

21 “(4) The commission shall develop a process that allows a teacher holding  
22 [*an initial*] **a preliminary** teaching license to **continually** renew the  
23 [*initial*] **preliminary** teaching license [*after the time limit imposed by sub-*  
24 *section (3) of this section*] **based on the completion of requirements es-**  
25 **tablished by the rules of the commission** if the teacher does not qualify  
26 for a professional teaching license due to lack of employment.

27 “**SECTION 11.** ORS 342.137 is amended to read:

28 “342.137. (1) A **distinguished** teacher leader license shall designate that  
29 its holder is qualified to provide leadership that may include mentoring,  
30 curriculum development support, teacher preparation support and other edu-

1 cational leadership.

2 “(2) A **distinguished** teacher leader license shall be issued on application  
3 to an otherwise qualified person who:

4 “(a) Has a valid professional teaching license; and

5 “(b) Has been deemed to be effective to highly effective in teaching, as  
6 shown by evaluations conducted in compliance with ORS 342.856 or as shown  
7 by other evidence identified by the Teacher Standards and Practices Com-  
8 mission by rule.

9 “(3) A **distinguished** teacher leader license may be renewed if the appli-  
10 cant meets the requirements established by the Teacher Standards and  
11 Practices Commission by rule.

12 “(4) The Teacher Standards and Practices Commission shall develop a  
13 process by which a teacher holding a **distinguished** teacher leader license  
14 is automatically issued a professional teaching license upon nonrenewal of  
15 a **distinguished** teacher leader license if the teacher meets the requirements  
16 for a professional teaching license.

17 “**SECTION 12.** ORS 342.138 is amended to read:

18 “342.138. (1) A professional teaching license, a [*continuing*] **professional**  
19 personnel service license or a [*continuing*] **professional** administrative li-  
20 cense [*shall qualify*] **qualifies** the holder to accept any assignments for pre-  
21 primary through grade 12 for which the holder has completed the advanced  
22 requirements established by the rules of the Teacher Standards and Practices  
23 Commission.

24 “(2) A professional teaching license, a [*continuing*] **professional** person-  
25 nel service license or a [*continuing*] **professional** administrative license shall  
26 be issued on application [*for five years*] to an otherwise qualified person who  
27 has:

28 “(a) Completed an advanced professional education program approved by  
29 the commission;

30 “[*b*] *Been employed for a minimum period of time to be determined by the*

1 *commission in:]*

2 “*[(A) An Oregon public school;]*

3 “*[(B) An Oregon private school that meets the standards adopted by the*  
4 *commission by rule; or]*

5 “*[(C) Another educational setting approved by the commission; and]*

6 “**(b) Been employed in an educational setting for a minimum period**  
7 **of time established by the commission by rule; and**

8 “(c) Demonstrated minimum competencies, knowledge and skills required  
9 for the professional teaching license, [*continuing*] **professional** personnel  
10 service license or [*continuing*] **professional** administrative license through  
11 an approved [*teacher education institution*] **educator preparation provider**,  
12 school district, professional organization identified in ORS 342.121, or pro-  
13 fessional assessment approved by the commission.

14 “(3) The holder of a professional teaching license, [*continuing*] **profes-**  
15 **sional** personnel service license or [*continuing*] **professional** administrative  
16 license may renew the license in accordance with the rules of the commis-  
17 sion.

18 “*[(4) A professional teaching license shall indicate that the holder has*  
19 *taught for more than three and one-half years and is ready to take on advanced*  
20 *roles and responsibilities as a teacher, including mentoring, curriculum de-*  
21 *velopment support, teacher preparation support and other educational leader-*  
22 *ship.]*

23 “**SECTION 13.** ORS 342.144 is amended to read:

24 “342.144. (1) As used in this section, ‘American Indian tribe’ means an  
25 Indian tribe as that term is defined in ORS 97.740.

26 “(2) The Legislative Assembly declares that teaching American Indian  
27 languages is essential to the proper education of American Indian children.

28 “(3) The Teacher Standards and Practices Commission shall establish an  
29 American Indian languages teaching license.

30 “(4) Each American Indian tribe may develop a written and oral test that

1 must be successfully completed by an applicant for an American Indian lan-  
2 guages teaching license in order to determine whether the applicant is  
3 qualified to teach the tribe's native language. When developing the test, the  
4 tribe shall determine:

5       “(a) Which dialects will be used on the test;

6       “(b) Whether the tribe will standardize the tribe's writing system; and

7       “(c) How the teaching methods will be evaluated in the classroom.

8       “(5) The test shall be administered at an appropriate location that does  
9 not create hardship for the tribal members administering the test.

10       “(6) The commission may not require an applicant to hold a specific aca-  
11 demic degree, to complete a specific amount of education or to complete [*a*  
12 *teacher education*] **an educator preparation** program to receive an American  
13 Indian languages teaching license.

14       “(7)(a) An American Indian languages teaching license qualifies the  
15 holder to accept a teaching position in a school district, public charter  
16 school, education service district, community college or public university  
17 listed in ORS 352.002.

18       “(b) A holder of an American Indian languages teaching license who does  
19 not also have a teaching license issued under ORS 342.125 may not teach in  
20 a school district or education service district any subject other than the  
21 American Indian language the holder of the license is approved to teach by  
22 the tribe.

