

SB 5537 A BUDGET REPORT and MEASURE SUMMARY

Carrier: Rep. McLain

Joint Committee On Ways and Means

Action Date: 06/07/19

Action: Do Pass the A-Eng bill.

House Vote

Yeas: 8 - Gomberg, Holvey, McLain, Nosse, Piluso, Rayfield, Smith G, Stark

Nays: 1 - McLane

Senate Vote

Yeas: 8 - Beyer, Frederick, Johnson, Manning Jr, Roblan, Steiner Hayward, Thomsen, Wagner

Nays: 2 - Girod, Heard

Exc: 1 - Hansell

Prepared By: Lisa Pearson, Department of Administrative Services

Reviewed By: Doug Wilson, Legislative Fiscal Office

**Teacher Standards and Practices Commission
2019-21**

Budget Summary*

	2017-19 Legislatively Approved Budget ⁽¹⁾	2019-21 Current Service Level	2019-21 Committee Recommendation	Committee Change from 2017-19 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 1,700,000	\$ -	\$ -	\$ (1,700,000)	(100.0%)
Other Funds Limited	\$ 9,106,410	\$ 9,063,665	\$ 8,868,774	\$ (237,636)	(2.6%)
Total	\$ 10,806,410	\$ 9,063,665	\$ 8,868,774	\$ (1,937,636)	(17.9%)

Position Summary

Authorized Positions	27	23	23	(4)
Full-time Equivalent (FTE) positions	25.71	22.50	22.50	(3.21)

⁽¹⁾ Includes adjustments through December 2018

* Excludes Capital Construction expenditures

Summary of Revenue Changes

The Teacher Standards and Practices Commission (TSPC) is entirely supported by Other Funds from licensing and other fees paid by the regulated professionals. The fee structure was changed in 2015, moving from a three year to a five-year license renewal cycle for all teachers except beginning teachers and increasing the renewal fee by \$100 to \$140. This has dropped the effective annual rate for many licensees from \$33 to \$28; resulting in insufficient operating cash balances by the end of the 2019-21 biennium if fees are not increased, or the Commission’s budget is not reduced substantially. Because TSPC has struggled to meet its performance measures without adequate staffing and greater demand for educator accountability, the Subcommittee recommended a budget with an assumed 20 percent increase to the license fee. This will bring licenses to an effective annual rate of \$34 for a five-year license and will help provide sufficient operating cash balances to the end of the 2023-25 biennium with no additional responsibilities added for the Commission under current licensing trends.

Summary of Education Subcommittee Action

TSPC ensures public school students’ education is delivered by qualified competent professional educators, accredited universities and colleges are held to educator preparation standards set by the Commission and national accreditors, and educators who engage in misconduct are investigated and where merited, disciplined. The Subcommittee recommended a total budget of \$8,868,774 Other Funds expenditure limitation for the 2019-21 biennium, which is 2.6 percent less than the legislatively approved spending level (Other Funds) for the 2017-19 biennium. The recommendation includes 23 positions (22.50 FTE); this is a decrease from the 2017-19 biennium levels of four positions (3.21 FTE).

General Program

This program establishes rules and standards for licensure and charter school registration and issues licenses or registrations to public school teachers, administrators, school counselors, school psychologists, and school nurses. It maintains professional standards of competent and ethical performance and proper assignment of licensed educators. It also adopts standards for approval of college and university teacher education programs leading to licensure and approves such programs seeking to license educators in the state of Oregon. The Subcommittee recommended a total funds budget of \$7,244,032 and 22 positions (21.50 FTE). The Subcommittee recommended the following packages:

Package 101, Professional Practices and Program Approval Support. This package includes changes to existing positions resulting in a net reduction of \$44,891 Other Funds. The position changes include abolishing one Information System Specialist 5 (1.00 FTE), which is no longer needed; reclassification of the Deputy Director down from a Principal Executive Manager (PEM) E to a PEM D; and the establishment of one new permanent PEM D (1.00 FTE), which will function as the new Director of Program Approval. The new Director of Program Approval will increase staffing devoted to this work from one to two positions and is in part a response to the increasing complexity resulting from changes to national accreditation standards.

Package 801, LFO Analyst Adjustments. This package moves one vacant Administrative Specialist 2 position (1.00 FTE) to the Investigations Unit and reclassifies it as an Investigator 2 position. These two positions share the same salary range and with adjustments for steps within the range, the reclassification will result in no fiscal impact to the Department. This package also reduces Services and Supplies expenditures by a total of \$150,000 Other Funds to ensure sufficient operating cash flow balances until the end of the 2023-25 biennium. The reduction affects the Office Expense, Data Processing, Professional Services, Agency Program Related Services and Supplies, and Other Services and Supplies accounts.

Teacher Education Program Accreditation

House Bill 2763 (2017) established and capitalized the Commission's National Board Certification Fund. The Fund's purpose is to assist teachers who are working toward their National Board certification over multiple biennia. A total of \$1,700,000 General Fund was appropriated to the Fund in 2017-19. A small amount of the funds has been distributed in 2017-19 as the program was developed and started. Program participation is expected to grow in future biennia. Other Funds expenditure limitation was also established so the funding would be available in subsequent biennia and General Fund resources were phased-out in budget development. The estimated amount available in the fund remaining for the 2019-21 biennium is \$1,624,742.

