

Dear Members of the Senate Education Committee:

SB 805 proposes to change the time frame for investigation from 12 months to 6 months as a strategy to reduce the open case burden at the agency. Why not 8 months or 4 months.

Investigations for complaints takes time. The rationale is often that complaints are not followed up on so if there is a problem the investigation can be reopened.

1. Reopening allows the introduction of new evidence, changes of the allegations and contact with the witnesses.
2. Case files are started with allegations, witnesses, rules that are violated. Often it takes time to make appointments with witnesses and investigate the facts. This process may take longer than 6 months. Reopening the case requires recontacting the parties needed for the investigation again.
3. The agency has not presented any facts on the problems associated with the time lines. The rationale is that it makes the open case loads look bad.
4. Without analyzing the types of charges it is hard to evaluate what sorts of complaints are filed. Educator does not fit the ethical educator standard. This is often the crux of the investigation. One ethical educator is not always the same ethical educator. Complaints are often based upon perceptions of violating the ethical educator standard. Changing the timeline from 12 months to 6 months will not change this dilemma. It does not solve the underlying problem with investigations in that it requires colleagues and students to testify against an educator.
5. A timeline change will not change the type of complaints that are filed. The problem appears that many of the allegations are based upon perceptions of the ethical educator standard and its subsequent violations.

As someone who is president of Oregon Substitute Teacher Association, we get emails from educators who are in the process of being excluded from school districts on a variety of reasons. I received one recently for an educator who is being disciplined for leaving a coffee cup ring on the desk of the educator he covered for. While we are not attorneys, we are educators who are familiar with the chaotic nature of filling in for classroom teachers. For educators, every day is a potential bad day which can end a career. I am not sure that educators want to have a case closed and reopened because the 6 month time limit had expired.

Leslie Polson