

## SB 1550 STAFF MEASURE SUMMARY

### Senate Committee On Education

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**Sub-Referral To:** Joint Committee On Ways and Means

**Meeting Dates:** 2/15

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#### WHAT THE MEASURE DOES:

The measure transfers to the Oregon Department of Education (ODE) numerous duties, functions, and powers of the Teacher Standards and Practices Commission (TSPC) and the Educator Advancement Council (EAC). Nothing in the measure impacts the rights or privileges of educator licenses issued prior to the measure's effective date. The measure moves TSPC under the structure of ODE, making ODE the employer of current TSPC personnel. It moves responsibility for licensure, licensure fees, education preparation programs, and misconduct investigations to ODE and SBE, while retaining TSPC's authority to discipline licensed educators and to adopt rules and standards related to educator licensure. The measure eliminates the intergovernmental agreement under which the EAC had been established, and instead directs ODE to establish the EAC. The measure directs ODE. The measure includes provisions that maintain legal rights and obligations of the TSPC and EAC but transfer those legal rights and obligations to ODE. It makes the changes to the structure of ODE, TSPC, and the EAC operative on July 1, 2025. The measure declares an emergency, effective on passage.

*May have revenue impact, but no statement yet issued.*

*May have fiscal impact, but no statement yet issued.*

#### Detailed summary:

**Section 1:** Transfers from the Teacher Standards and Practices Commission (TSPC) to the Oregon Department of Education (ODE) duties relating to licensing of educators, establishment of professional development requirements, and approval of educator preparation providers and programs.

**Section 2:** Amends the statutory purpose of TSPC, in [ORS 342.350](#), to adopt rules and standards relating to educator licensing, as those licenses are issued by ODE, and to oversee disciplinary proceedings and impose discipline on licensed educators.

**Section 3, and throughout the rest of the measure:** Changes many references from TSPC to ODE, throughout Oregon statute, where applicable to the measure's transfers of duties, functions, and powers from TSPC to ODE.

**Section 13-19, Section 41-42:** Transfers from TSPC to ODE responsibility to investigate reports of suspected sexual misconduct by licensed educators. Retains TSPC's authority to discipline licensed educators and permits ODE to share reports of suspected sexual misconduct and investigative materials with TSPC as necessary for TSPC to discipline a licensee.

**Section 23:** Changes, from TSPC to the State Board of Education (SBE), the entity tasked with adopting rules relating to and disbursing moneys from the National Board Certification Fund.

**Section 24:** Maintains TSPC's rulemaking authority regarding the knowledge of ethical standards that first-time licensees and registrants are required to demonstrate.

**Section 25:** Grants joint rulemaking authority to TSPC and SBE regarding issuing and renewing teaching licenses. Maintains TSPC's rulemaking authority regarding the public charter school teacher and administrator registry.

## SB 1550 STAFF MEASURE SUMMARY

**Section 26:** Transfers responsibility for establishing fees for educator licenses to SBE and responsibility for collecting fees to ODE.

**Section 27:** States that nothing in the measure is intended to invalidate or to alter the rights or privileges granted by any educator license issued prior to the measure's effective date.

**Section 28:** Transfers responsibility to issue and renew preliminary teaching licenses to ODE. Maintains TSPC's rulemaking authority regarding the requirements for continual renewal of a preliminary teaching license.

**Section 29:** Grants TSPC rulemaking authority over the standards for issuing a professional teaching license to a teacher who holds a distinguished teacher leader license.

**Section 30:** Grants ODE authority to approve advanced professional education programs and educator preparation providers.

**Section 31:** Maintains TSPC rulemaking authority regarding evidence of good moral character and mental and physical health; and regarding refusal to issue a license or registration on the basis of certain criminal convictions. Requires ODE to adhere to TSPC's rules in carrying out those responsibilities.

**Section 32:** Requires ODE to issue American Indian languages teaching licenses in accordance with rules established by TSPC.

**Section 33-36:** Transfers responsibility for approval and accreditation of educator preparation providers and programs from TSPC to SBE and ODE.

**Section 40:** Requires ODE to suspend or revoke a license or registration in accordance with TSPC rules.

**Section 43:** Permits TSPC to issue an informal reproof of a licensee or registrant upon completion of an investigation by ODE.

**Section 44-45:** Requires ODE to issue a license to an out-of-state applicant or military spouse in accordance with TSPC rules.

**Section 48:** Transfers to ODE the responsibility to regularly publish the names of teachers and administrators who are subject to discipline by TSPC. Maintains TSPC's authority to discipline licensees.

**Section 52:** Directs the Superintendent of Public Instruction to collaborate with ODE, TSPC, and the Educator Advancement Council (EAC) on annual reports relating to the Oregon educator workforce.

**Section 53:** Establishes the Teacher Licensure Account. Directs ODE to deposit fees collected from licensees in the Teacher Licensure Account and appropriates those funds to pay ODE administrative expenses. This replaces the TSPC Account that is currently in statute for this purpose and removes the involvement of the State Treasurer in receiving fees and crediting the TSPC Account.

**Section 54:** Adds the EAC to the list of entities directed to cooperate with the Education and Workforce Policy Advisor in drafting the report required by ORS 342.443.

