

House Bill 3351

Sponsored by Representatives JOHNSON, REARDON; Senator ROBLAN

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 prepare annual report related to duties, powers and functions of commission.

Revises process for filing complaint with commission.

A BILL FOR AN ACT

1
2 Relating to the Teacher Standards and Practices Commission; creating new provisions; and amend-
3 ing ORS 342.176.

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

5 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 342.**

6 **SECTION 2. (1) The executive director of the Teacher Standards and Practices Commis-**
7 **sion shall prepare an annual report related to the duties, powers and functions of the com-**
8 **mission.**

9 **(2) The report required by this section must include:**

10 **(a) The number of teaching licenses and administrative licenses that have been issued**
11 **during the previous year.**

12 **(b) Trends related to the number of licenses issued and types of licenses issued during**
13 **the previous year as compared to earlier years.**

14 **(c) Trends related to sanctions imposed on licensees during the previous year as com-**
15 **pared to earlier years.**

16 **(d) A summary of activities occurring during the previous year related to educator**
17 **preparation programs, including changes made to requirements for approved educator prep-**
18 **aration providers, and the status of each educator preparation program in this state.**

19 **(e) A summary of significant changes to rules during the previous year and other efforts**
20 **by the commission during the previous year to implement statutes.**

21 **(f) A summary of placement of students in educator preparation programs, completion**
22 **rates for students in educator preparation programs and recommendations for improving**
23 **teacher preparation programs.**

24 **(3) The report required by this section must be submitted to the appropriate committees**
25 **or interim committees of the Legislative Assembly no later than July 1 of every year.**

26 **SECTION 3. ORS 342.176 is amended to read:**

27 **342.176. (1)(a) A person may file a complaint with the Teacher Standards and Practices**
28 **Commission regarding a person licensed by the commission.**

29 **(b) Prior to beginning an investigation based on a complaint filed under paragraph (a) of**
30 **this subsection, the commission may require verification that attempts were made to resolve**
31 **the complaint through the complaint process of the school district that employs the person**

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 **against whom the complaint was filed.**

2 (c) **After receiving sufficient verification as provided by paragraph (b) of this subsection,**
 3 the Teacher Standards and Practices Commission shall promptly undertake an investigation upon
 4 receipt of a complaint or information that may constitute grounds for:

5 [(a)] (A) Refusal to issue a license or registration, as provided under ORS 342.143;

6 [(b)] (B) Suspension or revocation of a license or registration, discipline of a person holding a
 7 license or registration, or suspension or revocation of the right to apply for a license or registration,
 8 as provided under ORS 342.175; or

9 [(c)] (C) Discipline for failure to provide appropriate notice prior to resignation, as provided
 10 under ORS 342.553.

11 (2) The commission may appoint an investigator and shall furnish the investigator with appro-
 12 priate professional and other special assistance reasonably required to conduct the investigation,
 13 and the investigator is empowered to issue subpoenas to require the attendance of witnesses or the
 14 production of documents over the signature of the executive director of the commission, subpoena
 15 witnesses over the signature of the executive director, swear witnesses and compel obedience in the
 16 same manner as provided under ORS 183.440 (2).

17 (3) Following completion of the investigation, the executive director or the executive director's
 18 designee shall report in writing any findings and recommendations to:

19 (a) The commission, meeting in executive session, at its next regular meeting following com-
 20 pletion of the investigation; and

21 (b) The person against whom the charge is made, following consideration by the commission.

22 (4)(a) Except as provided in paragraph (b) of this subsection, the documents and materials used
 23 in the investigation undertaken as provided by this section and the report related to the investi-
 24 gation are confidential and not subject to public inspection unless the commission makes a final
 25 determination to:

26 (A) Refuse to issue a license or registration, as provided under ORS 342.143;

27 (B) Suspend or revoke a license or registration, discipline a person holding a license or regis-
 28 tration, or suspend or revoke the right to apply for a license or registration, as provided under ORS
 29 342.175; or

30 (C) Discipline a person for failure to provide appropriate notice prior to resignation, as provided
 31 under ORS 342.553.

32 (b) Records made available to the commission under ORS 419B.035 (1)(h) shall be kept confi-
 33 dential.

34 (5) If the commission finds from the report that there is sufficient cause to justify holding a
 35 hearing under ORS 342.177, the commission shall notify in writing:

36 (a) The person charged, enclosing a statement of the charges and a notice of opportunity for
 37 hearing;

38 (b) The complainant; and

39 (c) The employing district or public charter school, if any.

40 (6) If the commission finds from the report that there is not sufficient cause to justify holding
 41 a hearing under ORS 342.177, the commission shall notify in writing:

42 (a) The person charged;

43 (b) The complainant; and

44 (c) The employing district or public charter school, if any.

45 (7) Notwithstanding ORS 192.660 (6), the commission may make its findings under this section

1 in executive session. However, the provisions of ORS 192.660 (4) apply to the sessions.

2 **SECTION 4. The amendments to ORS 342.176 by section 3 of this 2017 Act apply to com-**
3 **plaints received by the commission on or after the effective date of this 2017 Act.**

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