



# **License Flexibility with Fidelity**

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## **TSPC Temporary Rule and Resolution in Response to COVID-19**

*Dr. Anthony Rosilez, Executive Director*

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# THE SETTING

- TSPC believes that every student shall be provided instruction by a qualified educator.
- COVID-19 will require school districts to provide various instructional delivery models, which may result in staffing classes with fewer teachers available in particular grade-levels and subject areas.
- Governor’s Executive Order 20-29 provides: “Public school employees shall fulfill duties as may be assigned by their public school employers, consistent with the provisions of this Executive Order and guidance from ODE and OHA.”
- The Commission is not to penalize individual educators or school administrators for *appropriate* mis-assignment of teachers.

# PROPOSED SOLUTION

- Provide license flexibility and fidelity with minimal change to current OAR and disruption to licensing procedures.
- Recognize district situations and needs will be unique; informed by ODE and OHA guidance.
- Minimize disruption to students and paperwork by districts.
- Seek input from agency partners.

# TEMPORARY RULE

## OAR 584-200-0100

### *Applicability*

- Preliminary, Professional, Teacher Leader, or Legacy Teaching Licenses
- Preliminary or Professional CTE License
- Counseling, personnel service licenses excluded

### *Mis-assignment Provisions*

- Justification satisfactory to commission
- District provides educator assistance on subject content & instructional practices in new area
- Assigned a Primary Support provider (or PLC Lead)
- No expense to educator for support or waiver

# SO WHAT IS “SATISFACTORY” TO TSPC?

*A Tiered Approach (by Agency Resolution)*

1. Does school have other staff who are appropriately licensed for the needed assignment?
2. If not, has district sought volunteers to fill mis-assignment?
3. If not, has district considered educators with experience or related endorsements to fill mis-assignment?
  - TSPC will provide *Temporary Assignment Guidance Document* that will include an endorsement compatibility list.
4. Teacher on Restricted License may not be mis-assigned.
5. After these factors have been applied, district may assign as needed.
6. Unless otherwise required, content knowledge and instructional methodology in area of mis-assignment will not be included within the routine performance evaluation of the educator.

**CAVEAT:** Districts should consider CBA provisions for involuntary transfer.

# SO, HOW DO WE APPLY?

- By October 31, districts submit a requested waiver report to TSPC which includes for each educator assigned outside endorsement area:
  - Regularly assigned grade level and endorsement areas
  - “Out of field” courses to which educator will be mis-assigned
  - Name of Primary Support Provider of PLC lead
- Submit waiver report within two weeks for mis-assignments happening after October 31.
- No fee to educator or district for waiver unless district prefers an LCA provided on teacher’s official license record. (District pays)
- Determination to grant waiver rests solely on Executive Director with Commission oversight.
- Waiver ends at conclusion of the 2020-2021 year unless educator seeks restricted license or LCA through district sponsorship.

# CONSIDERATIONS AND NEXT STEPS

- Executive Director meets with Governor's Policy Advisors and partners (OEA, COSA, OSEA, and OSBA) July 29 for final input.
- Temporary rule filing with Secretary of State upon TSPC Licensure Committee Approval – July 30, 2020.
- Commission confirms resolution and rule adoption – August 10, 2020.

## *Other considerations for districts:*

- CBA and demands to bargain.
- We don't want district sanctions: when in doubt, call Executive Director.
- Please consider mentorship for mis-assigned teachers
- Minimize preps for teachers.
- Training teachers on appropriate conduct (especially in cases where secondary teachers may be assigned to lower grades).

Questions?

Comments

*Thank you!*