

B-Engrossed
Senate Bill 205

Ordered by the House May 16
Including Senate Amendments dated March 17 and House Amendments
dated May 16

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Education)

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.

Allows person with pending application for teaching license to teach in public school for limited time if certain requirements are met.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to teaching licenses; amending ORS 342.125, 342.127 and 342.173; and declaring an emer-
3 gency.

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

5 **SECTION 1.** ORS 342.125 is amended to read:

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

9 **(b) Notwithstanding any requirements prescribed for issuance of a teaching license, a**
10 **person whose application for a teaching license is pending may teach in the public schools**
11 **of this state for 90 calendar days after the date of submission of the application if:**

12 **(A) The person is not ineligible for a teaching license following background checks con-**
13 **ducted by the commission, including a criminal records check as provided in ORS 181A.195**
14 **and a background check through an interstate clearinghouse of revoked and suspended li-**
15 **enses;**

16 **(B) The school district has completed the review of the employment history of the person**
17 **as required by ORS 339.374; and**

18 **(C) The person and the school district have complied with any other requirements es-**
19 **tablished by the commission by rule.**

20 (2) Subject to ORS 342.130 and to subsection (3) of this section, licenses shall be of the following
21 types:

22 (a) Preliminary teaching license.

23 (b) Professional teaching license.

24 (c) Distinguished teacher leader license.

25 (d) Preliminary personnel service license.

26 (e) Professional personnel service license.

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 (f) Preliminary administrative license.
- 2 (g) Professional administrative license.
- 3 (h) Reciprocal license.
- 4 (i) Legacy license.

5 (3) The Teacher Standards and Practices Commission may establish other types of teaching li-
6 censes as the commission considers necessary for operation of the public schools of the state and
7 may prescribe the qualifications for the licenses. However, no license established under the au-
8 thority of this subsection is required for a regular classroom teaching position in the public schools.

9 (4)(a) The Teacher Standards and Practices Commission shall establish a public charter school
10 teacher and administrator registry. The commission shall require the applicant and the public
11 charter school to jointly submit an application requesting registration as a public charter school
12 teacher or administrator. The application shall include:

13 (A) A description of the specific teaching or administrator position the applicant will fill;

14 (B) A description of the background of the applicant that is relevant to the teaching or admin-
15 istrator position, including any post-secondary education or other experience; and

16 (C) Documentation as required by the commission for the purposes of conducting a criminal re-
17 cords check as provided in ORS 181A.195 and a background check through an interstate clearing-
18 house of revoked and suspended licenses.

19 (b) Subject to the results of the criminal records check and background check and to informa-
20 tion received under ORS 342.143 (2), the commission shall approve the application for registration.
21 The commission may deny a request for registration only on the basis of the criminal records check,
22 the background check through an interstate clearinghouse of revoked and suspended licenses or the
23 information received under ORS 342.143 (2). The registration is valid for a term established by the
24 commission and, subject to information received under ORS 342.143 (2), may be renewed upon joint
25 application from the teacher or administrator and the public charter school.

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

29 (d) A registration as a public charter school administrator qualifies its holder to accept the ad-
30 ministrator position described in the application in the public charter school that submitted the
31 application with the holder of the registration.

32 *[(5) The Teacher Standards and Practices Commission shall adopt an expedited process for the*
33 *issuance of any license established pursuant to this section. The process may require a school district*
34 *superintendent or school district board and the applicant to jointly submit an application requesting*
35 *an emergency license. Within two working days after receiving a completed application the commission*
36 *shall issue the emergency license. However, the commission may limit the number of applications for*
37 *expedited service from a school district or education service district to not more than 100 applications*
38 *in a period of two working days. For purposes of this subsection, the commission may not distinguish*
39 *between a school district or education service district involved in a labor dispute and any other school*
40 *district or education service district.]*

41 **SECTION 2.** ORS 342.127 is amended to read:

42 342.127. (1) The Teacher Standards and Practices Commission shall establish and collect:

43 (a) A fee not to exceed \$350 for evaluation of the initial application for each educator license
44 for which application is made. If the applicant is eligible for the educator license for which appli-
45 cation is made, the commission shall issue the license without additional charge.