Summary of Performance Measure Action

See attached "Legislatively Approved 2019-2021 Key Performance Measures."

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Teacher Standards and Practices
Lisa Pearson -- 503-373-7501

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE	
			LIMITED	NONLIMITED	LIMITED	NONLIMITED				
2017-19 Legislatively Approved Budget at Dec 2018 *	\$ 1,700,000	\$ -	\$ 9,106,410	\$ -	\$ -	\$ -	10,806,410	27	25.71	
2019-21 Current Service Level (CSL)*	\$ -	\$ -	\$ 9,063,665	\$ -	\$ -	\$ -	9,063,665	23	22.50	
SUBCOMMITTEE ADJUSTMENTS (from CSL)										
SCR 001 - General Program										
Package 101: Professional Practices and Program Approval Support										
Personal Services	\$ -	\$ -	\$ (44,891)	\$ -	\$ -	\$ -	(44,891)	0	0.00	
Package 801: LFO Analyst Adjustments										
Services and Supplies (Professional Services)	\$ -	\$ -	\$ (150,000)	\$ -	\$ -	\$ -	(150,000)			
TOTAL ADJUSTMENTS	\$ -	\$ -	\$ (194,891)	\$ -	\$ -	\$ -	(194,891)	0	0.00	
SUBCOMMITTEE RECOMMENDATION *	\$ -	\$ -	\$ 8,868,774	\$ -	\$ -	\$ -	8,868,774	23	22.50	
% Change from 2017-19 Leg Approved Budget	(100.0%)	0.0%	(2.6%)	0.0%	0.0%	0.0%	(17.9%)	(14.8%)	(12.5%)	
% Change from 2019-21 Current Service Level	0.0%	0.0%	(2.2%)	0.0%	0.0%	0.0%	(2.2%)	0.0%	0.0%	

*Excludes Capital Construction Expenditures

Legislatively Approved 2019 - 2021 Key Performance Measures

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Agency: Teacher Standards and Practices Commission

Mission Statement:

To establish, uphold and enforce professional standards of excellence and communicate those standards to the public and educators for the benefit of Oregon's students.

Legislatively Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2020	Target 2021
1. EMAIL CUSTOMER SERVICE - Percent of emails responded to within 3 days.		Approved	63%	85%	85%
2. APPLICANT CUSTOMER SERVICE - Percent of license applications initially processed within 30 days.		Approved	17%	60%	60%
3. INVESTIGATION SPEED - Percent of investigated cases resolved in 180 days (unless pending in another forum).		Approved	43%	75%	75%
4. PHONE CUSTOMER SERVICE - Percent of phone calls responded to that are not abandoned.		Approved	93%	95%	95%
5. CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent" overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.		Approved	48%	80%	80%

LFO Recommendation:

The Teacher Standards and Practices Commission (TSPC) has generally not been able to meet its targets for Key Performance Measures (KPM). Factors challenging TSPC include staffing levels, past management practices, and the implementation of a new computerized licensing system.

1. The KPM #1 measures customer service performance based on the rate of response to email within 3 days. Performance on the KPM has lagged under the targets but there is some evidence performance is improving. The email backlog in the summer which is a busy season has in the past been over 2,000, but staff was able to keep it below 1,200 for 2018. This performance measure is in part dependent on the number of phone calls the agency receives since the two functions share staff. LFO recommends maintaining the 85% target.
2. KPM #2 measures the percent of completed applications processed in 30 days, another customer service measure. Performance on this KPM has significantly under the existing 60% target. Again there has been some improvement where the agency has met the target for many months of the biennium, but because of applications being heavier in some months the agency processed 64% of 2018 applications within 60 days. It is hoped that the new licensing system will assist the agency in improving its performance. LFO recommends maintaining the current
3. KPM #3 measures the percentage of investigated cases resolved in 180 days unless pending in another forum such as an administrative hearing or a court hearing. Performance has been improving as the rate has improved from 12% in 2014 to 43% for 2018. Since timely completion of investigations indirectly relate to the safety of students, it is important that this KPM improves. This is a critical function of the agency and staff resources need to be increased over current service level. LFO recommends leaving the target at 75% at this point. 60% target.
4. KPM #4 measures customer satisfaction based on the number of phone calls that are not abandoned. The agency has performed considerably better than other measures in part because they put a priority on responding to phone calls at the expense of emails. LFO recommends increasing the target to 95%.
5. KPM #5 is the customer service KPM common to most state agencies. Again, performance is significantly below the target; but is improving. LFO recommends leaving the target at 80%.

While the agency does have KPMs relating to two of its primary responsibilities (licensing and investigations), there is not a measure relating to its responsibilities regarding Educator Preparation programs. LFO suggests that the agency examine the potential for establishing a measure for this area.

SubCommittee Action:

Approve the LFO recommendation.