23       “(c) A holder of an American Indian languages teaching license who does  
24 not also have a teaching license or registration issued under ORS 342.125  
25 may not teach in a public charter school any subject other than the Ameri-  
26 can Indian language the holder of the license is approved to teach by the  
27 tribe.

28       “(8)(a) As used in this subsection, ‘technical assistance program’ means  
29 a program provided to an American Indian languages teacher by a licensed  
30 teacher with three or more years of teaching experience. A technical assist-



1   ance program may include direct classroom observation and consultation,  
2   assistance in instructional planning and preparation, support in implemen-  
3   tation and delivery of classroom instruction, and other assistance intended  
4   to enhance the professional performance and development of the American  
5   Indian languages teacher.

6       “(b) The holder of an American Indian languages teaching license who  
7   does not also have an administrative license, teaching license or registration  
8   issued under ORS 342.125 and who is employed by a school district, public  
9   charter school or education service district shall participate in a technical  
10  assistance program with a person holding a teaching license issued by the  
11  commission under ORS 342.125. The technical assistance program shall meet  
12  the guidelines specified in ORS 329.815 (2) to (4).

13       “(9) An American Indian languages teaching license shall be valid for  
14  [*three years*] **a term established by the commission** and may be renewed  
15  upon application from the holder of the license.

16       “**SECTION 14.** ORS 342.147 is amended to read:

17       “342.147. (1) After considering recommendations of the State Board of  
18  Education, the Teacher Standards and Practices Commission shall establish  
19  by rule standards for approval of [*teacher education institutions and teacher*  
20  *education programs*] **educator preparation providers and educator prep-**  
21  **aration programs.** Public [*teacher education institutions*] **educator prepa-**  
22  **ration providers** shall be approved for programs of more than four years’  
23  duration only if [*teacher education programs which*] **educator preparation**  
24  **programs that** are reasonably attainable in a four-year period are also  
25  available in the system of higher education and are designed to culminate  
26  in a baccalaureate degree that qualifies its graduates for [*entry-level*] **pre-**  
27  **liminary** teaching licenses.

28       “(2) The commission shall establish rules that allow [*teacher education*]  
29  **approved educator preparation** programs leading to graduate degrees to  
30  commence prior to the student’s completion of baccalaureate degree require-

1 ments and that allow the combined use of undergraduate and graduate level  
2 course work in achieving program completion.

3 “(3) Whenever any [*teacher education institution*] **educator preparation**  
4 **provider** or program is denied approved status or has such status withdrawn,  
5 such denial or withdrawal must be treated as a contested case within the  
6 meaning of ORS chapter 183.

7 “(4) Nothing in this section is intended to grant any authority to the  
8 commission relating to granting degrees or establishing degree requirements  
9 that are within the authority of the State Board of Higher Education or any  
10 of the public universities listed in ORS 352.002, or that are within the au-  
11 thority of the governing board of any private institution of higher education.

12 **“SECTION 15.** ORS 342.165 is amended to read:

13 “342.165. (1) Pursuant to ORS chapter 183, the Teacher Standards and  
14 Practices Commission shall adopt rules necessary for the issuance, denial,  
15 continuation, renewal, lapse, revocation, suspension or reinstatement of li-  
16 censes or registrations issued under ORS 342.120 to 342.430. The commission  
17 shall also adopt rules establishing means in addition to those prescribed by  
18 law whereby teachers are able to add additional endorsements to their  
19 teaching licenses.

20 “(2) In establishing rules the commission shall consider:

21 “(a) Its responsibilities to represent the public interest in the development  
22 of educational policies;

23 “(b) The capabilities of Oregon [*teacher education institutions*] **educator**  
24 **preparation providers** to prepare teachers;

25 “(c) The norms required for the teaching assignments;

26 “(d) The improvement of teaching;

27 “(e) The adequacy of the teacher supply;

28 “(f) The value of experience or nonacademic learning;

29 “(g) The responsibilities imposed upon school districts by geographic and  
30 demographic conditions;

1       “(h) The recommendations of the State Board of Education and Super-  
2       intendent of Public Instruction; and

3       “(i) Other matters that tend to improve education.

4       “**SECTION 16.** ORS 342.175 is amended to read:

5       “342.175. (1) The Teacher Standards and Practices Commission may sus-  
6       pend or revoke the license or registration of a teacher or administrator, **may**  
7       discipline a teacher or administrator or **may** suspend or revoke the right of  
8       any person to apply for a license or registration if the licensee, registrant  
9       or applicant has held a license or registration at any time within five years  
10      prior to issuance of the notice of charges under ORS 342.176 based on the  
11      following:

12      “(a) Conviction of a crime not listed in ORS 342.143 (3);

13      “(b) Gross neglect of duty;

14      “(c) Any gross unfitness;

15      “(d) Conviction of a crime for violating any law of this or any state or  
16      of the United States involving the illegal use, sale or possession of controlled  
17      substances;

18      “(e) Any false statement knowingly made in an application for issuance,  
19      renewal or reinstatement of a license or registration; or

20      “(f) Failure to comply with any condition of reinstatement under sub-  
21      section (4) of this section or any condition of probation under ORS 342.177  
22      (3)(b).

