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ARCHIVES DIVISION

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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 584
TEACHER STANDARDS AND PRACTICES COMMISSION

FILED

06/25/2024 9:11 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Repeals Diverse Educator License Expenses Reimbursement program.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/31/2024 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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TSPC
250 Division St NE
Salem, OR 97301

Filed By:
Tom Wrosch
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 07/15/2024

TIME: 2:00 PM - 2:30 PM

OFFICER: Tom Wrosch

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 1-503-446-4951

CONFERENCE ID: 184215663

SPECIAL INSTRUCTIONS:

Team Meeting ID: 245 635 574 763

Passcode: KxHYza

NEED FOR THE RULE(S)

The Commission is adopting the permanent rule repealing OAR 584-200-0121 because there has been a legal challenge to the Diversity License Expense Reimbursement (DLER) program.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

None

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

A repeal gives notice to possible applicants that the program is not available to them.

FISCAL AND ECONOMIC IMPACT:

Community partners have submitted no anticipated fiscal impact.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

None.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses are not affected by this rule.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

REPEAL: 584-200-0121

RULE SUMMARY: Repeals the Diverse Educator License Reimbursement program.

CHANGES TO RULE:

~~584-200-0121~~

~~Reimbursements for Diverse License Applicants~~

~~(1) Pursuant to Pursuant to chapter 641, Oregon Laws 2021, the Commission may disburse moneys from the TSPC General Program Fund to applicants for reimbursement of the direct costs of seeking and obtaining Oregon teacher, administrator, and personnel service licensure or renewal and assessment fees leading to licensure, registration, or certification.~~

~~(2) Definitions. For the purpose of this rule, "diverse" shall have the meaning found in ORS 342.433.~~

~~(3) Eligible Recipients: To be eligible for reimbursement of licensure expenses, a teacher, administrator or personnel service license applicant must:~~

~~(a) Be of diverse origins or language; and~~

~~(b) Have applied for a teacher, administrator or personnel service license, registration, certificate, or to add an endorsement or specialization or renewal under ORS 342.125, ORS 342.144, or ORS 342.475 on or after July 1, 2020.~~

~~NOTE: Eligible teachers, administrators and personnel service licensees may be reimbursed for eligible expenses that occurred prior to July 1, 2020 if the licensure or renewal associated with the expenses was granted on or after July 1, 2020.~~

~~NOTE: An application for a Clinical Practices Clearance is not an application for a license and does not qualify as an eligible expense until an application for licensure has been submitted.~~

~~(4) Eligible Reimbursement Costs: For each reimbursement application, the applicant may receive a reimbursement subject to the approval of the Executive Director for the following actual, direct, and eligible expenses incurred for TSPC licensure or renewal and assessment leading to licensure:~~

~~(a) The total license application fees for TSPC licensure or renewal, including fingerprint costs assessed through the e-Licensing Portal;~~

~~(b) The charges for fingerprinting through Fieldprint or other approved vendor;~~

~~(c) The total expenses for assessment costs associated with the approved license, see section (5) below. Pre-paid assessment fees provided by TSPC under section (6) of this rule may not be included in the licensee reimbursement application.~~

~~(d) Expenses to obtain a transcript and other official documents required by TSPC for licensure, including foreign transcript evaluation.~~

~~(e) Reasonable tuition for tutoring or remedial courses not otherwise eligible for financial aid that are necessary to achieve teacher, administrator, or personnel service candidacy for licensure, as determined by the educator preparation program.~~

~~(f) Travel expenses: IRS-reimbursable mileage costs from residence to testing center and back.~~

~~(g) Other expenses as approved by Executive Director.~~

~~(5) Assessment Costs: To be eligible for reimbursement of the direct costs of an assessment leading to licensure, the applicant must provide evidence acceptable to the Commission that the assessment was approved by the Commission or NASDTEC jurisdiction.~~

~~(6) Pre-Paid Fees: Assessment reimbursement may be provided through an arrangement between TSPC and~~

testing providers, such as assessment vouchers or direct billing.¶¶

(7) Ineligible Expenses: An applicant may not be reimbursed for all Teacher Licensure expenses. Ineligible expenses include, but are not limited to:¶¶

(a) Returned check fees;¶¶

(b) Any fees refunded or waived by TSPC, ETS, Pearson, EPPs, School Districts, and ESDs.¶¶

(c) Any expenses not actually incurred by the applicant or reimbursed by any other entity.¶¶

(8) Documentation of Expenses: Claimed expenses will not be reimbursed without adequate documentation, such as appropriate receipts, as approved by the Executive Director.

Statutory/Other Authority: ORS 342

Statutes/Other Implemented: Chapter 641 Oregon Laws 2021, ORS 342.437