

House Bill 3254

Sponsored by Representative KOMP; Representative SPRENGER

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**.

Establishes instructor license and teacher leader license. Renames "continuing teaching license" to "professional teaching license." Limits renewal of initial teaching license to four renewals.

Declares emergency, effective July 1, 2013.

A BILL FOR AN ACT

1
2 Relating to teacher licensing; creating new provisions; amending ORS 336.635, 342.125, 342.136,
3 342.138 and 681.360; and declaring an emergency.

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

5 **SECTION 1.** ORS 342.125 is amended to read:

6 342.125. (1) Teaching licenses shall be issued and renewed by the Teacher Standards and Prac-
7 tices Commission by the authority of the State of Oregon, subject to ORS 342.120 to 342.430 and the
8 rules of the commission.

9 (2) Subject to subsection (4) of this section, teaching licenses shall be of the following types:

10 (a) Basic teaching license.

11 (b) Standard teaching license.

12 (c) Administrative license.

13 (d) Restricted teaching license.

14 (3) Subject to ORS 342.130 and to subsection (4) of this section and in addition to the teaching
15 licenses described in subsection (2) of this section, licenses shall be of the following types:

16 **(a) Instructor license.**

17 [(a)] **(b)** Initial teaching license.

18 [(b)] **(c)** [*Continuing*] **Professional** teaching license.

19 **(d) Teacher leader license.**

20 [(c)] **(e)** Initial personnel service license.

21 [(d)] **(f)** Continuing personnel service license.

22 [(e)] **(g)** Initial administrative license.

23 [(f)] **(h)** Continuing administrative license.

24 (4) The Teacher Standards and Practices Commission may establish other types of teaching li-
25 censes as it considers necessary for operation of the public schools of the state and may prescribe
26 the qualifications for the licenses. However, no license established under the authority of this sub-
27 section is required for a regular classroom teaching position in the public schools.

28 (5)(a) The Teacher Standards and Practices Commission shall establish a public charter school
29 teacher and administrator registry. The commission shall require the applicant and the public
30 charter school to jointly submit an application requesting registration as a public charter school

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 teacher or administrator. The application shall include:

2 (A) A description of the specific teaching or administrator position the applicant will fill;

3 (B) A description of the background of the applicant that is relevant to the teaching or admin-
4 istrator position, including any post-secondary education or other experience; and

5 (C) Documentation as required by the commission for the purposes of conducting a criminal re-
6 cords check as provided in ORS 181.534 and a background check through an interstate clearing-
7 house of revoked and suspended licenses.

8 (b) Subject to the results of the criminal records check and background check and to informa-
9 tion received under ORS 342.143 (2), the commission shall approve the application for registration.
10 The commission may deny a request for registration only on the basis of the criminal records check,
11 the background check through an interstate clearinghouse of revoked and suspended licenses or the
12 information received under ORS 342.143 (2). The registration is valid for three years and may be
13 renewed upon joint application from the teacher or administrator and the public charter school.

14 (c) A registration as a public charter school teacher qualifies its holder to accept the teaching
15 position described in the application in the public charter school that submitted the application with
16 the holder of the registration.

17 (d) A registration as a public charter school administrator qualifies its holder to accept the ad-
18 ministrator position described in the application in the public charter school that submitted the
19 application with the holder of the registration.

20 (6) The Teacher Standards and Practices Commission shall adopt an expedited process for the
21 issuance of any license established pursuant to this section. The process may require a school dis-
22 trict superintendent or school district board and the applicant to jointly submit an application re-
23 questing an emergency license. Within two working days after receiving a completed application the
24 commission shall issue the emergency license. However, the commission may limit the number of
25 applications for expedited service from a school district or education service district to not more
26 than 100 applications in a period of two working days. For purposes of this subsection, the com-
27 mission may not distinguish between a school district or education service district involved in a
28 labor dispute and any other school district or education service district.

