

SB 804 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 2/25

WHAT THE MEASURE DOES:

The measure authorizes the Teacher Standards and Practices Commission to impose a civil penalty for violations of ORS 342.175, not to exceed \$1,000 per violation, and to order payment of the Commission's disciplinary proceeding costs against the person. It also removes the requirement that the Commission render a decision in the next meeting following a hearing, and changes terminology from 'disciplinary actions' to 'sanctions.'

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Teacher Standards and Practices Commission (TSPC) follows a [process](#) prescribed in statute and rules to investigate complaints or information that would constitute grounds for refusal to issue a license or registration under ORS 342.143, or suspension or revocation of a license in [ORS 339.390](#) (report of sexual conduct), [ORS 342.175](#) (criminal convictions, gross neglect of duty, gross unfitness, false statements made in licensing applications, failure to comply with reinstatement conditions) or ORS 342.553 (failure to provide notice).

Hearings under ORS 339.390 and ORS 342.176 must be conducted by an administrative law judge, may compel witness attendance, and provide the person charged with the right to be represented by counsel and present evidence and argument, and resulting discipline decisions may be appealed. ORS 342.177, ORS 342.180. The TPSC is represented by the Oregon Department of Justice in such hearings and appeals, which charges the agency hourly [rates](#) for legal services rendered pursuant to [ORS 180.160](#).