



Oregon

Kate Brown, Governor

TEACHER STANDARDS AND PRACTICES COMMISSION

250 Division Street N.E. Salem, OR 97301

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February 1, 2020

TO: Legislative Assembly

FROM: Teacher Standards and Practices Commission

RE: 2019 Administrative Rules Annual Report

ORS 183.403 requires state agencies to report annually on their administrative rulemaking actions, both permanent and temporary.

In 2019, TSPC filed eight Permanent Administrative Orders that adopted, amended, and repealed administrative rules, primarily related to the license processing and requirements, preparation provider and program standards. Table 1 below gives additional detail on what was accomplished in those rulemaking efforts.

TSPC also filed one Temporary Administrative Order that amended administrative rules for fees, as approved by the legislature to meet expenditure requirements, including those related to new statutory changes in SB 155 (2019). Table 2 below gives the details on what was accomplished and the reasoning behind proceeding with the temporary rule process in that case.

Table 1: Permanent rules adopted, amended or repealed in 2019

Filing #	Description of Rulemaking	Action taken	Rule numbers
TSPC 1-2019	584-070-0441 had a Statutory Minor Correction to correct the spelling of Restricted School Social Worker License. <i>Filed: 1/15/2019</i> <i>Effective: 1/15/2019</i>	Adopted	None
		Amended	584-070-0441
		Repealed	None
TSPC 2-2019	Adopts and amends rules for educator licensure and approval of educator preparation programs. <i>Filed on: 2/25/2019</i> <i>Effective on: 02/25/2019</i>	Adopted	584-235-0010, 584-235-0020, 584-235-0030, 584-235-0050, 584-235-0090, 584-235-0100, 584-420-0060, 584-420-0070, 584-420-0465
		Amended	584-200-0005, 584-210-0030, 584-210-0100, 584-210-0190, 584-220-0185, 584-400-0015
		Repealed	



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Filing #	Description of Rulemaking	Action taken	Rule numbers
TSPC 3-2019	Amends rules for Teacher Candidate Performance Assessments; Candidate Program Completion; Waiver of Program Requirements; and Preliminary Teaching License Program Standards. Repeals rule for Program Preparation standards for Single Subject Endorsements. Filed on: 04/08/2019 Effective on: 04/08/2019	Adopted	
		Amended	584-400-0120, 584-400-0160, 584-400-0180, 584-420-0020
		Repealed	584-420-0305
TSPC 5-2019	Establishes fees and charges for Teacher Standards and Practices Commission licensing services. Filed on: 11/19/2019 Effective on: 12/01/2019	Adopted	
		Amended	584-200-0050
		Repealed	None
TSPC 7-2019	Updates the Model Rules of Procedure reference to the current Attorney General's Model Rules of Procedure under the Administrative Procedures Act. Filed on: 12/31/2019 Effective on: 12/31/2019	Adopted	
		Amended	584-001-0005
		Repealed	
TSPC 8-2019	584-001-0016 had a Statutory Minor Correction to correct the misspelling of "Overheard" to "Overhead." Filed on: 12/31/2019 Effective on: 12/31/2019	Adopted	
		Amended	584-001-0016
		Repealed	

Table 2: Temporary Rule Adoptions and Amendments in 2019

Date	06/27/2017
Description	The agency amended professional practices and licensure rules to implement the provisions of SB 205 (Enrolled - 2017). SB 205 permits a person whose application for a teaching license is pending to teach in Oregon public schools for 90 days after the date of the submission of the application if certain background clearance requirements are met.
Action taken	Amended
Rule numbers	584-050-0035, 584-200-0005, 584-200-0020, 584-220-0010, 584-220-0120



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Need Statement	<p>The agency is amending professional practices and licensure rules to implement the provisions of SB 205 (Enrolled - 2017). SB 205 permits a person whose application for a teaching license is pending to teach in Oregon public schools for 90 days after the date of submission of the application. Educators must still meet certain background clearance requirements prior to employment. SB 205 became effective upon the Governor's signature on June 22, 2017. As a result, the agency is amending rules to change the requirements for the timing of licensure and employment. Additionally, the agency is revising Commission sanction provisions to permit teaching without a license for 90 days after the date of submission without incurring sanctions for not being properly licensed. If these changes are not immediately implemented, teacher applicants may not be able to work in public schools while their applications are pending, causing serious prejudice to employing school districts, students, and the applicants. The hiring of educators in public schools requires districts to plan in advance on and to rely on an applicant's ability to be licensed. School districts are generally not able to replace educator candidates with others because other candidates may be contractually obligated to provide 60 days' notice of resignation to their current school district. The agency is amending licensure rules to provide an additional transitional option for teachers who hold or previously held a multiple subjects endorsement with a middle level authorization. The additional option permits educators who held the multiple subjects endorsement with a middle level authorization prior to July 1, 2015 to add the new legacy endorsement in addition to the other two currently available transition options.</p>
Explanation	<p>Pursuant to the rulemaking related to SB 205 (Enrolled - 2017), the agency is promulgating these changes as temporary rules in order to not adversely affect teachers with current pending applications who would like to begin teaching in public schools prior to their license being issued. If these changes are not immediately implemented, teachers may be unable to work in public schools while their application is pending without being in violation of current rules related to licensure and employment. Pursuant to the rulemaking related to the Legacy Middle Level endorsement, the agency is promulgating these changes as temporary rules in order to not adversely affect educators who hold or held the multiple subjects endorsement with a middle level authorization and would like to utilize the Legacy Middle Level endorsement as their transition option. Without the temporary rules, the agency would not be able to offer all Commission-approved transition options to these educators. Specifically, this rulemaking makes the following changes:</p> <p>584-050-0035: Amends professional practices rule to permit teachers to work for 90 days after the date of submission of the application in a public school without a license without being in violation of professional practices standards. Educators must still meet certain background clearance requirements prior to employment.</p> <p>584-200-0020: Amends licensure rule to permit teachers to work in a public school for 90 days after the date of submission of the application, if the educator meets the background clearance requirements. The agency is amending licensure rules to provide an additional transitional option of a Legacy Middle Level endorsement for teachers who hold or previously held a multiple subjects endorsement with a middle level authorization. Specifically, this rulemaking makes the following changes:</p> <p>584-200-0005: Amends licensure rule to permit an educator who holds or previously held a multiple subjects endorsement with a middle level authorization issued prior to July 1, 2015 to be eligible for the Legacy Middle Level endorsement.</p> <p>584-220-0010: Amends licensure rule to add the Legacy Middle Level endorsement to list of Commission-adopted teaching endorsements.</p>



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584-220-0120: Amends licensure rule to add the Legacy Middle Level endorsement to list of legacy teaching endorsements and to permit educators who hold or previously held a multiple subjects endorsements with a middle level authorization issued prior to July 1, 2015 to be eligible for the Legacy Middle Level endorsement.
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