23      “(2) If a person is enrolled in an approved [*teacher education institution*  
24      *or*] **educator preparation provider or approved educator preparation**  
25      program under ORS 342.147, the commission may issue a public reprimand  
26      or **may** suspend or revoke the right to apply for a license or registration  
27      based on the following:

28      “(a) Conviction of a crime listed in ORS 342.143 (3) or a crime described  
29      by the commission by rule;

30      “(b) Conviction of a crime for violating any law of this or any state or

1 of the United States involving the illegal use, sale or possession of controlled  
2 substances; or

3 “(c) Any conduct that may cause the commission to suspend or revoke the  
4 license or registration of a teacher.

5 “(3) The commission shall revoke any license or registration and shall  
6 revoke the right of any person to apply for a license or registration if the  
7 person has held a license or registration at any time and the holder or ap-  
8 plicant has been convicted of any crime described in ORS 342.143 (3).

9 “(4) Except for convictions for crimes listed in ORS 342.143 (3) and subject  
10 to subsection (5) of this section, any person whose license or registration has  
11 been suspended or revoked or whose privilege to apply for a license or reg-  
12 istration has been revoked may apply to the commission for reinstatement  
13 of the license or registration after one year from the date of the suspension  
14 or revocation. The commission may require an applicant for reinstatement  
15 to furnish evidence satisfactory to the commission of good moral character,  
16 mental and physical health and such other evidence as the commission may  
17 consider necessary to establish the applicant’s fitness. The commission may  
18 impose a probationary period and such conditions as it considers necessary  
19 upon approving an application for reinstatement.

20 “(5) The commission shall reconsider immediately a license or registration  
21 suspension or revocation or the situation of a person whose privilege to ap-  
22 ply for a license or registration has been revoked, upon application therefor,  
23 when the license or registration suspension or revocation or the privilege  
24 revocation is based on a criminal conviction that is reversed on appeal.

25 “(6) Violation of rules adopted by the commission relating to competent  
26 and ethical performance of professional duties shall be admissible as evi-  
27 dence of gross neglect of duty or gross unfitness.

28 “(7) A copy of the record of conviction, certified to by the clerk of the  
29 court entering the conviction, shall be conclusive evidence of a conviction  
30 described in this section.

1        “**SECTION 17.** ORS 342.195 is amended to read:

2        “342.195. (1) An otherwise qualified applicant for [*an initial or basic*] a  
3        **preliminary** teaching license shall be granted the license upon payment of  
4        the required fees and the showing by proof satisfactory to the Teacher  
5        Standards and Practices Commission that:

6        “(a) While the applicant was in the Peace Corps program or was a vol-  
7        unteer under section 603 of the Economic Opportunity Act of 1964 (Public  
8        Law 88-452), the applicant:

9        “(A) Completed two years of satisfactory service that emphasized teaching  
10       in any preprimary program or in any grade 1 through 12 in subjects regularly  
11       taught in public schools; and

12       “(B)(i) Has completed an approved [*teacher education*] **educator prepa-**  
13       **ration** program; or

14       “(ii) Has earned at least a baccalaureate degree from an accredited insti-  
15       tution of higher education and has completed a teacher training program  
16       provided under the auspices of the federal program; or

17       “(b) The applicant was a certified instructor for the Armed Forces of the  
18       United States, if the applicant provides the commission with documentation  
19       of military training or experience that the commission determines is sub-  
20       stantially equivalent to the training required for [*an initial or basic*] a **pre-**  
21       **liminary** teaching license.

22       “(2)(a) The commission shall establish by rule an expedited process by  
23       which a military spouse or domestic partner who is licensed to teach in an-  
24       other state may apply for and obtain a teaching license.

25       “(b) As used in this subsection, ‘military spouse or domestic partner’  
26       means a spouse or domestic partner of an active member of the Armed Forces  
27       of the United States who is the subject of a military transfer to Oregon.

28       “**SECTION 18.** ORS 342.197 is amended to read:

29       “342.197. The requirements of ORS [*342.135 (3)(a),*] 342.136 and 342.138 may  
30       be met by [*teaching*] **having licensed educator** experience in:

1       “(1) A licensed career school, as defined in ORS 345.010.

2       “(2) A private school that meets standards adopted by the Teacher Stan-  
3       dards and Practices Commission by rule.

4       “**SECTION 19.** ORS 342.200 is amended to read:

5       “342.200. (1) In order to allow the school districts of the state to take full  
6       advantage of various professional skills and disciplines not directly devel-  
7       oped through teaching experience or professional education for which  
8       teaching experience is a prerequisite, it is the public policy of the State of  
9       Oregon that the Teacher Standards and Practices Commission, [*in establish-*  
10      *ing professional requirements and experience under ORS 342.140,*] **when**  
11      **considering an applicant for an administrative license**, shall consider  
12      professional skills, education and experience not directly related to, nor  
13      contingent upon, teaching experience or training as a classroom teacher.

14      “(2) The commission shall establish and prescribe the requirements for  
15      an optional advanced leadership endorsement for licensed public school ad-  
16      ministrators who engage in mentoring, professional support for new teachers  
17      or administrators, outstanding instructional leadership and demonstrated  
18      school improvement.

