

OFFICE OF THE SECRETARY OF STATE

SHEMIA FAGAN
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION

STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

TSPC 18-2022

CHAPTER 584

TEACHER STANDARDS AND PRACTICES COMMISSION

FILED

11/07/2022 1:21 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Establishes the Emergency Substitute Teaching License

EFFECTIVE DATE: 12/01/2022 THROUGH 05/29/2023

AGENCY APPROVED DATE: 10/13/2022

CONTACT: Tom Wrosch

503-480-9282

Tom.Wrosch@TSPC.oregon.gov

250 Division St. NE

Salem, OR 97301

Filed By:

Tom Wrosch

Rules Coordinator

NEED FOR THE RULE(S):

The Emergency Substitute License is created in response to severe staffing shortages reported by Oregon school districts, education service districts, and charter schools due to circumstances caused by COVID-19 and its aftermath. The Emergency Substitute Teaching License is a license that permits a qualified individual to substitute teach in a sponsoring prekindergarten through grade 12 Oregon public school district, education service district, or charter school assignment.

JUSTIFICATION OF TEMPORARY FILING:

Adopting the license will help to alleviate the significant substitute teacher shortage in Oregon. School districts all over Oregon have insisted the previous temporary rule gave them a crucial tool that made the difference between being open and having to send kids home. Although the pandemic may be abating, the Commission believes the districts still need this tool for the coming hiring period.

Without additional teachers, classes will be combined to unacceptable levels or not offered at all, inflicting irreparable harm on schoolchildren. These rules significantly expand the pool of potential teachers districts may use to address the most critical shortages and give them desperately needed tools to fill openings that cannot be filled in any other way.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

None.

ADOPT: 584-210-0155

RULE SUMMARY: The Emergency Substitute Teaching License allows an individual to substitute teach in a district. It is differentiated from the Emergency Teaching License by the ability to take any assignment within the district, as opposed to a specific one. It is differentiated from the Restricted, Substitute, and Restricted Substitute Teaching licenses in its qualifications of the licensee.

CHANGES TO RULE:

584-210-0155

Emergency Substitute License

(1) Purpose of the License: The Emergency Substitute License is created in response to severe staffing shortages reported by Oregon school districts, education service districts, and charter schools due to circumstances caused by COVID-19. The Emergency Substitute Teaching License is a license that permits a qualified individual to substitute teach in a sponsoring prekindergarten through grade 12 Oregon public school district, education service district, or charter school assignment.

(2) District Sponsorship: The Emergency Substitute Teaching License requires a sponsoring district, which may be a school district, education service district, or charter school.

(a) The sponsoring district must cover the cost of obtaining the license either by assisting the applicant in submitting the application or reimbursing the applicant for expenses.

(b) The sponsoring district must submit a statement at the time of application for the license:

(A) Describing the extenuating circumstances preventing the district from hiring a teacher holding a Restricted Substitute, Substitute, or other non-provisional teaching license appropriate for the assignment and how the issuance of the emergency license will protect the district's programs or students;

(B) Explaining how the qualifications or services of the applicant will resolve the extenuating circumstances;

(C) Assuring the Commission that the district will obtain the license for the educator prior to assignment within the district or prior to the 91st day after the date of application for licensure;

(D) Assuring the Commission that a designated administrator will provide training, guidance, and supervision of the educator to support the educator's service in the assigned schools; and

(E) Assuring the Commission that the district will determine the educator's interest in pursuing a teaching career and provide guidance in this pursuit.

(c) Upon request of the Commission, the district shall submit documentation of the district's plan for administrator support of the educator, as required by this subsection, including the name of the administrator responsible for providing this support.

(3) Transfer of District Sponsorship: To transfer sponsorship of the Emergency Substitute Teaching License to another district, the new sponsoring district must:

(a) Submit a statement as provided in section (2);

(b) Submit a statement that the original sponsoring district has been informed of the transfer; and

(c) Require the applicant to submit a complete and correct application in the form and manner required by the Commission, including payment of all required fees as provided in OAR 584-200-0050.

(4) Assignment Authorization: The Emergency Substitute Teaching License qualifies the teacher to accept substitute teaching assignments only within the sponsoring district.

(a) If the holder of an Emergency Substitute License wishes to accept an assignment in a different district or charter school from the sponsoring district, the licensee must apply for a transfer as provided in section (3) of this rule.

(b) If the holder of an Emergency Substitute License wishes to accept assignments in districts, ESDs or charter schools in addition to the sponsoring district, the license holder must apply for, be sponsored by, and hold an Emergency Substitute License for each district, ESD or charter school.

(c) Any single assignment on the Emergency Substitute License may not exceed 10 days consecutively under any circumstances.

(5) Granting and Term of License:

(a) The Emergency Substitute Teaching License shall be issued solely at the discretion of the Executive Director, or the Director of Licensure, for any length of time deemed necessary to protect the district's programs or students, not to exceed June 30, 2023.

(b) The Executive Director or the Director of Licensure may consider efforts the educator has made in meeting teacher licensure requirements. Additionally, the Executive Director, or Director of Licensure, will consider any academic preparation or experience the proposed educator has had.

(6) Other Special Limitations: The Emergency Substitute Teaching License is not renewable and not subject to the 120-day grace period.

(7) Applying for the license: To be eligible to apply for an Emergency Substitute Teaching License, the applicant must:

(a) Provide a statement from the sponsoring district in accordance with subsection (2) of this rule;

(b) Possess the personal qualifications for licensure including attainment of at least eighteen years of age and possessing good moral character and mental and physical health necessary for employment as an educator;

(c) An applicant may be asked to provide a resume, official transcripts or other evidence of qualifications if requested by the Executive Director;

(d) Satisfy the Commission requirement for knowledge of United States and Oregon civil rights and professional ethics in effect at the time of application;

(e) Complete a background clearance that includes:¶

(A) Furnishing fingerprints, if required;¶

(B) Providing satisfactory responses to character questions in the form and manner prescribed by the Commission; and¶

(f) Submit a complete and correct application on or before October 27, 2022 in the form and manner required by the Commission, including payment of all required fees as provided in OAR 584-200-0050.

Statutory/Other Authority: ORS 342.165

Statutes/Other Implemented: ORS 342.165, ORS 342.125