

Senate Bill 899

Sponsored by Senator FERRIOLI

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Teacher Standards and Practices Commission to revoke license or registration, or right to apply for license or registration, if person has been dismissed for cause two or more times.

A BILL FOR AN ACT

1
2 Relating to disciplinary actions by Teacher Standards and Practices Commission; creating new pro-
3 visions; and amending ORS 342.175.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 342.175 is amended to read:

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

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

12 (b) Gross neglect of duty;

13 (c) Any gross unfitness;

14 (d) Conviction of a crime for violating any law of this or any state or of the United States in-
15 volving the illegal use, sale or possession of controlled substances;

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

18 (f) Failure to comply with any condition of reinstatement under subsection (4) of this section or
19 any condition of probation under ORS 342.177 (3)(b).

20 (2) If a person is enrolled in an approved teacher education institution or program under ORS
21 342.147, the commission may issue a public reprimand or suspend or revoke the right to apply for
22 a license or registration based on the following:

23 (a) Conviction of a crime listed in ORS 342.143 (3) or a crime described by the commission by
24 rule;

25 (b) Conviction of a crime for violating any law of this or any state or of the United States in-
26 volving the illegal use, sale or possession of controlled substances; or

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

29 (3) The commission shall revoke any license or registration and shall revoke the right of any
30 person to apply for a license or registration if the person has held a license or registration at any
31 time and the holder or applicant has been:

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (a) Convicted of any crime described in ORS 342.143 (3)[.]; or

2 **(b) Dismissed by a school or a school district in this state for a total of two or more**
3 **times for a cause related to the person's ability to be professionally effective.**

4 (4) Except for convictions for crimes listed in ORS 342.143 (3) and subject to subsection (5) of
5 this section, any person whose license or registration has been suspended or revoked or whose
6 privilege to apply for a license or registration has been revoked may apply to the commission for
7 reinstatement of the license or registration after one year from the date of the suspension or revo-
8 cation. The commission may require an applicant for reinstatement to furnish evidence satisfactory
9 to the commission of good moral character, mental and physical health and such other evidence as
10 the commission may consider necessary to establish the applicant's fitness. The commission may
11 impose a probationary period and such conditions as it considers necessary upon approving an ap-
12 plication for reinstatement.

13 (5) The commission shall reconsider immediately a license or registration suspension or revoca-
14 tion or the situation of a person whose privilege to apply for a license or registration has been re-
15 voked, upon application therefor, when the license or registration suspension or revocation or the
16 privilege revocation is based on a criminal conviction that is reversed on appeal.

17 (6) Violation of rules adopted by the commission relating to competent and ethical performance
18 of professional duties shall be admissible as evidence of gross neglect of duty or gross unfitness.

19 (7) A copy of the record of conviction, certified to by the clerk of the court entering the con-
20 viction, shall be conclusive evidence of a conviction described in this section.

21 **SECTION 2. The amendments to ORS 342.175 by section 1 of this 2015 Act apply to dis-**
22 **missals for cause occurring on or after the effective date of this 2015 Act.**

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