

SB 218 STAFF MEASURE SUMMARY

House Committee On Education

Prepared By: Ellen O'Brien, LPRO Analyst

Meeting Dates: 4/26, 5/3

WHAT THE MEASURE DOES:

Requires Oregon Department of Education (ODE) to make documents and materials from sexual conduct investigations available to Teacher Standards and Practices Commission (TSPC) for TSPC investigations into complaints against commission licensee that does not concern allegations of sexual conduct. Requires law enforcement agencies to make records of closed cases of child abuse or neglect available upon request to TSPC. Requires law enforcement agencies to make records of open cases of alleged child abuse available upon request to TSPC when disclosure will not interfere with ongoing investigation. Exempts TSPC from duty to investigate certain complaints within 12 months if TSPC does not receive required verification that school district complaint process was attempted. Requires TSPC executive director or designee to forward report to commission on any completed investigation that found certain violations and to determine whether to forward report on other completed investigations. Specifies that report must include recommendations for disciplinary sanctions.

FISCAL: Minimal fiscal impact

REVENUE: No revenue impact

SENATE VOTE: Ayes, 25; Nays, 4; Excused, 1

ISSUES DISCUSSED:

- Lack of response from complainants about school district complaint process
- Efficiency of operations and investigations

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Teacher Standards and Practices Commission (TSPC) is Oregon's licensing agency for educators. The agency is authorized in statute to investigate complaints against licensees. Investigations of suspected sexual conduct against licensees are governed by ORS 339.390; the process for all other complaints is governed by ORS 342.176. The process for investigating allegations of suspected sexual conduct were established by Senate Bill 155 (2019).

Senate Bill 218 requires the Oregon Department of Education and law enforcement agencies to make records of sexual conduct investigations and investigations of child abuse available to the Teacher Standards and Practices Commission for the purpose of investigating complaints against commission licensees. The measure also modifies TSPC's investigation and reporting process for complaints against commission licensees.