19      “**SECTION 20.** ORS 342.203 is amended to read:

20      “342.203. (1) Annually not later than March 1, the Teacher Standards and  
21      Practices Commission shall cause to be circulated among all of the common  
22      and union high school districts and education service districts in this state  
23      a list of:

24      “(a) All teachers and administrators whose teaching or administrative li-  
25      censes have been suspended or revoked or who have been reprimanded or  
26      placed on probation during the preceding 12 months.

27      “(b) All students at approved [*teacher education institutions or*] **educator**  
28      **preparation providers or approved educator preparation** programs under  
29      ORS 342.147 whose right to apply for a license or registration has been sus-  
30      pended or revoked during the preceding 12 months.

1       “(2) If the decision of the commission is appealed under ORS 342.180, the  
2 name of the teacher, administrator or student shall not be placed on the list  
3 authorized by subsection (1) of this section unless and until such decision  
4 has been sustained by the Court of Appeals or until the appeal has been  
5 dropped.

6       “**SECTION 21.** ORS 342.223 is amended to read:

7       “342.223. (1) For the purpose of requesting a state or nationwide criminal  
8 records check under ORS 181.534, the Teacher Standards and Practices  
9 Commission may require the fingerprints of:

10       “(a) A person who is applying for [*initial issuance of*] a license under ORS  
11 342.120 to 342.430 as a teacher, administrator or personnel specialist if the  
12 person has not submitted to a criminal records check by the commission  
13 within the previous year.

14       “(b) A person who is applying for reinstatement of a license as a teacher,  
15 administrator or personnel specialist whose license has lapsed for at least  
16 three years.

17       “(c) A person who is applying for [*initial issuance of*] a certificate under  
18 ORS 342.475 as a school nurse.

19       “(d) A person who is registering with the commission for student teach-  
20 ing, practicum or internship as a teacher, administrator or personnel spe-  
21 cialist, if the person has not submitted to a criminal records check by the  
22 commission within the previous three years for student teaching, practicum  
23 or internship as a teacher, administrator or personnel specialist.

24       “(e) A person who is applying for [*initial issuance of*] a registration as a  
25 public charter school teacher or administrator under ORS 342.125.

26       “(2) The making of any false statement as to the conviction of a crime is  
27 grounds for refusal to issue, renew or reinstate a license, certificate or reg-  
28 istration and is in addition to the grounds stated in ORS 342.143.

29       “(3) A person may appeal the refusal to issue [*an initial*] a license, cer-  
30 tificate or registration under this section as a contested case under ORS

1 183.413 to 183.470, but the refusal to renew or reinstate a license or regis-  
2 tration is subject to ORS 342.175 to 342.180, and the commission shall notify  
3 the person of the right to appeal.

4 **“SECTION 22.** ORS 342.360 is amended to read:

5 “342.360. (1) The membership of the Teacher Standards and Practices  
6 Commission shall consist of:

7 “(a) Four elementary teachers;

8 “(b) Four [*junior or senior*] **middle school or** high school teachers;

9 “(c) One elementary school administrator;

10 “(d) One [*junior or senior*] **middle school or** high school administrator;

11 “(e) One superintendent of [*city schools*] **a school district**;

12 “(f) One [*county superintendent or a superintendent employed by an edu-*  
13 *cation service district board*] **superintendent of an education service dis-**  
14 **trict**;

15 “(g) One member from the faculty of [*an approved private teacher educa-*  
16 *tion institution*] **a private approved educator preparation provider** in  
17 Oregon;

18 “(h) One member from the faculty of a public university listed in ORS  
19 352.002;

20 “(i) One member who is also a member of a district school board; and

21 “(j) Two members of the general public.

22 “(2) Except for those members appointed under subsection (1)(i) and (j)  
23 of this section, members must have been actively engaged in teaching,  
24 [*supervising*] **personnel service work** or administering in the public schools  
25 or in approved [*teacher education institutions*] **educator preparation pro-**  
26 **viders** in Oregon for the period of five years immediately preceding ap-  
27 pointment. Acting as an elected representative of teachers, [*supervisors*]  
28 **personnel service workers** or administrators shall be considered teaching,  
29 [*supervising*] **personnel service work** or administering for the purposes of  
30 the five-year experience requirement. In addition, members appointed under



1 subsection (1)(a) to (f) of this section must hold valid Oregon teaching,  
2 **personnel service** or administrative licenses [*other than restricted teaching*  
3 *or administrative licenses*].

4 “(3)(a) Throughout the term for which appointed, one of the members ap-  
5 pointed under subsection (1)(a) to (j) of this section must hold a teaching  
6 license with an endorsement in some aspect of special education or have  
7 demonstrated knowledge or experience in special education.

8 “(b) As used in this subsection, ‘special education’ means specially de-  
9 signed education to meet the goals of the individualized education program  
10 of a child with a disability including regular classroom instruction, instruc-  
11 tion in physical education, home instruction, related services and instruction  
12 in hospitals, institutions and special schools.

13 **“SECTION 23.** ORS 342.390 is amended to read:

14 “342.390. (1) The Teacher Standards and Practices Commission shall meet  
15 at least once every six months at a place, day and hour determined by the  
16 commission. The commission shall also meet at such other times and places  
17 as are specified by the call of the chairperson or of a majority of the mem-  
18 bers of the commission.

