

House Bill 3088

Sponsored by Representative MALSTROM (at the request of Darin Campbell)

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**.

Allows Teacher Standards and Practices Commission to issue license or registration to person convicted of certain crimes if certain requirements are met.

A BILL FOR AN ACT

1
2 Relating to consideration of convictions by the Teacher Standards and Practices Commission; cre-
3 ating new provisions; and amending ORS 342.143.

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

5 **SECTION 1.** ORS 342.143 is amended to read:

6 342.143. (1) A teaching, personnel service or administrative license, or public charter school
7 registration, may not be issued to any person until the person has attained the age of 18 years and
8 has furnished satisfactory evidence of proper educational training.

9 (2) The Teacher Standards and Practices Commission may require an applicant for a teaching,
10 personnel service or administrative license or for registration as a public charter school teacher or
11 administrator to furnish evidence satisfactory to the commission of good moral character, mental
12 and physical health, and such other evidence as the commission may deem necessary to establish
13 the applicant's fitness to serve as a teacher or administrator.

14 (3) Without limiting the powers of the Teacher Standards and Practices Commission under sub-
15 section (2) of this section **and except as provided by subsection (4) of this section:**

16 (a) A teaching, personnel service or administrative license, or a public charter school registra-
17 tion, may not be issued to any person who:

18 (A) Has been convicted of a crime listed in ORS 163.095, 163.115, 163.185, 163.235, 163.355,
19 163.365, 163.375, 163.385, 163.395, 163.405, 163.408, 163.411, 163.415, 163.425, 163.427, 163.432, 163.433,
20 163.435, 163.445, 163.465, 163.515, 163.525, 163.547, 163.575, 163.670, 163.675 (1985 Replacement Part),
21 163.680 (1993 Edition), 163.684, 163.686, 163.687, 163.688, 163.689, 164.325, 164.415, 166.005, 166.087,
22 167.007, 167.008, 167.012, 167.017, 167.057, 167.062, 167.075, 167.080, 167.090, 475.808, 475.810, 475.812,
23 475.818, 475.820, 475.822, 475.828, 475.830, 475.832, 475.848, 475.852, 475.858, 475.860, 475.862, 475.868,
24 475.872, 475.878, 475.880, 475.882, 475.888, 475.890, 475.892, 475.904 or 475.906.

25 (B) Has been convicted under ORS 161.405 of an attempt to commit any of the crimes listed in
26 subparagraph (A) of this paragraph.

27 (C) Has been convicted in another jurisdiction of a crime that is substantially equivalent, as
28 defined by rule, to any of the crimes listed in subparagraphs (A) and (B) of this paragraph.

29 (D) Has had a teaching, personnel service or administrative license, or a public charter school
30 registration, revoked in another jurisdiction for a reason that is substantially equivalent, as defined
31 by rule, to a reason described in ORS 342.175 and the revocation is not subject to further appeal.

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 A person whose right to apply for a license or registration is denied under this subparagraph may
2 apply for reinstatement of the right as provided in ORS 342.175 (4).

3 (b) The Teacher Standards and Practices Commission may refuse to issue a license or registra-
4 tion to any person who has been convicted of a crime involving the illegal use, sale or possession
5 of controlled substances.

6 **(4)(a) The Teacher Standards and Practices Commission may issue a license or registra-**
7 **tion to a person convicted of a crime listed in subsection (3)(a) of this section if:**

8 **(A) The person was convicted of the crime at least 15 years prior to the date the person**
9 **applies for the license or registration; and**

10 **(B) The commission finds that the circumstances related to the conviction do not impede**
11 **the person's fitness to serve as a teacher or administrator.**

12 **(b) Denial of a license or registration under this subsection must be treated as a con-**
13 **tested case under ORS chapter 183.**

14 [(4)] (5) In denying the issuance of a license or registration under this section, the commission
15 shall follow the procedure set forth in ORS 342.176 and 342.177.

16 **SECTION 2. The amendments to ORS 342.143 by section 1 of this 2017 Act apply to ap-**
17 **plications for licensure or registration received by the Teacher Standards and Practices**
18 **Commission on or after the effective date of this 2017 Act.**

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