



Oregon

Kate Brown, Governor

TEACHER STANDARDS AND PRACTICES COMMISSION

250 Division Street N.E. Salem, OR 97301

Phone: (503) 378.3586

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April 28, 2021

TO: Legislative Assembly

FROM: Teacher Standards and Practices Commission

RE: 2020 Administrative Rules Annual Report

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

In 2020, TSPC filed four Permanent Administrative Orders that adopted and amended administrative rules, primarily related to the license processing and requirements, preparation provider and program standards, and professional practice investigations. Table 1 below gives additional detail on what was accomplished in those rulemaking efforts.

TSPC also filed four Temporary Administrative Orders that amended or adopted administrative rules to meet changing and temporary circumstances such as licensing requirements under the pandemic, temporary diversity programs under the Student Success Act, and verification of continuing education when the previous verifier became unavailable. 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Table 1: Permanent rules adopted, amended or repealed in 2020.

Filing #	Description of Rulemaking	Action taken	Rule numbers
TSPC 1-2020	Amends the rule to match the new statutory deadline for sexual conduct investigations. <i>Filed: 1/02/2020</i> <i>Effective: 1/02/2020</i>	Adopted	None
		Amended	584-020-0000; 584-020-0005; 584-020-0035; 584-020-0040; 584-050-0016; 584-050-0018; 584-050-0021
		Repealed	None
TSPC 2-2020	Amends rule to define endorsements areas as Program-required and Non-program-required	Adopted	None
		Amended	584-400-0020; 584-400-0140; 584-410-0100



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Filing #	Description of Rulemaking	Action taken	Rule numbers
	(formerly known as single-subject) areas, and moves the Drama, Japanese and Russian endorsements from Non-program-required to Program-required. <i>Filed on: 2/10/2020</i> <i>Effective on: 03/01/2020</i>	Repealed	
TSPC 3-2020	STATUTORY MINOR CORRECTION Amends rule to properly spell American Indian languages Newe and Ichishkin. <i>Filed on: 02/25/2020</i> <i>Effective on: 02/25/2020</i>	Adopted	None
		Amended	584-210-0080
		Repealed	None
TSPC 8-2020	Amends rules for institutional accrediting agency definitions, unit standards, accreditation visits, PCRs, and student teaching: 1. Changes "Approved Institution" and adds "Institutional Accrediting Agency" definitions to address federal changes to institutional accrediting agencies. 2. Amends rule to delineate required elements of Unit Accreditation Visits and refer to the Program Handbook for details. Also changes the title to Elements of Unit Accreditation Visits. 3. Amends rule to focus on the approval of units meeting state standards in conjunction with national accreditation. Also changes the rule title to Unit Standards. 4. Amends rule to clarify that the clinical practice for the additional endorsement of a dual endorsement may take place within or outside of the required 15 week student teaching period. 5. Amends rule to expand situations where an EPP must submit a program completion report when recommending a candidate for a license, endorsement, or specialization.	Adopted	
		Amended	584-005-0005, 584-010-0020, 584-021-0105, 584-210-0030, 584-210-0040, 584-210-0060, 584-210-0100, 584-210-0140, 584-210-0150, 584-235-0020, 584-235-0030, 584-235-0050, 584-235-0090, 584-400-0015, 584-400-0020, 584-400-0140, 584-400-0160, 584-410-0010
		Repealed	None



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Filing #	Description of Rulemaking	Action taken	Rule numbers
	6. Amends rule to harmonize language with state unit standards referred to in Division 400-0015. <i>Filed on: 11/23/2020</i> <i>Effective on: 01/01/2021</i>		



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Table 2: Temporary Rule Adoptions and Amendments in 2020

TSPC 4-2020	
Date	08/03/2020
Description	The agency adopted a temporary waiver of some license requirements for teacher assignments during the pandemic to provide assignment flexibility while maintaining fidelity to teacher standards.
Action taken	Amended
Rule numbers	584-200-0100
Need Statement	<p>Due to the pandemic, districts need flexibility to staff classes with teachers who are not endorsed for the subject area or holding an LCA. Teachers need support in the mis-assignment. All parties need to know that they will not be penalized for the extraordinary measure.</p> <p>Without these temporary rules, districts would be unable to meet staffing needs for classes or be subject to sanctions for mis-assignment. Teachers could also be penalized if they allowed themselves to be mis-assigned. These staffing decisions are being made now for school opening in August and September. These rules provide guidance to districts and teachers for waivers of license requirements.</p>
Explanation	Temporary rules were indicated, since this was a temporary waiver that needed to be implemented immediately and would not be needed when the pandemic was over. After which, the permanent rules would be reinstated.
TSPC 5-2020	
Date	11/12/2020
Description	Establishes the 2020-2021 Oregon Administrator Scholars Program.
Action taken	Adopted
Rule numbers	584-235-0200, 584-235-0210, 584-235-0220, 584-235-0230
Need Statement	TSPC requires administrative rules to distribute moneys granted for increasing racial, cultural and ethnic diversity of school administrators.
Explanation	<p>These rules provide TSPC guidance to grant the scholarships created by the Student Success Act to create diversity in the workforce. The academic year started months before permanent rules could be promulgated, so immediate rules are needed.</p> <p>Without these rules, TSPC cannot award scholarships and recipients may be prevented from proceeding to licensure, thereby decreasing the potential diversity in Oregon's school administrator workforce. Also, the program was created as a one-time expense lasting only through June 30, 2021, so permanent rules were inappropriate.</p>
TSPC 6-2020	
Date	11/12/2020
Description	Temporary rules establish conditions and manner of License fee reimbursement for diverse education workforce licensees.
Action taken	Adopt
Rule numbers	584-200-0120



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Need Statement	Administrative rules are needed to disburse the funds the Student Success Act provided for 2020-2021 to mitigate the costs of licensing for a diverse education workforce.
Explanation	Without these rules, these funds cannot be disbursed to mitigate the barriers educators of diverse backgrounds face to be licensed. By lowering barriers, candidates will be encouraged to be licensed and part of Oregon's education workforce, which has a demonstrable benefit to students and staff throughout the preK-12 school system. Moneys are currently limited to the 2020-2021 fiscal year and without immediate implementation, there can be no lowering of barriers, thereby preventing increased workforce diversity and lowering student outcomes.
TSPC 7-2020	
Date	11/16/2020
Description	Temporarily amends the rule on verification of professional development reporting. Allows for random audits of PDU logs of educators who do not have PEER form verification.
Action taken	Amend
Rule numbers	584-255-0030
Need Statement	Third party review of PDU reports is discontinued as of December 1, 2020 and TSPC must adopt a new method of verifying professional development claims from educators.
Explanation	Beginning December 2020, there was no legal process for verification of PDUs for educators who cannot rely on PEER forms, due to the closure of the verification agent. If PDUs are not accepted, licenses cannot be renewed or upgraded, thereby imperiling the employment of educators throughout Oregon. The rules established a legal procedure to process PDUs so licenses can be renewed or upgraded. Permanent rules were considered inappropriate because the impending legislative session had several bills that directly affected this subject and would provide important direction to the Commission.