29 **SECTION 2. Sections 3 and 4 of this 2013 Act are added to and made a part of ORS**
30 **chapter 342.**

31 **SECTION 3. (1) An instructor license shall qualify its holder to work in collaboration with**
32 **a licensed teacher to provide instruction to small groups of students.**

33 **(2) An instructor license shall be issued on application to an otherwise qualified person**
34 **who has completed an associate degree or a baccalaureate degree with appropriate**
35 **coursework in education, as determined by the Teacher Standards and Practices Commis-**
36 **sion.**

37 **(3) An instructor license may be renewed if the applicant meets the requirements estab-**
38 **lished by the Teacher Standards and Practices Commission by rule.**

39 **SECTION 4. (1) A teacher leader license shall designate that its holder is qualified to**
40 **provide leadership that may include mentoring, curriculum development support, teacher**
41 **preparation support and other educational leadership.**

42 **(2) A teacher leader license shall be issued on application to an otherwise qualified person**
43 **who has a valid professional teaching license and who has, through teacher evaluations, been**
44 **deemed to be effective to highly effective in teaching.**

45 **(3) A teacher leader license may be renewed if the applicant meets the requirements es-**

1 **tablished by the Teacher Standards and Practices Commission by rule.**

2 **SECTION 5.** ORS 342.136 is amended to read:

3 342.136. (1) An initial teaching, personnel service or administrative license shall qualify its
4 holder to accept any assignment from preprimary through grade 12 for which the holder has com-
5 pleted the requirements established by the rules of the Teacher Standards and Practices Commis-
6 sion.

7 (2) An initial license shall be issued on application to an otherwise qualified person who has
8 completed an approved professional education program and meets such other requirements as the
9 commission may consider necessary to maintain and improve the quality of instruction in the public
10 schools of the state.

11 (3) An initial license may be renewed if the applicant meets the requirements established by the
12 commission by rule **and may be renewed biannually only four times.**

13 **SECTION 6.** The amendments to ORS 342.136 by section 5 of this 2013 Act apply to initial
14 teaching license renewals made on or after the effective date of this 2013 Act. Renewals made
15 prior to the effective date of this 2013 Act shall not be considered for the purposes of de-
16 termining the number of times that an initial teaching license has been renewed.

17 **SECTION 7.** ORS 342.138 is amended to read:

18 342.138. (1) A [*continuing*] **professional teaching license, a continuing personnel service li-**
19 **cence or a continuing administrative license** shall qualify the holder to accept any assignments for
20 preprimary through grade 12 for which the holder has completed the advanced requirements estab-
21 lished by the rules of the Teacher Standards and Practices Commission.

22 (2) A [*continuing*] **professional teaching license, a continuing personnel service license or**
23 **a continuing administrative license** shall be issued on application for five years to an otherwise
24 qualified person who has:

25 (a) Completed an advanced professional education program approved by the commission;

26 (b) Been employed for a minimum period of time to be determined by the commission in:

27 (A) An Oregon public school;

28 (B) An Oregon private school that meets the standards adopted by the commission by rule; or

29 (C) Another educational setting approved by the commission; and

30 (c) Demonstrated minimum competencies, knowledge and skills required for the [*continuing*]
31 **professional teaching license, continuing personnel service license or continuing administra-**
32 **tive license** through an approved teacher education institution, school district, professional organ-
33 ization identified in ORS 342.121, or professional assessment approved by the commission.

34 (3) The holder of a [*continuing*] **professional teaching license, continuing personnel service**
35 **license or continuing administrative license** may renew the [*continuing*] license in accordance
36 with the rules of the commission.

37 **(4) A professional teaching license shall indicate that the holder has taught for more than**
38 **four years and is ready to take on advanced roles and responsibilities as a teacher.**

39 **SECTION 8.** Nothing in the amendments to ORS 342.138 by section 7 of this 2013 Act af-
40 fects the status of a continuing teaching license issued before the effective date of this 2013
41 Act.

