

Senate Bill 805

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act reduces the length of time that the TSPC must wait for verification of a complaint before closing the complaint. (Flesch Readability Score: 60.6).

Reduces the duration of time that the Teacher Standards and Practices Commission is required to wait for verification that attempts were made to resolve a complaint through the processes of the school district before the commission no longer has a duty to investigate the complaint.

A BILL FOR AN ACT

1
2 Relating to complaints filed with the Teacher Standards and Practices Commission; creating new
3 provisions; and amending ORS 342.176.

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

5 **SECTION 1.** ORS 342.176 is amended to read:

6 342.176. (1)(a) A person may file a complaint with the Teacher Standards and Practices Com-
7 mission regarding a commission licensee. If a complaint concerns an allegation of sexual conduct
8 that may have been committed by a commission licensee, the complaint process provided by this
9 section does not apply and the commission shall investigate the complaint as provided by ORS
10 339.390.

11 (b) Prior to beginning an investigation based on a complaint filed under paragraph (a) of this
12 subsection, the commission may require verification that attempts were made to resolve the com-
13 plaint through the complaint process of the school district that employs the person against whom
14 the complaint was filed. If the commission does not receive verification within [12] **six** months of
15 providing notice that verification is required, the commission no longer has a duty to investigate the
16 complaint.

17 (c) After receiving sufficient verification as provided by paragraph (b) of this subsection, the
18 commission shall promptly undertake an investigation upon receipt of a complaint or information
19 that constitutes grounds for:

20 (A) Refusal to issue a license or registration, as provided under ORS 342.143;

21 (B) Suspension or revocation of a license or registration, discipline of a commission licensee, or
22 suspension or revocation of the right to apply for a license or registration, as provided under ORS
23 342.175; or

24 (C) Discipline for failure to provide appropriate notice prior to resignation, as provided under
25 ORS 342.553.

26 (2) The commission may appoint an investigator and shall furnish the investigator with appro-
27 priate professional and other special assistance reasonably required to conduct the investigation,
28 and the investigator is empowered to issue subpoenas to require the attendance of witnesses or the

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 production of documents over the signature of the executive director of the Teacher Standards and
2 Practices Commission, subpoena witnesses over the signature of the executive director, swear wit-
3 nesses and compel obedience in the same manner as provided under ORS 183.440 (2).

4 (3) Following completion of an investigation, the executive director or the executive director's
5 designee shall:

6 (a) Forward to the commission a report related to any investigation that concluded that a vio-
7 lation occurred under ORS 342.143, 342.175 or 342.553; or

8 (b) Determine whether to forward to the commission a report related to any investigation not
9 described in paragraph (a) of this subsection.

10 (4) If a report is to be forwarded to the commission as described in subsection (3) of this section,
11 the executive director or the executive director's designee shall report in writing the findings and
12 recommendations to impose disciplinary sanctions to:

13 (a) The commission, meeting in executive session, at its next regular meeting following com-
14 pletion of the investigation; and

15 (b) The person against whom the charge is made, following consideration by the commission.

16 (5)(a) Except as provided in paragraph (b) of this subsection, the documents and materials used
17 in the investigation undertaken as provided by this section and the report related to the investi-
18 gation are confidential and not subject to public inspection unless the commission makes a final
19 determination to:

20 (A) Refuse to issue a license or registration, as provided under ORS 342.143;

21 (B) Suspend or revoke a license or registration, discipline a commission licensee, or suspend or
22 revoke the right to apply for a license or registration, as provided under ORS 342.175; or

23 (C) Discipline a person for failure to provide appropriate notice prior to resignation, as provided
24 under ORS 342.553.

25 (b) Records made available to the commission under ORS 419B.035 (1)(h) shall be kept confi-
26 dential.

27 (6) If the commission finds from the report that there is sufficient cause to justify holding a
28 hearing under ORS 342.177, the commission shall notify in writing:

29 (a) The person charged, enclosing a statement of the charges and a notice of opportunity for
30 hearing;

31 (b) The complainant; and

32 (c) The employing district or public charter school, if any.

33 (7) If there is not sufficient cause to justify holding a hearing under ORS 342.177, the commis-
34 sion shall notify in writing:

35 (a) The person charged;

36 (b) The complainant; and

37 (c) The employing district or public charter school, if any.

38 (8) Notwithstanding ORS 192.660 (6), the commission may make its findings under this section
39 in executive session. However, the provisions of ORS 192.660 (4) apply to the sessions.

40 **SECTION 2. Section 1 of this 2025 Act applies to complaints filed with the Teacher**
41 **Standards and Practices Commission under ORS 342.176 on or after January 1, 2026.**

42