1 (b) A fee not to exceed \$350 for the renewal of each educator license and a fee not to exceed
2 \$50 for each official paper license.

3 (c) A fee not to exceed \$800 for a beginning educator assessment conducted in lieu of an ap-
4 proved preparation program required for licensure.

5 (d) A fee not to exceed \$350 for registration as a public charter school teacher or administrator
6 that includes any fee charged pursuant to rules adopted under ORS 181A.195.

7 (e) A fee not to exceed \$350 for renewal of a registration as a public charter school teacher or
8 administrator that includes any fee charged pursuant to rules adopted under ORS 181A.195.

9 (2) In addition to the fee required by subsection (1) of this section for the issuance of an edu-
10 cator license, the commission shall collect a fee not to exceed \$150 for the evaluation of an appli-
11 cant requesting licensing based upon completion of an educator preparation program other than an
12 Oregon approved educator preparation program.

13 (3) In addition to the fees required by subsection (1) of this section, the commission shall collect
14 a late application fee not to exceed \$40 per month up to a maximum of \$200 from an applicant who
15 fails to make timely application for renewal of the license or registration. The actual amount of the
16 fee shall be determined in accordance with rules of the commission.

17 (4) In addition to the fees required by subsection (1) of this section, the commission shall collect
18 a late application fee not to exceed \$350 for the reinstatement of an expired license. The require-
19 ments for reinstatement and the actual amount of the fee shall be determined in accordance with
20 rules of the commission.

21 (5) Notwithstanding the expiration date posted on the license, the license shall continue to be
22 valid for an additional 120 days, provided the educator has made a timely application, as determined
23 by the commission, for renewal prior to the expiration date on the license.

24 (6) In addition to the fee required by subsection (1) of this section for the issuance of an edu-
25 cator license, the commission shall collect a fee not to exceed \$300 for the reinstatement of a license
26 that has been suspended or revoked by the commission for gross neglect of duty or gross unfitness
27 under ORS 342.175.

28 (7) In addition to the fee required by subsection (1) of this section for the issuance of an edu-
29 cator license **to a substitute teacher**, the commission shall collect a fee not to exceed \$200 for the
30 issuance of any emergency license **to a substitute teacher** through an expedited process at the
31 request of any school district, public charter school or education service district that seeks to em-
32 ploy the applicant. The fee shall be paid by the school district, public charter school or education
33 service district.

34 (8) Fees established under this section shall cover, but not exceed, the full cost of administrative
35 expenses incurred by the commission during any biennium.

36 **SECTION 3.** ORS 342.173 is amended to read:

37 342.173. Any school district or education service district that employs any person not properly
38 licensed or registered by the Teacher Standards and Practices Commission, or licensed by the com-
39 mission but not assigned in accordance with rules of the commission, shall be subject to sanctions
40 imposed by the commission. A sanction must be imposed according to rules adopted by the commis-
41 sion and is effective unless:

42 (1) The assignment is made with justification satisfactory to the commission.

43 (2) The person is employed as a teacher by a post-secondary institution that is accredited by the
44 Northwest Commission on Colleges and Universities, or its successor, and that has a contract with
45 a school district under which the person is teaching at the high school level. The contract shall be

1 approved by the Teacher Standards and Practices Commission, including criteria for a person's
2 qualifications under paragraph (b) of this subsection. The contract shall:

3 (a) Be for a specific instructional assignment for which the district does not have appropriately
4 licensed personnel either on staff or available to be placed on staff after a reasonably diligent
5 search;

6 (b) Provide evidence that the person's qualifications are appropriate for the assignment;

7 (c) Allow the person to teach no more than two high school units of credit or the equivalent
8 per year; and

9 (d) Not be valid during a school closure, strike or summer session.

10 (3) The person is teaching an online course originating outside this state.

11 (4) **The person is teaching as provided by ORS 342.125 (1)(b).**

12 **SECTION 4. This 2017 Act being necessary for the immediate preservation of the public**
13 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
14 **on its passage.**

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