



## Public Charter School Educator Qualifications

### #1 – Legal To Be a Teacher or Administrator in Oregon

A teacher or administrator in a public charter school MUST have an active Oregon TSPC license or Oregon TPSC charter school registry.

[ORS 338.135 \(7\)](#)(a) Any person employed as an administrator in a public charter school shall be licensed or registered to administer by the Teacher Standards and Practices Commission.

(b) Any person employed as a teacher in a public charter school shall be licensed or registered to teach by the commission.

### #2 – Half of the Charter School’s FTE Must be Licensed\* (see note below on virtual charters)

[ORS 338.135 \(7\)](#)(a) Any person employed as an administrator in a public charter school shall be licensed or registered to administer by the Teacher Standards and Practices Commission.

(b) Any person employed as a teacher in a public charter school shall be licensed or registered to teach by the commission.

(c) Notwithstanding paragraph (a) or (b) of this subsection, at least one-half of the total full-time equivalent (FTE) teaching and administrative staff at the public charter school shall be licensed by the commission pursuant to ORS 342.125.

This means that at least half of the combined total number of contracted/employed FTE for administrators and teachers must be worked by staff who have an active teacher or administrative TSPC License listed in the statute below.

[ORS 342.125\(1\)](#) Teaching licenses shall be issued and renewed by the Teacher Standards and Practices Commission by the authority of the State of Oregon, subject to ORS 342.120 to 342.430 and the rules of the commission.

(2) Subject to ORS 342.130 and to subsection (3) of this section, licenses shall be of the following types:

- (a) Preliminary teaching license.
- (b) Professional teaching license.
- (c) Distinguished teacher leader license.
- (d) Preliminary personnel service license.
- (e) Professional personnel service license.
- (f) Preliminary administrative license.
- (g) Professional administrative license.
- (h) Reciprocal license.
- (i) Legacy license.

(3) The Teacher Standards and Practices Commission may establish other types of teaching licenses as the commission considers necessary for operation of the public schools of the state and may prescribe the qualifications for the licenses. However, no license established under the authority of this subsection is required for a regular classroom teaching position in the public schools.

(4)(a) The Teacher Standards and Practices Commission shall establish a public charter school teacher and administrator registry. The commission shall require the applicant and the public charter school to jointly submit an application requesting registration as a public charter school teacher or administrator. The application shall include:

- (A) A description of the specific teaching or administrator position the applicant will fill;

## Public Charter School Educator Qualifications

(B) A description of the background of the applicant that is relevant to the teaching or administrator position, including any post-secondary education or other experience; and

(C) Documentation as required by the commission for the purposes of conducting a criminal records check as provided in ORS 181A.195 and a background check through an interstate clearinghouse of revoked and suspended licenses.

(b) Subject to the results of the criminal records check and background check and to information received under ORS 342.143 (2), the commission shall approve the application for registration. The commission may deny a request for registration only on the basis of the criminal records check, the background check through an interstate clearinghouse of revoked and suspended licenses or the information received under ORS 342.143 (2). The registration is valid for a term established by the commission and, subject to information received under ORS 342.143 (2), may be renewed upon joint application from the teacher or administrator and the public charter school.

(c) A registration as a public charter school teacher qualifies its holder to accept the teaching position described in the application in the public charter school that submitted the application with the holder of the registration.

(d) A registration as a public charter school administrator qualifies its holder to accept the administrator position described in the application in the public charter school that submitted the application with the holder of the registration.

(5) The Teacher Standards and Practices Commission shall adopt an expedited process for the issuance of any license established pursuant to this section. The process may require a school district superintendent or school district board and the applicant to jointly submit an application requesting an emergency license. Within two working days after receiving a completed application the commission shall issue the emergency license. However, the commission may limit the number of applications for expedited service from a school district or education service district to not more than 100 applications in a period of two working days. For purposes of this subsection, the commission may not distinguish between a school district or education service district involved in a labor dispute and any other school district or education service district.

**\* Virtual Public Charter Schools** must have a plan to ensure that 100% of administrators are licensed and at least 95% of instructional hours are taught by TSPC licensed teachers.

[ORS 338.120 \(1\)](#) In addition to any other requirements of this chapter for a public charter school, a virtual public charter school must have:

(f) Notwithstanding ORS 338.135 (7), a plan to ensure that:

(A) All superintendents, assistant superintendents and principals of the school are licensed to administer by the Teacher Standards and Practices Commission; and

(B) Teachers who are licensed to teach by the Teacher Standards and Practices Commission teach at least 95 percent of the school's instructional hours.

### #3 – Charter School Assignments

Teachers in a public charter school may be assigned outside the scope of the endorsements on the license or registration without limitation. The charter school is still responsible for ensuring the teacher has the necessary knowledge and skills to teach the content. This is a burden and responsibility of the supervising administrator to manage.



## Public Charter School Educator Qualifications

Here are the TSPC rules related to teacher assignments in public charter schools.

[OAR 584-210-0170\(9\)](#) Public Charter Schools Assignments: A public charter school assignment requires a valid and active unrestricted Oregon teaching license or valid and active charter school teaching registration with any endorsement subject to the following conditions:

- (a) No person shall serve as a teacher as defined by ORS 342.120 and ORS 338.135 in a public charter school unless such person either holds a valid and active unrestricted Oregon license issued by TSPC or is registered with TSPC as a charter school teacher pursuant to ORS 338.135 in accordance with OAR 584-023-0005 and ORS 342.125(5);
- (b) For non-virtual charter schools at least one-half of the total full-time equivalent (FTE) teaching and administrative staff at the public charter school must hold a Basic, Standard, Initial, Continuing, Preliminary, Professional or Teacher Leader teaching license issued by the Commission pursuant to ORS 338.135(7). For virtual charter schools, 95 percent of the teaching staff must hold a valid and active TSPC teaching license pursuant to 342.125 and the provisions of this subsection; and
- (c) Licensed and registered charter school personnel may be assigned outside the scope of the endorsements on the license or registration without limitation.

### #4 – Substitute Teachers

All teachers in public charter schools, including substitute teachers, must meet the requirements of #1 and have an active TSPC license or TPSC charter school registry. Substitutes may be qualified with a teacher license, substitute license, or charter registry. If the substitute is seeking a charter registry for the job, the charter registry will be limited to the specific charter and any grades or courses named by the charter school in the sponsorship letter. A public charter school may sponsor a substitute teacher for specific courses or all courses depending on the experience and qualifications of the substitute teacher.

Any substitute teacher working in a public charter school with a charter registry is held to the same level of responsibility and ethics as a substitute teacher with a license.

### #5 – Federal Requirements

The requirements in ESEA related to Highly Qualified Teachers no longer apply. For the 2017-18 school year, charter schools must comply with the requirements listed above for all teacher and administrator positions. If you are paying for your staff salaries with Title or IDEA funds, please follow educator requirements for those funds. Talk to your district or ODE federal program staff if you have questions.

According to ESSA and our Consolidated State Plan, ODE will report information about teachers collected through the [Principal and Teacher Evaluations](#) and [Staff Assignment](#) Collections. Teachers with a charter school registry will be considered an “emergency/provisional teacher” and “out-of-field teacher” for data included on state accountability reports. ODE will take this information into account when making decisions about federal funding such as Title I. At this time we do not anticipate any state- or federal-level consequences, or sanctions for this data. Going forward, charter schools should work with their sponsor to understand potential implications. Additionally, charter school leaders may participate in ongoing feedback and input on [ODE’s ESSA implementation](#).