19 “(2) A member of the commission who is employed at a public school or  
20 by a private [*teacher education institution*] **educator preparation provider**  
21 or by a public university listed in ORS 352.002 [*shall receive no*]:

22 **“(a) May not receive** compensation for services as a member[; *but subject*  
23 *to any other applicable law regulating travel and other expenses for state of-*  
24 *ficers, the member*].

25 **“(b) Shall receive** actual and necessary travel and other expenses in-  
26 curred in the performance of official duties as provided by ORS 292.495 (2)  
27 **and subject to any other applicable law regulating travel and other**  
28 **expenses for state officers.**

29 “(3) A member of the commission who serves on the commission in the  
30 capacity of a district school board member or as a member of the general

1 public shall be entitled to compensation and expenses as provided in ORS  
2 292.495 (1) and (2).

3 **SECTION 24.** ORS 342.430 is amended to read:

4 “342.430. On or before the 10th day of each month, the Teacher Standards  
5 and Practices Commission shall pay into the State Treasury all moneys re-  
6 ceived under this chapter [*during the preceding calendar month*]. The State  
7 Treasurer shall credit the moneys to the Teacher Standards and Practices  
8 Commission Account. The moneys in the Teacher Standards and Practices  
9 Commission Account are continuously appropriated to the commission for  
10 the purpose of paying its administrative expenses.

11 **SECTION 25.** ORS 342.437 is amended to read:

12 “342.437. As a result of this state’s commitment to ethnic-racial equality,  
13 the goal of this state is that, by July 1, 2015, the following shall be increased  
14 by 10 percent as compared to July 1, 2012:

15 “(1) The number of minority teachers and administrators employed by  
16 school districts and education service districts; and

17 “(2) The number of minority students enrolled in public [*teacher*  
18 *education*] **educator preparation** programs.

19 **SECTION 26.** ORS 342.443 is amended to read:

20 “342.443. (1) The Oregon Education Investment Board shall report  
21 biennially to the Legislative Assembly longitudinal data on the number and  
22 percentage of:

23 “(a) Minority students enrolled in community colleges;

24 “(b) Minority students applying for admission to public universities listed  
25 in ORS 352.002;

26 “(c) Minority students accepted in public universities;

27 “(d) Minority students graduated from public universities;

28 “(e) Minority candidates seeking to enter public [*teacher education*] **edu-**  
29 **cator preparation** programs in this state;

30 “(f) Minority candidates admitted to public [*teacher education*] **educator**

1 **preparation** programs;

2 “(g) Minority candidates who have completed approved public [*teacher*  
3 *education*] **educator preparation** programs;

4 “(h) Minority candidates receiving Oregon teaching licenses based on  
5 preparation in this state and preparation in other states;

6 “(i) Minority teachers who are newly employed in the public schools in  
7 this state; and

8 “(j) Minority teachers already employed in the public schools.

9 “(2) The board also shall report comparisons of minorities’ and  
10 nonminorities’ scores on basic skills, pedagogy and subject matter tests.

11 “(3) The Oregon University System, the public universities with governing  
12 boards listed in ORS 352.054, the Department of Education, the Teacher  
13 Standards and Practices Commission, community colleges and school dis-  
14 tricts shall cooperate with the board in collecting data and preparing the  
15 report.

16 “**SECTION 27.** ORS 342.443, as amended by section 5, chapter 778, Oregon  
17 Laws 2013, is amended to read:

18 “342.443. (1) The Education and Workforce Policy Advisor shall report  
19 biennially to the Legislative Assembly longitudinal data on the number and  
20 percentage of:

21 “(a) Minority students enrolled in community colleges;

22 “(b) Minority students applying for admission to public universities listed  
23 in ORS 352.002;

24 “(c) Minority students accepted in public universities;

25 “(d) Minority students graduated from public universities;

26 “(e) Minority candidates seeking to enter public [*teacher education*] **edu-**  
27 **cator preparation** programs in this state;

28 “(f) Minority candidates admitted to public [*teacher education*] **educator**  
29 **preparation** programs;

30 “(g) Minority candidates who have completed [*approved public teacher*

1 *education*] **public educator preparation** programs;

2 “(h) Minority candidates receiving Oregon teaching licenses based on  
3 preparation in this state and preparation in other states;

4 “(i) Minority teachers who are newly employed in the public schools in  
5 this state; and

6 “(j) Minority teachers already employed in the public schools.

7 “(2) The advisor also shall report comparisons of minorities’ and  
8 nonminorities’ scores on basic skills, pedagogy and subject matter tests.

9 “(3) The Oregon University System, the public universities with governing  
10 boards listed in ORS 352.054, the Department of Education, the Teacher  
11 Standards and Practices Commission, community colleges and school dis-  
12 tricts shall cooperate with the advisor in collecting data and preparing the  
13 report.

14 **“SECTION 28.** ORS 342.447 is amended to read:

15 “342.447. (1) The State Board of Higher Education shall require each  
16 public [*teacher education*] **educator preparation** program in this state to  
17 prepare a plan with specific goals, strategies and deadlines for the recruit-  
18 ment, admission, retention and graduation of minority teachers.

