



# Memo

To: HOUSE EDUCATION COMMITTEE  
From: Victoria Chamberlain, Executive Director  
Date: March 31, 2015  
Re: HB 2411 and the -1 Amendments

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## **HB 2411 – Reasons for the bill:**

Currently, as the state's professional educator licensure board, like other professional licensure boards, the Commission sets the standards for licensure, the standards for licensed educator preparation, and also takes final discipline action against licensed professional educators in Oregon.

## **HB 2411:**

- **Increases caps on licensure fees;**
- **Amends statutory language to allow for licensure redesign;**
- **Changes the name of agency to Oregon Professional Educator Standards Board.**

## **LICENSURE FEES**

As a result of the Great Recession and the state's reduced capacity to provide stable funding to Oregon public schools, thousands of teachers lost their jobs. As a result, during the 2011-2013 biennium, the Commission's revenue, derived exclusively from licensure fees (Other Funds), dropped dramatically. Throughout the 2013-2015 budget development process, it was clear the Commission needed to cut permanent positions in order to keep the agency solvent. The agency reduced five permanent positions. At the beginning of 2011-2013 biennium, the agency's FTE was 24 permanent positions. At the beginning of the 2013-2015 biennium, the agency's FTE was 19 permanent positions.

The agency's budget contained a budget note requiring the agency to bring a fee increase proposal back to the 2015-2017 Legislature. In order to fund an increase in fees, the agency needs statutory amendments to increase the fee cap for licensure transactions.

The agency's fee structure, and the staffing levels it supports, is insufficient to maintain quality services to licensed educators. The agency's last fee increase was in 2005. The current fee cap is \$100 (ORS 342.127). The Commission has requested amendments that would change the fee cap to \$350. (\$500

was originally proposed, but \$350 was later determined to be a more appropriate ceiling. The -1 amendments reduce the original proposed fee cap to \$350.

The proposed statutory change increases the fee cap to account for possible near-future changes in licensure fees that may be necessary if licensure applications volume changes dramatically as it did during the 2011-2013 biennium. Despite the cap of \$350, all future fee increases require the approval of the Commission, the Governor and the Legislature through the budgetary process, even if the fee increase is below the cap amount prior to being implemented.

The agency is proposing an **actual** fee increase from \$100 per application to \$140. This fee increase is contained in the agency's policy option package 101, in the Governor's Budget.

The agency will also be implementing a new online-application system currently under development by NIC-USA, the contractor for Oregon.gov. The cost of building the new application system will be covered by a "convenience" fee (\$10) paid by the applicant any time they make application for a license (new or renewing license). This \$10 fee is not assessed on other minor transactions, such as submitting transcripts or evidence of work experience. The new online-application system is scheduled to go "live" in the fall 2015.

## REDESIGNED SYSTEM OF LICENSURE

In late 2012, the Commission began a long-term review of all educator licenses offered by the Commission, starting with teacher licenses. The Commission also licenses, school administrators, counselors, and school psychologists.

The Commission wants to redesign the system of licensure for the following reasons:

- To combine the current two systems of licensure into one, streamlined, system;  
*Note: A new system of licensure was adopted by the Legislature effective January 1, 1999. When this new system was adopted, the prior system to licenses, issued from 1965 through 1998, was not dismantled, but allowed to continue. As a result, school districts and educators are frequently confused about which licenses were required, and what teachers were allowed to teach on the licenses. Many requirements for the older system (1965 through 1998); were specified in statute, including the grade levels and subjects that could be taught on certain licenses.*
- To address a national trend toward a true tiered licensure system.
- To eliminate confusion in the field regarding the different licenses offered by the Commission.

As a result of the Commission and stakeholders efforts, the Commission has created a proposed redesign of licensure system. This redesign creates a clear tiered licensure system with novice (preliminary) and professional licensure; a teacher leader license; and a recognized out-of-state (reciprocal) license. In order to implement the new system, Oregon statutory provisions will need to be amended and repealed in some cases. Adopting the proposed statutory changes will allow the Commission to transition to the newly redesigned system and abolish currently existing licenses.

Proposed new teaching license system:

- Preliminary Teaching License;
- Professional Teaching License (Created by 2013 Legislature);
- Distinguished Teaching License (Created by the 2013 Legislature);
- Legacy Teaching License;
- Reciprocal Teaching License (for out-of-state licensees).

## COMMISSION NAME CHANGE

The Commission is a professional licensure board for public school educators. Oregon has recognized the educator profession since 1965. As with other professional boards (speech language pathologists, nurses, doctors, lawyers, architects); the Commission is comprised of licensed professionals and public members, including a school board member. The Commission is requesting a statutory name change to the: ***Oregon Professional Educator Standards Board***

Additionally, since the Commission was created prior to the Public Employees Collective Bargaining Act (adopted in 1973); the term “teacher” has legally and universally applied to all licensed public school educators including: superintendents and principals (administrators); school counselors and school psychologists. Thus, the current name of the Commission is a misnomer since the Commission licenses, certifies or registers *all* school educators including: administrators, school counselors, school psychologists, school social workers, teachers, school nurses, charter school administrators and charter school teachers.

Here is an example of other state’s educator professional licensure board names:

**Georgia:** Georgia Professional Standards Commission

**Kentucky:** Kentucky Education Professional Standards Board

**Washington:** Washington State Professional Educator Standards Board

**Iowa:** Iowa Board of Educational Examiners

**Delaware:** Delaware Professional Standards Board

**North Dakota:** Education Standards and Practices Board

**Vermont:** Vermont Standards Board for Professional Educators

### The -1 Amendments

The -1 Amendments change the fee cap, proposed at \$500 for most licensure transactions to \$350.

#### **Fiscal Impact (Contained in Agency’s Budget Bill): [SB 5538](#):**

Fee Increase Governor’s Budget SB 5538, Policy Option Package 101: Using current application volume projections for next biennium, the additional fees generated by the fee increase is estimated to be approximately: **\$1,133,000**. The fee increase will

- Fund agency positions to eliminate current backlogs in licensure, email responses and investigation backlogs;
- Assist with the transition from a paper-application process to an online application system;
- add positions in accreditation to improve reporting required for educator preparation accountability;
- Add one administrative position to assist with lower-level agency administration needs such as operations; rule-making; budget development and other duties.