

HB 2942 A STAFF MEASURE SUMMARY

House Committee On Education

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Meeting Dates: 3/30

WHAT THE MEASURE DOES:

Gives the Teachers Standards and Practices Commission (TSPC) discretion regarding whether to refuse to issue a license or registration to a person who has been convicted of prostitution and certain drug offenses or who has been convicted of an attempt to commit one of those crimes. Directs the Department of Education (ODE) to disclose to the school district the crime for which a person has been convicted, except when prohibited by state or federal law, if a contractor or employee has been convicted of a crime. Allows the school district to choose whether to employ or contract with a person convicted of one of the listed crimes. Allows TSPC to revoke a license or registration if the person has been convicted of any of the listed crimes.

ISSUES DISCUSSED:

- Enabling the TSPC to look at the totality of a person's circumstances before issuing a license and not just criminal history in isolation
- School district's ability to request additional information from an applicant
- Elimination of the 5-year time period that was included in the -7 amendments
- Desire to allow for second chances
- Concerns about lowering the standards for those to which we entrust our children and allowing bad actors to teach in schools

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Teacher Standards and Practices Commission (TSPC) is Oregon's licensing agency for all teachers and administrators. TSPC was established in 1965 to maintain and improve performance in the education profession by approving teacher preparation programs offered by Oregon colleges and universities by licensing teachers, administrators and other personnel employed in Oregon schools and by taking disciplinary actions when educators commit crimes or violate Standards for Competent and Ethical Performance.

House Bill 2942 removes the following crimes from the list of crimes that create automatic ineligibility for being issued a license or registration by TSPC:

- 167.007 (prostitution);
- 475.808 (unlawful manufacture of hydrocodone within 1,000 feet of school);
- 475.810 (unlawful delivery of hydrocodone);
- 475.812 (unlawful delivery of hydrocodone within 1,000 feet of school);
- 475.818 (unlawful manufacture of methadone within 1,000 feet of school);
- 475.820 (unlawful delivery of methadone);
- 475.822 (unlawful delivery of methadone within 1,000 feet of school);
- 475.828 (unlawful manufacture of oxycodone within 1,000 feet of school);
- 475.830 (unlawful delivery of oxycodone);
- 475.832 (unlawful delivery of oxycodone within 1,000 feet of school);
- 475.848 (unlawful manufacture of heroin within 1,000 feet of school);
- 475.852 (unlawful delivery of heroin within 1,000 feet of school);

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- 475.868 (unlawful manufacture of 3,4-methylenedioxymethamphetamine within 1,000 feet of school);
- 475.872 (Unlawful delivery of 3,4-methylenedioxymethamphetamine within 1,000 feet of school);
- 475.878 (Unlawful manufacture of cocaine within 1,000 feet of school);
- 475.880 (Unlawful delivery of cocaine);
- 475.882 (Unlawful delivery of cocaine within 1,000 feet of school);
- 475.888 (Unlawful manufacture of methamphetamine within 1,000 feet of school);
- 475.890 (Unlawful delivery of methamphetamine);
- 475.892 (Unlawful delivery of methamphetamine within 1,000 feet of school); and
- 475.904 (Unlawful manufacture or delivery of controlled substance within 1,000 feet of school).

The measure also provides TSPC with discretion to refuse to issue a license or registration, allows flexibility for school districts in hiring or contracting with individuals convicted of certain crimes.