

HB 4119 STAFF MEASURE SUMMARY

House Committee On Education

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Meeting Dates: 2/12

WHAT THE MEASURE DOES:

Requires education providers allow providers access to personnel records of a school employee if requested to do so because employment is being considered. "School employee" is defined as anyone licensed and registered by the Teacher Standards and Practices Commission. "Education provider" is defined as a school district, public charter school or education service district. "Personnel record" is defined as any materials relating to a current or former employee, that are maintained under ORS 652.750, and relate to the termination or disciplinary action of an employee or investigation into conduct of criminal offense. Prevents an education provider from entering into any agreement or contract that suppresses personnel records for information identified above. Prohibits and voids employment contracts that contradict above language. Prevents education provider from disclosing anything otherwise prohibited by law.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Teacher Standards and Practices Commission (TSPC) can receive complaints about educators from school districts and public patrons. ORS 342.176 requires TSPC undertake an investigation upon receipt of a complaints or information that may constitute grounds for: a) Refusal to issue a license or registration, as provided under ORS 342.143; b) Suspension or revocation of a license or registration, discipline of a person holding a license or registration, or suspension or revocation of the right to apply for a license or registration, as provided under ORS 342.175; or c) Discipline for failure to provide appropriate notice prior to resignation, as provided under ORS 342.553. Under Oregon Administrative Rule 584-020-0041, school district administrators and school leaders are required to report educators who are reasonably believed to be in violation of TSPC standards. Once an investigation is completed, TSPC can sanction an educator's license; however, not all sanctions remove educators from classrooms but TSPC can do so when needed.