19 “(2) The state board shall review the plans for the adequacy and feasi-  
20 bility of the plans and, after making necessary revisions, shall adopt the  
21 plans.

22 “(3) The state board shall adopt rules governing:

23 “(a) The contents of the plans;

24 “(b) The state board’s initial and biennial review process, including  
25 timetables for revising plans; and

26 “(c) Other matters necessary for carrying out the provisions of ORS  
27 342.433 to 342.449 and 351.077.

28 **“SECTION 29.** ORS 342.950 is amended to read:

29 “342.950. (1) The Network of Quality Teaching and Learning is estab-  
30 lished. The network consists of the Oregon Education Investment Board, the

1 Department of Education and public and private entities that receive funding  
2 as provided by this section to accomplish the purposes of the network de-  
3 scribed in subsection (2) of this section.

4 “(2) The purposes of the network are the following:

5 “(a) To enhance a culture of leadership and collaborative responsibility  
6 for advancing the profession of teaching among providers of early learning  
7 services, teachers and administrators in kindergarten through grade 12, ed-  
8 ucation service districts and [*teacher education institutions*] **educator prep-**  
9 **aration providers.**

10 “(b) To strengthen and enhance existing evidence-based practices that  
11 improve student achievement, including practices advanced by or described  
12 in ORS 329.788 to 329.820, 329.822, 329.824, 329.838, 342.433 to 342.449 and  
13 342.805 to 342.937.

14 “(c) To improve recruitment, preparation, induction, career advancement  
15 opportunities and support of educators.

16 “(3) To accomplish the purposes of the network described in subsection  
17 (2) of this section, the Department of Education, subject to the direction and  
18 control of the Chief Education Officer, shall distribute funding as follows:

19 “(a) To school districts, schools, nonprofit organizations, post-secondary  
20 institutions and consortiums that are any combination of those entities for  
21 the purpose of supporting the implementation of common core state stan-  
22 dards.

23 “(b) To school districts and nonprofit organizations for the purposes of  
24 complying with the core teaching standards adopted as provided by ORS  
25 342.856 and complying with related standards prescribed by federal law.

26 “(c) To school districts and nonprofit organizations for the purpose of  
27 providing teachers with opportunities for professional collaboration and  
28 professional development and for the pursuit of career pathways in a manner  
29 that is consistent with the School District Collaboration Grant Program de-  
30 scribed in ORS 329.838.

1       “(d) To school districts and nonprofit organizations for the purpose of  
2 providing beginning teachers and administrators with mentors in a manner  
3 that is consistent with the beginning teacher and administrator mentorship  
4 program described in ORS 329.788 to 329.820.

5       “(e) To school districts for the purposes of obtaining assessments and de-  
6 veloping professional development plans to meet school improvement objec-  
7 tives and educator needs.

8       “(f) To school districts, nonprofit organizations and post-secondary insti-  
9 tutions for the purpose of closing achievement gaps by providing and im-  
10 proving the effectiveness of professional development, implementing  
11 data-driven decision making, supporting practice communities and imple-  
12 menting culturally competent practices.

13       “(g) To school districts and nonprofit organizations for the purposes of  
14 developing and engaging in proficiency-based or student-centered learning  
15 practices and assessments.

16       “(h) To school districts, nonprofit organizations and post-secondary insti-  
17 tutions for the purposes of strengthening educator preparation programs and  
18 supporting the development and sustainability of partnerships between pro-  
19 viders of early learning services, public schools with any grades from  
20 kindergarten through grade 12 and post-secondary institutions.

21       “(i) To providers of early learning services, nonprofit organizations and  
22 post-secondary institutions for the purposes of providing professional devel-  
23 opment and supporting providers of early learning services with opportu-  
24 nities for professional collaboration and advancement.

25       “(4) The Oregon Education Investment Board shall support the network  
26 by:

27       “(a) Conducting and coordinating research to determine best practices and  
28 evidence-based models.

29       “(b) Working with educator preparation programs to ensure ongoing col-  
30 laboration with education providers.

1       “(c) Supporting programs that help to achieve the goal of the Minority  
2 Teacher Act of 1991 as described in ORS 342.437.

3       “(d) Creating and supporting a statewide plan for increasing the success-  
4 ful recruitment of high-ability and culturally diverse candidates to work in  
5 high-need communities and fields.

6       “(5) The Department of Education shall support the network by:

7       “(a) Developing a system that ensures statewide dissemination of best  
8 practices and evidence-based models.

9       “(b) Supporting the development and implementation of standards-based  
10 curriculum, high-leverage practices and assessments that promote student  
11 learning and improve outcomes for students learning English as a second  
12 language and for students with disabilities.

13       “(c) Administering the distribution of funding as described in subsection  
14 (3) of this section.

15       “(6) The Oregon Education Investment Board shall develop processes to  
16 establish the network and ensure the accountability of the network. The  
17 processes must ensure that the network:

18       “(a) Gives preference to entities that have demonstrated success in im-  
19 proving student outcomes.

20       “(b) Delivers services for the benefit of all regions of this state.

21       “(c) Is accountable for improving education outcomes identified by the  
22 Oregon Education Investment Board, contained in achievement compacts or  
23 set forth in ORS 351.009.