**Section 55-58:** Transfers responsibility for school nurse certification to ODE, allows SBE to adopt rules for revoking a school nurse certificate, and requires ODE to adhere to rules established by TSPC and the Oregon State Board of Nursing in issuing school nurse certificates.

**Section 61:** Adds the EAC to the list of entities that shall consult with SBE to adopt core teaching standards under ORS 342.856.

## SB 1550 STAFF MEASURE SUMMARY

**Section 62:** Eliminates the direction that the EAC be established under an intergovernmental agreement, and instead directs ODE to establish the EAC. Directs the EAC to work in consultation with the Department of Early Learning and Care (DELIC), TSPC, the Higher Education Coordinating Commission (HECC), school districts, and education service districts.

**Section 63:** Transfers responsibility for the Educator Preparation Improvement Fund from TSPC to ODE.

**Section 65:** Requires ODE to establish and regularly update requirements for an educator preparation program for career and technical education (CTE) teachers. Specifies that those requirements for CTE educator preparation programs include consultation with trade or industry stakeholders, TSPC, EAC, and HECC. Directs ODE, TSPC, and EAC to collaborate in enabling trade or industry experts to become CTE teachers, including through limited or alternative licensure.

**Section 67-70:** Transfers responsibilities for investigations into alleged abuse by licensed educators to ODE.

**Section 71-74:** Modifies statutes regulating oversight of social workers, psychologists, and other clinicians, as well as speech-language pathologists, in public schools.

**Section 75:** Repeals ORS 342.410, which relates to the TSPC executive director and employees; and repeals [ORS 344.062](#), which relates to TSPC policy on career and technical education.

**Section 76:** Establishes operative date of July 1, 2025. Permits TSPC, SBE, ODE, and EAC, before the effective date, to take any action necessary for ODE to exercise all duties conferred on it by the measure. Requires TSPC, SBE, ODE, and the EAC, no later than September 15, 2025, to submit to the interim committees of the Legislative Assembly a report on the measure's transfer of duties, powers, and functions.

**Section 77:** Directs the TSPC director to deliver to ODE all records and property within this measure's transfer of responsibilities from TSPC to ODE, and to transfer to ODE all employees whose job duties relate primarily to responsibilities that this measure transfers from TSPC to ODE. Requires that the Superintendent of Public Instruction take charge of employees transferred to ODE. Directs the Governor to resolve disputes between TSPC and ODE relating to transfers of records, property, and employees, and provides that the Governor's decisions are final.

**Section 78:** Specifies for the transfer and availability of unexpended TSPC funds, intended for purposes that would become, under the measure, the purview of ODE. Makes applicable to ODE any classifications authorizing or limiting TCPC expenditures.

**Section 79:** Specifies that any action, proceeding, or prosecution involving duties the measure transfers to ODE, but which began and were pending at the time of transfer, remain unimpacted, except that ODE is substituted for TSPC in the action, proceeding, or prosecution.

**Section 80:** States that nothing in the measure relieves a person of liability, duty, or obligation regarding duties, functions, or powers transferred to ODE. Transfers from TSPC and EAC to ODE the rights and obligations of TSPC and EAC under contracts, leases, and business transactions began by TSPC and EAC before the measure's operative date. Specifies that ODE is a continuation of these rights and obligations, and not a new authority.

**Section 81:** States that, notwithstanding the transfer of duties from the TSPC and EAC to ODE, the rules of the TSPC and EAC remain in effect until superseded or repealed by rules of the SBE.

**Section 82:** Specifies that any reference made to TSPC and EAC in rules, documents, records, or uncodified laws, regarding duties that this measure transfers to ODE, may be considered a reference to ODE.

Declares an emergency, effective on passage.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

The Teacher Standards and Practices Commission (TSPC) was established in 1965. Prior to that time, the State Board of Education (SBE) oversaw licensing of teachers and Oregon had a separate commission on teacher tenure. Originally, TSPC was responsible for conducting a study and making recommendations to SBE, and TSPC was staffed by the Oregon Department of Education (ODE). Changes to the law in 1973 allowed TSPC to hire its own staff, including an executive secretary. In 1997, the law changed again, allowing TSPC to hire an executive director.

Currently, TSPC consists of a 15-member commission supported by full-time equivalent (FTE) staff. The agency is responsible for issuing licenses, approving educator preparation programs, approving nontraditional pathways to educator licensure, approving professional development for license renewals, and investigating educator misconduct. TSPC is almost entirely fee-funded.

[Senate Bill 182 \(2017\)](#) established the Educator Advancement Council (EAC) under an intergovernmental agreement executed on March 20, 2018. Parties to the agreement were the Chief Education Office, ODE, Early Learning Division, TSPC, High Desert Education Service District, and Beaverton School District. Under Senate Bill 182, parties to the agreement could appoint members to the EAC. A majority of EAC members could then appoint others. Staff support was provided by the Chief Education Office until its sunset in 2019. Since that time, staff support EAC has been provided by ODE.

EAC has an executive director, and the council is responsible for educator professional development, establishing and maintaining Regional Educator Networks (RENs), conducting a biennial survey of the state's educators, issuing grow-your-own grants, and drafting a biennial educator equity report. EAC is supported by FTE staff. House Bill 2166 (2021) modified the requirements for EAC's intergovernmental agreement, allowing EAC to appoint a director who could then hire staff. EAC was not made an independent state agency.