

SB 324 -1 STAFF MEASURE SUMMARY

Senate Committee On Education

Prepared By: Lisa Gezelter, LPRO Analyst

Meeting Dates: 2/19, 3/19

WHAT THE MEASURE DOES:

The measure transfers to the Oregon Department of Education (ODE) numerous staff duties, functions, and powers of the Teacher Standards and Practices Commission (TSPC) and the Educator Advancement Council (EAC). It moves responsibility for licensure, licensure fees, education preparation programs, and misconduct investigations to ODE and the State Board of Education (SBE), while retaining TSPC's authority as an appointed body to discipline licensed educators and to adopt rules and standards related to educator licensure. The measure eliminates the intergovernmental agreement under which the EAC had been established, and instead directs ODE to establish the EAC. It makes the changes to the structure of ODE, TSPC, and the EAC that will become operative on July 1, 2026. The measure declares an emergency and takes effect on passage.

Detailed summary:

- Transfers from the Teacher Standards and Practices Commission (TSPC) to the Oregon Department of Education (ODE) agency duties relating to licensing of educators, establishment of professional development requirements, and approval of educator preparation providers and programs.
- Modifies the statutory purpose of TSPC as an appointed body in [ORS 342.350](#) to adopt rules and standards relating to educator licensing and to oversee disciplinary proceedings and impose discipline on licensed educators. Maintains the Commission as an independent body with authority to enact rules relating to licensing and registration.
- Changes references from TSPC to ODE throughout Oregon statute, where applicable to the measure's transfers of agency duties and functions from TSPC to ODE.
- Transfers from TSPC to ODE agency responsibility to investigate reports of suspected sexual misconduct and abuse by licensed educators.
- Retains TSPC's authority as an appointed body to discipline licensed educators and permits ODE staff to share reports of suspected sexual misconduct and investigative materials with TSPC Commissioners as necessary for disciplinary purposes.
- Transfers responsibility for establishing fees for educator licenses to the State Board of Education and responsibility for collecting fees to ODE.
- Transfers responsibility to issue and renew preliminary teaching licenses to ODE. Maintains TSPC's rulemaking authority regarding the requirements for continual renewal of a preliminary teaching license.
- Requires ODE to suspend or revoke a license or registration in accordance with TSPC rules.
- Permits TSPC to issue an informal reproof of a licensee or registrant upon completion of an investigation by ODE.
- Requires ODE to issue a license to an out-of-state applicant or military spouse in accordance with TSPC rules.
- Transfers to ODE the responsibility to regularly publish the names of teachers and administrators who are subject to discipline by TSPC. Maintains TSPC's authority to discipline licensees.
- Directs the Superintendent of Public Instruction to collaborate with ODE, TSPC, and the Educator Advancement Council (EAC) on annual reports relating to the Oregon educator workforce.
- Establishes the Teacher Licensure Account for the collection of fees, replacing the TSPC Account that is currently in statute for this purpose.
- Adds the EAC to the list of entities directed to cooperate with the Education and Workforce Policy Advisor in drafting the report on diverse students, teacher candidates, and educators required by ORS 342.443.
- Transfers responsibility for school nurse certification to ODE.

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- Adds the EAC to the list of entities that shall consult with SBE to adopt core teaching standards under ORS 342.856.
- Eliminates the requirement that the EAC be established under an intergovernmental agreement, and instead directs ODE to establish the EAC.
- Transfers responsibility for the Educator Preparation Improvement Fund from TSPC to ODE.
- Modifies statutes regulating oversight of social workers, psychologists, and other clinicians, as well as speech-language pathologists, in public schools to reflect the transfer of agency responsibilities from TSPC to ODE.
- Repeals statutory provisions relating to the TSPC executive director and employees [???] to TSPC policy on career and technical education.
- Establishes an operative date of July 1, 2026.
- Permits TSPC, SBE, ODE, and EAC, before the effective date, to take any action necessary for ODE to exercise all duties conferred on it by the measure.
- Requires TSPC, SBE, ODE, and the EAC, no later than September 15, 2025, to submit to the interim committees of the Legislative Assembly a report on the measure's transfer of duties, powers, and functions.
- Declares an emergency, effective on passage.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

- Investigative capacity of TSPC and ODE
- Costs of maintaining TSPC as a separate agency vs merging with ODE
- SB 275 report (2024)
- Length of time for investigations
- Collaboration between ODE and TSPC
- Division of responsibilities between ODE and TSPC

EFFECT OF AMENDMENT:

-1 The amendment makes technical changes to ensure the continuity of the Teacher Standards and Practices Commission's rulemaking authority as an appointed body, while moving the Commission's staff support into the Oregon Department of Education.

BACKGROUND:

The Teacher Standards and Practices Commission (TSPC) was established in 1965. Prior to that time, the State Board of Education (SBE) oversaw licensing of teachers and Oregon had a separate commission on teacher tenure. Originally, TSPC was responsible for conducting a study and making recommendations to SBE, and TSPC was staffed by the Oregon Department of Education (ODE). Changes to the law in 1973 allowed TSPC to hire its own staff, including an executive secretary. In 1997, the law changed again, allowing TSPC to hire an executive director.

Currently, TSPC consists of a 17-member commission supported by full-time equivalent (FTE) staff. The agency is responsible for issuing licenses, approving educator preparation programs, approving nontraditional pathways to educator licensure, approving professional development for license renewals, and investigating educator misconduct. TSPC is almost entirely fee-funded.

[Senate Bill 182 \(2017\)](#) established the Educator Advancement Council (EAC) under an intergovernmental agreement executed on March 20, 2018. Staff support was provided by the Chief Education Office until its sunset in 2019. Since that time, staff support EAC has been provided by ODE.

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EAC has an executive director, and the council is responsible for educator professional development, establishing and maintaining Regional Educator Networks (RENs), conducting a biennial survey of the state's educators, issuing grow-your-own grants, and drafting a biennial educator equity report. EAC is supported by ODE staff. House Bill 2166 (2021) modified the requirements for EAC's intergovernmental agreement, allowing EAC to appoint a director who could then hire staff. EAC was not made an independent state agency.

[Senate Bill 275 \(2023\)](#) tasked ODE and TSPC with completing a study by December 2023 on a potential merger and [publishing a report](#) on their findings. Representatives of ODE and TSPC [presented their findings](#) to the Senate Interim Committee on Education at the [January 11, 2024 meeting](#). In addition to information on a potential merger, the report and presentation discussed other changes agencies and boards could make, with or without a merger, towards the goals of increased cooperation and efficiency.