

Senate Bill 804

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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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act would allow the TSPC to impose civil penalties or other costs. (Flesch Readability Score: 63.4).

Authorizes the Teacher Standards and Practices Commission to impose civil penalties or order payment of the costs of disciplinary proceedings.

A BILL FOR AN ACT

1
2 Relating to moneys collected by the Teacher Standards and Practices Commission; creating new
3 provisions; and amending ORS 342.177.

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

5 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 342.175 to**
6 **342.180.**

7 **SECTION 2. (1) In addition to any other action authorized under ORS 342.143 or 342.175,**
8 **the Teacher Standards and Practices Commission may:**

9 (a) **Impose a civil penalty.**

10 (b) **Order payment of the commission's costs of the disciplinary proceeding taken against**
11 **a person.**

12 (2) **The commission shall adopt rules establishing the civil penalties that may be imposed**
13 **under this section. The maximum penalty for a single violation may not exceed \$1,000.**

14 (3) **Civil penalties under this section shall be imposed in the manner provided by ORS**
15 **183.745.**

16 (4) **All moneys recovered under this section shall be deposited in the State Treasury to**
17 **the credit of the Teacher Standards and Practices Commission Account.**

18 (5) **The commission may adopt any rules necessary for the administration and enforce-**
19 **ment of this section.**

20 **SECTION 3. ORS 342.177 is amended to read:**

21 342.177. (1)(a) Hearings under ORS 339.390 and 342.176 shall be conducted by an administrative
22 law judge assigned from the Office of Administrative Hearings established under ORS 183.605.

23 (b) Any hearing conducted under this section shall be private unless the person against whom
24 the charge is made requests a public hearing. Students attending school in the employing district
25 may not attend any hearing except as witnesses duly subpoenaed to testify with respect to the
26 charges made. Students attending a public charter school that employs the person may not attend
27 any hearing except as witnesses duly subpoenaed to testify with respect to the charges made. The
28 person charged shall have the right to be represented by counsel and to present evidence and ar-

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 gument. The evidence must be confined to the charges.

2 (2) The Teacher Standards and Practices Commission or the person charged may have subpoenas
3 issued to compel attendance at the hearing. The person charged may have subpoenas issued by an
4 attorney of record subscribed by the signature of the attorney or by the executive director of the
5 Teacher Standards and Practices Commission. Witnesses appearing pursuant to subpoena, other than
6 the parties or officers or employees of the commission, shall receive fees and mileage as prescribed
7 by law for witnesses in ORS 44.415 (2). The commission or the person charged shall have the right
8 to compel the attendance and obedience of witnesses in the same manner as provided under ORS
9 183.440 (2).

10 (3) *[The commission shall render its decision at its next regular meeting following the hearing.]* If
11 the decision of the commission is that the charge described in ORS 342.175 (1) has been proven, the
12 commission may *[take]* **impose** any or all of the following *[disciplinary action]* **sanctions** against the
13 person charged:

14 (a) Issue a public reprimand.

15 (b) Place the person on probation for a period not to exceed four years and subject to such
16 conditions as the commission considers necessary.

17 (c) Suspend the license or registration of the teacher or administrator for a period not to exceed
18 one year.

19 (d) Revoke the license or registration of the teacher or administrator.

20 (e) Revoke the right to apply for a license or registration.

21 **(f) Impose a civil penalty pursuant to section 2 of this 2025 Act.**

22 **(g) Order payment of the commission's costs of the disciplinary proceeding pursuant to**
23 **section 2 of this 2025 Act.**

24 (4) If the decision of the commission is that the charge is not proven, the commission shall order
25 the charges dismissed.

26 (5) The commission shall notify in writing the person charged and the employing district or
27 public charter school of the decision.

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