

Enrolled
Senate Bill 216

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CHAPTER

AN ACT

Relating to teaching without a license; creating new provisions; and amending ORS 342.125.

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

SECTION 1. ORS 342.125, as amended by section 1, chapter 72, Oregon Laws 2018, is amended to read:

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

(2) Notwithstanding any requirements prescribed for issuance of a license, a person whose application for a license is pending may be employed in the public schools of this state for 90 calendar days after the date of submission of the application if:

(a) The person is not ineligible for a license following background checks conducted by the Teacher Standards and Practices Commission, including a criminal records check as provided in ORS 181A.195 and a background check through an interstate clearinghouse of revoked and suspended licenses;

(b) The school district has completed the review of the employment history of the person as required by ORS 339.374; *[and]*

(c) The person had not been employed as provided by this subsection during the previous 12 months with a pending application for the same license; and

[(c)] **(d)** The person and the school district have complied with any other requirements established by the commission by rule.

(3) Subject to ORS 342.130 and to subsection (4) of this section, licenses shall be of the following types:

- (a) Preliminary teaching license.
- (b) Professional teaching license.
- (c) Distinguished teacher leader license.
- (d) Preliminary personnel service license.
- (e) Professional personnel service license.
- (f) Preliminary administrative license.
- (g) Professional administrative license.
- (h) Reciprocal license.
- (i) Legacy license.

(4) The Teacher Standards and Practices Commission may establish other types of teaching licenses as the commission considers necessary for operation of the public schools of the state and may prescribe the qualifications for the licenses. However, no license established under the authority of this subsection is required for a regular classroom teaching position in the public schools.

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

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

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

(C) Documentation as required by the commission for the purposes of conducting a criminal records check as provided in ORS 181A.195 and a background check through an interstate clearinghouse of revoked and suspended licenses.

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

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

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

(6)(a) The Teacher Standards and Practices Commission shall adopt an expedited process for the issuance of any license established pursuant to this section. The expedited process may require the following:

(A) The showing of an urgent situation; and

(B) The joint request for the expedited process from the applicant for the license and:

(i) The school district superintendent or school district board;

(ii) The public charter school governing body; or

(iii) The education service district superintendent or board of directors of the education service district.

(b) Except as provided by paragraph (c) of this subsection, the commission shall issue a license as provided by this subsection within two working days after receiving a completed application.

(c) The commission may limit the number of applications the commission will accept under this subsection from a school district or an education service district to not more than 100 applications in a period of two working days.

(d) For purposes of this subsection, the commission may not distinguish between a school district or an education service district involved in a labor dispute and any other school district or education service district.

SECTION 2. The amendments to ORS 342.125 by section 1 of this 2019 Act apply to persons who begin employment in the public schools of this state as provided by ORS 342.125 (2) on or after the effective date of this 2019 Act.

Passed by Senate Febuary 19, 2019

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 13, 2019

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

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Bev Clarno, Secretary of State