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Colt Gill

Deputy Superintendent of Public Instruction

TO: Chair Gelser & Members of the Senate Human Services Committee

DATE: February 25, 2021

FROM: Jessica Ventura, Government Relations Director

RE: Questions posed on February 11, 2021

Chair Gelser and Members of the Senate Human Services Committee,

Thank you so much for the opportunity to share our testimony with you. We are more than happy to continue providing information to you on our work and look forward to our continued partnership on behalf of all Oregon students to keep them healthy and safe. During our testimony provided on February 11th, members asked questions on Senate Bill 51. Below you will find our response to each of them. Please do not hesitate to reach out to me if you need further clarification.

With gratitude,
Jessica Ventura

Senate Bill 51 - Technical Fixes to Senate Bill 155

Question from Sen. Gelser: I'm noticing in the testimony some points raised by Richard Donovan of OSBA. Are those points that have been considered?

ODE's Response: We have discussed these points with Mr. Donovan. The requirement to have an active administrative license--that was not a requirement of Senate Bill 155. ORS 339.372 requires school districts to designate a licensed administrator and an alternate licensed administrator. License is defined as a license, registration or certificate issued by TSPC.

The [Scope and Responsibility](#) for Administrator Licenses outlines very specifically when an administrator license is required. It is fairly common for someone to be labeled an "administrator" by a district, but not performing any of the duties where a TSPC license would be required. An IT or Data Manager comes immediately to mind. However, that person could not be the designated administrator for purposes of ORS 339.372 because the statute requires the administrator to be licensed.

OSBA suggested adding “active” in front of the license to ensure no one with a lapsed license is designated; we do believe this is a moot point. The definition of lapsed is “no longer valid; expired.” If an administrator has let their license lapse, they are no longer licensed and cannot be the designated administrator under ORS 339.372.

Regarding the retention period, under current retention schedules, we retain for 20 years, and TSPC retains for 25 years. Senate Bill 155 required us to retain, but did not specify for how long; for that reason, we just proposed to align with TSPC’s retention schedule. If the legislature prefers a longer retention period, that would be fine from ODE’s perspective. We were just hoping to clarify that point.

On the pre-K programs, under the current law, the Department provides verification information to education providers. Education providers include state-sponsored programs serving pre-K students, and so those programs are required to do the verification process with ODE before bringing on employees, volunteers, contractors, or agents.