

Enrolled
Senate Bill 129

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CHAPTER

AN ACT

Relating to moneys collected by the Teacher Standards and Practices Commission; creating new provisions; amending ORS 342.127; and declaring an emergency.

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

SECTION 1. ORS 342.127 is amended to read:

342.127. (1) The Teacher Standards and Practices Commission shall establish and collect:

(a) A fee not to exceed \$350 for evaluation of the initial application for each educator license for which application is made. If the applicant is eligible for the educator license for which application is made, the commission shall issue the license without additional charge.

(b) A fee not to exceed \$350 for the renewal of each educator license and a fee not to exceed \$50 for each official paper license. If the educator is certified by a national professional organization for teaching standards recognized by the commission, the commission shall renew the license without charge.

(c) A fee not to exceed \$800 for a beginning educator assessment conducted in lieu of an approved preparation program required for licensure.

(d) A fee not to exceed \$350 for registration as a public charter school teacher or administrator that includes any fee charged pursuant to rules adopted under ORS 181A.195.

(e) A fee not to exceed \$350 for renewal of a registration as a public charter school teacher or administrator that includes any fee charged pursuant to rules adopted under ORS 181A.195.

(2) In addition to the fee required by subsection (1) of this section for the issuance of an educator license, the commission shall collect a fee not to exceed \$150 for the evaluation of an applicant requesting licensing based upon completion of an educator preparation program other than an Oregon approved educator preparation program.

(3) In addition to the fees required by subsection (1) of this section, the commission shall collect a late application fee not to exceed \$40 per month up to a maximum of \$200 from an applicant who fails to make timely application for renewal of the license or registration. The actual amount of the fee shall be determined in accordance with rules of the commission.

(4) In addition to the fees required by subsection (1) of this section, the commission shall collect a late application fee not to exceed \$350 for the reinstatement of an expired license. The requirements for reinstatement and the actual amount of the fee shall be determined in accordance with rules of the commission.

(5) Notwithstanding the expiration date posted on the license, the license shall continue to be valid for an additional 120 days, provided the educator has made a timely application, as determined by the commission, for renewal prior to the expiration date on the license.

(6) In addition to the fee required by subsection (1) of this section for the issuance of an educator license, the commission shall collect a fee not to exceed [~~\$300~~] **\$1,000** for the reinstatement of a license that has been suspended or revoked by the commission for gross neglect of duty or gross unfitness under ORS 342.175.

(7) In addition to the fee required by subsection (1) of this section for the issuance of an educator license, the commission shall collect a fee not to exceed \$200 for the issuance of any license through an expedited process under ORS 342.125 (6) at the request of any school district, public charter school or education service district that seeks to employ the applicant. The fee shall be paid by the school district, public charter school or education service district.

(8)(a) The commission shall establish and collect:

(A) A fee for each approved educator preparation provider, based on the number of license applications received by the commission from the provider; and

(B) A fee for each approved educator preparation provider, based on the type of educator preparation programs that the provider offers.

(b) Notwithstanding paragraph (a) of this subsection, the commission may establish and collect a flat fee for the purposes described in paragraph (a) of this subsection if the number of teacher applicants enrolled in the educator preparation programs offered by the educator preparation provider does not exceed a number identified by the commission by rule.

(c) The method for determining the fee and the actual amount of the fee imposed under this subsection shall be determined in accordance with rules of the commission.

[~~(8)~~] **(9) Fees established under this section shall cover, but not exceed, the full cost of administrative expenses incurred by the commission during any biennium.**

SECTION 2. (1) The amendments to ORS 342.127 by section 1 of this 2021 Act become operative on January 1, 2022.

(2) The amendments to ORS 342.127 by section 1 of this 2021 Act apply to any license reinstated on or after January 1, 2022.

SECTION 3. The Teacher Standards and Practices Commission shall report to an interim committee of the Legislative Assembly related to education no later than March 1, 2022. The report must be related to the fees established and collected as authorized by ORS 342.127, as amended by section 1 of this 2021 Act.

