

SENATE AMENDMENTS TO SENATE BILL 52

By COMMITTEE ON EDUCATION AND WORKFORCE

March 22

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and insert
2 “342.177.”.

3 Delete line 3.

4 Delete lines 5 through 30 and delete pages 2 through 4 and insert:

5 “**SECTION 1.** ORS 342.177 is amended to read:

6 “342.177. (1)(a) Hearings under ORS 342.176 shall be conducted by an administrative law judge
7 assigned from the Office of Administrative Hearings established under ORS 183.605.

8 “(b) **Notwithstanding paragraph (a) of this subsection, the Teacher Standards and Prac-**
9 **tices Commission shall conduct any hearing that results from the suspension of the teaching**
10 **license of a teacher under ORS 342.553.**

11 “(c) [The] **Any hearing conducted under this subsection** shall be private unless the person
12 against whom the charge is made requests a public hearing. Students attending school in the district
13 which employs the person shall not be permitted to attend any hearing except as witnesses duly
14 subpoenaed to testify with respect to the charges made. The person against whom the charge is
15 made shall have the right to be represented by counsel and to present evidence and argument. The
16 evidence must be confined to the charges.

17 “(2) The Teacher Standards and Practices Commission or the person charged may have
18 subpoenas issued to compel attendance at the hearing. The person charged may have subpoenas is-
19 sued by an attorney of record subscribed by the signature of the attorney or by the executive di-
20 rector. Witnesses appearing pursuant to subpoena, other than the parties or officers or employees
21 of the commission, shall receive fees and mileage as prescribed by law for witnesses in ORS 44.415
22 (2). The commission or the person charged shall have the right to compel the attendance and obe-
23 dience of witnesses in the same manner as provided under ORS 183.440 (2).

24 “(3) The commission shall render its decision at its next regular meeting following the hearing.
25 If the decision of the commission is that the charge described in ORS 342.175 (1) has been proven,
26 the commission may take any or all of the following disciplinary action against the person charged:

27 “(a) Issue a public reprimand.

28 “(b) Place the person on probation for a period not to exceed four years and subject to such
29 conditions as the commission considers necessary.

30 “(c) Suspend the license of the teacher or administrator for a period not to exceed one year.

31 “(d) Revoke the license of the teacher or administrator.

32 “(e) Revoke the privilege to apply for a license.

33 “(4) If the decision of the commission is that the charge is not proven, the commission shall
34 order the charges dismissed.

35 “(5) The commission shall notify in writing the person charged, the school district by which the

1 person is employed and the Superintendent of Public Instruction of the decision.”
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