42 **SECTION 9.** ORS 336.635 is amended to read:

43 336.635. (1) The parent or guardian of a student may enroll the student in one of the proposed
44 public alternative education programs or private alternative education programs of instruction or
45 instruction combined with counseling if:

1 (a) The enrollment is necessary to meet the student’s educational needs and interests.

2 (b) The program is appropriate and accessible to the student.

3 (c) For a program in a school district in which the student is a resident, the resident school
4 district approves the enrollment.

5 (d) For a program in a school district in which the student is not a resident, the resident school
6 district and the attending school district approve the enrollment.

7 (e) For a private alternative education program, the program is registered with the Department
8 of Education.

9 (2) If the student is eligible for special education under ORS 343.221 to 343.236 and 343.261 to
10 343.295, the program must be approved by the Department of Education prior to the placement of
11 the student in the program.

12 (3) A student enrolled pursuant to this section is considered enrolled in the schools of the dis-
13 trict offering the program for purposes of the distribution of the State School Fund.

14 (4) An alternative education program that is offered to a student who is not a resident of the
15 school district may bill tuition to the school district where the student is a resident. The billing
16 may be made annually or at the end of each term or semester of the alternative education program.
17 For each full-time equivalent student enrolled in the alternative education program, the resident
18 school district shall pay the actual cost of the program or an amount at least equivalent to 80 per-
19 cent of the district’s estimated current year’s average per student net operating expenditure,
20 whichever is less, in accordance with rules adopted by the State Board of Education. The alternative
21 education program is accountable for the expenditures of all State School Fund moneys and other
22 local school support moneys and shall provide the resident school district with an annual statement
23 of the expenditures.

24 (5) A private alternative education program that is registered with the department is not re-
25 quired to employ only licensed teachers or administrators. Teachers and administrators in private
26 programs are not considered employees of any school district for purposes of ORS 342.173.

27 (6) A school district is not required to provide a public alternative education program if the
28 student can be referred to public or approved private alternative education programs that are ap-
29 propriate for and accessible to the student.

30 (7) Any basic, standard, initial or [continuing] **professional** teaching license **or teacher leader**
31 **license** issued by the Teacher Standards and Practices Commission is valid for teaching all subjects
32 and grade levels in an alternative education program operated by a school district or education
33 service district.

34 **SECTION 10.** ORS 681.360 is amended to read:

35 681.360. (1) A person may not perform the duties of a speech-language pathology assistant or
36 use the title speech-language pathology assistant without a certificate to do so issued under this
37 section.

38 (2) To obtain a certificate to perform the duties of a speech-language pathology assistant, a
39 person shall:

40 (a) Submit an application in the form prescribed by the State Board of Examiners for Speech-
41 Language Pathology and Audiology;

42 (b) Pay the certificate fee established by the board;

43 (c) Demonstrate that the person meets the qualifications for certification established by the
44 board; and

45 (d) Comply with all other requirements for certification established by the board.

1 (3) A certificate issued under this section expires every two years. To renew a certificate to
2 perform the duties of a speech-language pathology assistant, a person shall:

3 (a) Submit the renewal application in the form prescribed by the board;

4 (b) Pay the renewal fee established by the board; and

5 (c) Comply with all other requirements for certificate renewal established by the board, includ-
6 ing but not limited to submission of evidence of participation in professional development activities.

7 (4) A person may not employ or otherwise use the services of a speech-language pathology as-
8 sistant unless the speech-language pathology assistant is certified under this section.

9 (5) The board may establish by rule qualifications and conditions under which a person not li-
10 censed under this chapter who holds a basic or standard teaching license in speech impaired or an
11 initial or *[continuing]* **professional** teaching license **or teacher leader license** in communication
12 disorders issued by the Teacher Standards and Practices Commission may supervise a speech-
13 language pathology assistant working in a school.

14 (6) The board may refuse to issue a certificate, or may suspend or revoke the certificate, of any
15 certified speech-language pathology assistant pursuant to the provisions of ORS 681.350.

16 **SECTION 11. This 2013 Act being necessary for the immediate preservation of the public**
17 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
18 **July 1, 2013.**