SECTION 4. ORS 342.127, as amended by section 1 of this 2021 Act, is amended to read:

342.127. (1) The Teacher Standards and Practices Commission shall establish and collect:

(a) A fee not to exceed \$350 for evaluation of the initial application for each educator license for which application is made. If the applicant is eligible for the educator license for which application is made, the commission shall issue the license without additional charge.

(b) A fee not to exceed \$350 for the renewal of each educator license and a fee not to exceed \$50 for each official paper license. If the educator is certified by a national professional organization for teaching standards recognized by the commission, the commission shall renew the license without charge.

(c) A fee not to exceed \$800 for a beginning educator assessment conducted in lieu of an approved preparation program required for licensure.

(d) A fee not to exceed \$350 for registration as a public charter school teacher or administrator that includes any fee charged pursuant to rules adopted under ORS 181A.195.

(e) A fee not to exceed \$350 for renewal of a registration as a public charter school teacher or administrator that includes any fee charged pursuant to rules adopted under ORS 181A.195.

(2) In addition to the fee required by subsection (1) of this section for the issuance of an educator license, the commission shall collect a fee not to exceed \$150 for the evaluation of an applicant requesting licensing based upon completion of an educator preparation program other than an Oregon approved educator preparation program.

(3) In addition to the fees required by subsection (1) of this section, the commission shall collect a late application fee not to exceed \$40 per month up to a maximum of \$200 from an applicant who fails to make timely application for renewal of the license or registration. The actual amount of the fee shall be determined in accordance with rules of the commission.

(4) In addition to the fees required by subsection (1) of this section, the commission shall collect a late application fee not to exceed \$350 for the reinstatement of an expired license. The requirements for reinstatement and the actual amount of the fee shall be determined in accordance with rules of the commission.

(5) Notwithstanding the expiration date posted on the license, the license shall continue to be valid for an additional 120 days, provided the educator has made a timely application, as determined by the commission, for renewal prior to the expiration date on the license.

(6) In addition to the fee required by subsection (1) of this section for the issuance of an educator license, the commission shall collect a fee not to exceed \$1,000 for the reinstatement of a license that has been suspended or revoked by the commission for gross neglect of duty or gross unfitness under ORS 342.175.

(7) In addition to the fee required by subsection (1) of this section for the issuance of an educator license, the commission shall collect a fee not to exceed \$200 for the issuance of any license through an expedited process under ORS 342.125 (6) at the request of any school district, public charter school or education service district that seeks to employ the applicant. The fee shall be paid by the school district, public charter school or education service district.

[(8)(a) The commission shall establish and collect:]

[(A) A fee for each approved educator preparation provider, based on the number of license applications received by the commission from the provider; and]

[(B) A fee for each approved educator preparation provider, based on the type of educator preparation programs that the provider offers.]

[(b) Notwithstanding paragraph (a) of this subsection, the commission may establish and collect a flat fee for the purposes described in paragraph (a) of this subsection if the number of teacher applicants enrolled in the educator preparation programs offered by the educator preparation provider does not exceed a number identified by the commission by rule.]

[(c) The method for determining the fee and the actual amount of the fee imposed under this subsection shall be determined in accordance with rules of the commission.]

[(9)] (8) Fees established under this section shall cover, but not exceed, the full cost of administrative expenses incurred by the commission during any biennium.

SECTION 5. The amendments to ORS 342.127 by section 4 of this 2021 Act become operative on January 1, 2026.

SECTION 6. Any moneys in the National Board Certification Fund on June 30, 2021, that are unexpended, unobligated and not subject to any conditions shall be transferred to the Teacher Standards and Practices Commission Account.

SECTION 7. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by Senate June 23, 2021

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 25, 2021

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2021

Approved:

.....M,....., 2021

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2021

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Shemia Fagan, Secretary of State