

SB 218 STAFF MEASURE SUMMARY**Carrier:** Sen. Dembrow**Senate Committee On Education****Action Date:** 03/30/23**Action:** Do pass.**Vote:** 6-1-0-0**Yeas:** 6 - Anderson, Dembrow, Frederick, Gelsner Blouin, President Wagner, Weber**Nays:** 1 - Robinson**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Ellen O'Brien, LPRO Analyst**Meeting Dates:** 3/9, 3/30**WHAT THE MEASURE DOES:**

Requires Oregon Department of Education (ODE) to make documents, materials, and reports from sexual conduct investigations available to Teacher Standards and Practices Commission (TSPC) if necessary for TSPC to investigate complaint against commission licensee that does not concern allegation of sexual conduct. Requires law enforcement agencies to make reports and records on closed cases of child abuse or neglect available upon request to TSPC for investigations of complaints against commission licensees. Requires law enforcement agencies to make reports and records on open cases of alleged child abuse available upon request to TSPC when disclosure will not interfere with ongoing investigation. Exempts TSPC from duty to investigate certain complaints against commission licensee if TSPC does not receive verification that attempts were made to resolve complaint through school district complaint process within 12 months of providing notice that verification is necessary. Requires TSPC executive director or designee to forward report to commission on any completed investigation that found certain violations and to determine whether to forward report on other completed investigations. Specifies that report must include recommendations for disciplinary sanctions.

ISSUES DISCUSSED:

- Efficiency of operations and investigations

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Teacher Standards and Practices Commission (TSPC) is Oregon's licensing agency for educators. The agency is authorized in statute to investigate complaints against licensees. Investigations of suspected sexual conduct against licensees are governed by ORS 339.390; the process for all other complaints is governed by ORS 342.176. The process for investigating allegations of suspected sexual conduct were established by Senate Bill 155 (2019).

Senate Bill 218 requires the Oregon Department of Education and law enforcement agencies to make records of sexual conduct investigations and investigations of child abuse available to the Teacher Standards and Practices Commission for the purpose of investigating complaints against commission licensees. The bill also modifies TSPC's investigation and reporting process for complaints against commission licensees.