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DEPARTMENT OF
EDUCATION

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Accepting TSPC Fingerprinting Results

HB 2058

House Education Committee

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Pupil Transportation and Fingerprinting

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HB 2058: Accepting TSPC Fingerprinting Results

WHAT THE BILL DOES

- Per ORS 326.603, ODE conducts fingerprint-based background checks on newly hired public school employees working in **positions that do not require a license, registration or certification** from the Teachers Standards & Practices Commission (TSPC).
- HB 2058 seeks **statutory clarity** on if ODE can accept TSPC fingerprinting results, which are valid for the length of the license from TSPC, and for three years after the license expires.

HB 2058: Accepting TSPC Fingerprinting Results

WHAT THE BILL DOES

- This acceptance would apply to the following situations for an individual:
 - If they had submitted to a fingerprint-based criminal history record check conducted by the Teacher Standards and Practices Commission within the previous three years;
 - If they remained continuously licensed or registered with the commission; or
 - If they had a license or registration with the commission that lapsed within the previous three years
- Currently, it costs **\$71.50** to go through the ODE fingerprinting process; this cost will not be passed on in the above situations

HB 2058: Accepting TSPC Fingerprinting Results

STUDENT SAFETY IMPACT

- Student safety is not something to compromise on
 - This requested statutory change does not create any gaps or cracks for bad actors to slip through
 - This proposal codifies current practice at ODE
 - Nothing in this bill would restrict school districts from being able to also conduct their own type of background check if they chose to
- HB 2058 does not impact ODE's investigations or other work related to SB 155 (2019)
- We would welcome a more extensive conversation about current fingerprinting practices in conjunction with TSPC & the Legislature

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COST IMPLICATIONS

- HB 2058 as Introduced does not have a fiscal
 - Codifying current practice and aligning to TSPC fingerprinting cycle under statute 326.603 would clarify our role and would not cost additional funds.
- The -1 Amendment on HB 2058 does have a fiscal to at least meet minimum staffing requirements for additional anticipated fingerprinting volume.
 - The cost is
 - \$81,655 for 2021-2023
 - \$88,558 for the 2023-2025

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ADDITIONAL COMMENTS

- Important to note: we do not know the number of people that are licensed through TSPC that would be required to be fingerprinted through ODE if they are changing to a position covered by ORS 326.603
 - This is because of the direction given to ODE in ORS 326.603
- ODE is not in a position to compare other sectors or agencies fingerprinting practices
 - Each sector and/or agency has its own federal and state laws to follow and separate systems used in background checks
 - The K-12 sector is handled by both TSPC and ODE

Questions...