24       “(d) Includes and connects education providers and leaders from pre-  
25 kindergarten through post-secondary education.

26       “(7) No more than two percent of all moneys received for the purposes  
27 of this section may be expended by the Oregon Education Investment Board  
28 or the Department of Education for administrative costs incurred under this  
29 section. For the purpose of this subsection, technical assistance and direct  
30 program services provided to school districts and nonprofit organizations are

1 not considered administrative costs.

2 “(8) The State Board of Education may adopt any rules necessary for the  
3 Department of Education to support the network and perform any duties  
4 assigned to the department under this section or assigned to the department  
5 by the Oregon Education Investment Board. Any rules adopted by the State  
6 Board of Education must be consistent with this section and with actions  
7 taken by the Oregon Education Investment Board to implement this section.

8 **“SECTION 30.** ORS 342.950, as amended by section 2, chapter 661, Oregon  
9 Laws 2013, is amended to read:

10 “342.950. (1) The Network of Quality Teaching and Learning is estab-  
11 lished. The network consists of the Department of Education and public and  
12 private entities that receive funding as provided by this section to accom-  
13 plish the purposes of the network described in subsection (2) of this section.

14 “(2) The purposes of the network are the following:

15 “(a) To enhance a culture of leadership and collaborative responsibility  
16 for advancing the profession of teaching among providers of early learning  
17 services, teachers and administrators in kindergarten through grade 12, ed-  
18 ucation service districts and [*teacher education institutions*] **educator prep-**  
19 **aration providers.**

20 “(b) To strengthen and enhance existing evidence-based practices that  
21 improve student achievement, including practices advanced by or described  
22 in ORS 329.788 to 329.820, 329.822, 329.824, 329.838, 342.433 to 342.449 and  
23 342.805 to 342.937.

24 “(c) To improve recruitment, preparation, induction, career advancement  
25 opportunities and support of educators.

26 “(3) To accomplish the purposes of the network described in subsection  
27 (2) of this section, the Department of Education, subject to the direction and  
28 control of the Superintendent of Public Instruction, shall distribute funding  
29 as follows:

30 “(a) To school districts, schools, nonprofit organizations, post-secondary



1 institutions and consortiums that are any combination of those entities for  
2 the purpose of supporting the implementation of common core state stan-  
3 dards.

4 “(b) To school districts and nonprofit organizations for the purposes of  
5 complying with the core teaching standards adopted as provided by ORS  
6 342.856 and complying with related standards prescribed by federal law.

7 “(c) To school districts and nonprofit organizations for the purpose of  
8 providing teachers with opportunities for professional collaboration and  
9 professional development and for the pursuit of career pathways in a manner  
10 that is consistent with the School District Collaboration Grant Program de-  
11 scribed in ORS 329.838.

12 “(d) To school districts and nonprofit organizations for the purpose of  
13 providing beginning teachers and administrators with mentors in a manner  
14 that is consistent with the beginning teacher and administrator mentorship  
15 program described in ORS 329.788 to 329.820.

16 “(e) To school districts for the purposes of obtaining assessments and de-  
17 veloping professional development plans to meet school improvement objec-  
18 tives and educator needs.

19 “(f) To school districts, nonprofit organizations and post-secondary insti-  
20 tutions for the purpose of closing achievement gaps by providing and im-  
21 proving the effectiveness of professional development, implementing  
22 data-driven decision making, supporting practice communities and imple-  
23 menting culturally competent practices.

24 “(g) To school districts and nonprofit organizations for the purposes of  
25 developing and engaging in proficiency-based or student-centered learning  
26 practices and assessments.

27 “(h) To school districts, nonprofit organizations and post-secondary insti-  
28 tutions for the purposes of strengthening educator preparation programs and  
29 supporting the development and sustainability of partnerships between pro-  
30 viders of early learning services, public schools with any grades from

1 kindergarten through grade 12 and post-secondary institutions.

2 “(i) To providers of early learning services, nonprofit organizations and  
3 post-secondary institutions for the purposes of providing professional devel-  
4 opment and supporting providers of early learning services with opportu-  
5 nities for professional collaboration and advancement.

6 “(4) The Department of Education shall support the network by:

7 “(a) Conducting and coordinating research to determine best practices and  
8 evidence-based models.

9 “(b) Working with educator preparation programs to ensure ongoing col-  
10 laboration with education providers.

11 “(c) Supporting programs that help to achieve the goal of the Minority  
12 Teacher Act of 1991 as described in ORS 342.437.

13 “(d) Creating and supporting a statewide plan for increasing the success-  
14 ful recruitment of high-ability and culturally diverse candidates to work in  
15 high-need communities and fields.

16 “(e) Developing a system that ensures statewide dissemination of best  
17 practices and evidence-based models.

18 “(f) Supporting the development and implementation of standards-based  
19 curriculum, high-leverage practices and assessments that promote student  
20 learning and improve outcomes for students learning English as a second  
21 language and for students with disabilities.

22 “(g) Administering the distribution of funding as described in subsection  
23 (3) of this section.

24 “(5) The State Board of Education shall develop processes to establish the  
25 network and ensure the accountability of the network. The processes must  
26 ensure that the network:

27 “(a) Gives preference to entities that have demonstrated success in im-  
28 proving student outcomes.

29 “(b) Delivers services for the benefit of all regions of this state.

30 “(c) Is accountable for improving education outcomes identified by the

1 State Board of Education, contained in achievement compacts or set forth  
2 in ORS 351.009.

3 “(d) Includes and connects education providers and leaders from pre-  
4 kindergarten through post-secondary education.

5 “(6) No more than two percent of all moneys received for the purposes  
6 of this section may be expended by the Department of Education for admin-  
7 istrative costs incurred under this section. For the purpose of this sub-  
8 section, technical assistance and direct program services provided to school  
9 districts and nonprofit organizations are not considered administrative costs.

10 “(7) The State Board of Education may adopt any rules necessary for the  
11 Department of Education to support the network and perform any duties  
12 assigned to the department under this section. Any rules adopted by the  
13 State Board of Education must be consistent with this section.

14 “**SECTION 31.** ORS 342.971 is amended to read:

15 “342.971. (1) There is created the Educator Preparation Improvement  
16 Fund, separate and distinct from the General Fund. Interest earned on  
17 moneys in the Educator Preparation Improvement Fund shall be credited to  
18 the fund.

19 “(2) The Teacher Standards and Practices Commission may accept from  
20 any source any grant, donation or gift of money or other valuable thing made  
21 to the commission for purposes of the Educator Preparation Improvement  
22 Fund.

23 “(3) Moneys credited to the Educator Preparation Improvement Fund are  
24 continuously appropriated to the commission for the purposes set forth in  
25 subsection (4) of this section. The commission may draw checks or orders  
26 upon the State Treasurer in making disbursements from the Educator Prep-  
27 aration Improvement Fund for the purposes set forth in subsection (4) of this  
28 section.

29 “(4) The purpose of the Educator Preparation Improvement Fund is to  
30 encourage approved [*teacher education*] **educator preparation** programs and

1 school district partnerships that:

2 “(a) Respond to changes in education of students in preprimary programs  
3 and grades 1 through 12;

4 “(b) Encourage collaboration around delivery models that provide effec-  
5 tive professional preparation;

6 “(c) Recognize the needs of the education workforce in this state, includ-  
7 ing but not limited to recruiting underrepresented persons, teachers and ad-  
8 ministrators to work in high needs areas such as special education,  
9 mathematics, science and teaching English to speakers of other languages;

10 “(d) Encourage collaborative initiatives that improve student success and  
11 postsecondary access and achievement; and

12 “(e) Respond to the need for national accreditation of approved [*teacher*  
13 *education*] **educator preparation** programs in this state.

14 “**SECTION 32.** ORS 351.115 is amended to read:

15 “351.115. The Oregon University System shall offer a diversity of [*teacher*  
16 *education*] **educator preparation** programs, inclusive of four-year and five-  
17 year options for completion of the programs. Both of these options shall  
18 qualify for teacher licensing of persons completing the programs.

19 “**SECTION 33.** ORS 681.360 is amended to read:

20 “681.360. (1) A person may not perform the duties of a speech-language  
21 pathology assistant or use the title speech-language pathology assistant  
22 without a certificate to do so issued under this section.

23 “(2) To obtain a certificate to perform the duties of a speech-language  
24 pathology assistant, a person shall:

25 “(a) Submit an application in the form prescribed by the State Board of  
26 Examiners for Speech-Language Pathology and Audiology;

27 “(b) Pay the certificate fee established by the board;

28 “(c) Demonstrate that the person meets the qualifications for certification  
29 established by the board; and

30 “(d) Comply with all other requirements for certification established by

1 the board.

2 “(3) A certificate issued under this section expires every two years. To  
3 renew a certificate to perform the duties of a speech-language pathology as-  
4 sistant, a person shall:

5 “(a) Submit the renewal application in the form prescribed by the board;

6 “(b) Pay the renewal fee established by the board; and

7 “(c) Comply with all other requirements for certificate renewal estab-  
8 lished by the board, including but not limited to submission of evidence of  
9 participation in professional development activities.

10 “(4) A person may not employ or otherwise use the services of a speech-  
11 language pathology assistant unless the speech-language pathology assistant  
12 is certified under this section.

13 “(5) The board may establish by rule qualifications and conditions under  
14 which a person not licensed under this chapter who holds a [*basic or stand-*  
15 *ard*] **preliminary teaching license or professional** teaching license in  
16 speech impaired or [*an initial or*] **a preliminary teaching license**, profes-  
17 sional teaching license or **distinguished** teacher leader license in communi-  
18 cation disorders issued by the Teacher Standards and Practices Commission  
19 may supervise a speech-language pathology assistant working in a school.

20 “(6) The board may refuse to issue a certificate, or may suspend or revoke  
21 the certificate, of any certified speech-language pathology assistant pursuant  
22 to the provisions of ORS 681.350.

23 **“SECTION 34. ORS 342.135 and 342.140 are repealed.**

24 **“SECTION 35. This 2015 Act being necessary for the immediate**  
25 **preservation of the public peace, health and safety, an emergency is**  
26 **declared to exist, and this 2015 Act takes effect July 1, 2015.”.**

27