



Oregon Teacher Standards and Practices Commission

[Items in blue highlight reflect changes from 10/30/2018 advisory workgroup.]

<p>Purpose of Rulemaking: Adopt new rules for administrator licenses.</p> <p>Summary:</p> <p>In 2014, the Commission began the process of redesigning administrator licenses. In 2017, the Commission began integrating the Basic/Standard and Initial/Continuing systems under the new titles of Preliminary and Professional administrator licenses. The underlying license requirements and program standards, however, remained mostly the same.</p> <p>Between 2014 and 2018, the Commission has studied, received comments, conducted surveys, had presentations and taken “straw votes” on the many aspects of administrator license requirements and program standards. In January 2018, the Commission asked agency staff to develop draft administrator rules for discussion and possible referral to public comment. The Commission asked for the draft rules to be introduced at the November 2018 Commission meeting, with the goal of adopting them at their January 2019 meeting.</p> <p>In response to this request, the agency has prepared the following draft licensure rules for review.</p>	<p><input checked="" type="checkbox"/> First Reading</p> <p><input type="checkbox"/> Second Reading</p>
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Rule Number/Title:

584-235-0010 Scope and Responsibilities of a School Administrator

584-235-0020 Principal License *(for building-level positions)*

584-235-0030 Professional Administrator License *(for building-level and district-level positions – but only required for district-level)*

584-235-0050 Reciprocal Administrator License

584-235-0080 Restricted Administrator License

584-235-0090 LCA for Professional Administrator License

Amends current rule: 584-200-0005 Transition to New License Structure *(add transition language for administrator licenses)*

Type of Rule Change:

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- Adopt new rule
- Amend existing rules
- Repeal existing rule

Recommended Action:

- Refer proposed rule to public comment
- Adopt as permanent rule
- Adopt as temporary rule

Program Area:

- Licensure
- State Approval of Providers/Programs
- Professional Practices
- Agency Operations

Proposed rule change prompted by:

- TSPC Staff
- Stakeholder concern/issue
- State Law Change
- Federal Law Change
- Other _____

Key Concepts/Background

Key Concepts:

Scope and Responsibilities of a School Administrator

- **Scope:** An Oregon school administrator license or registration **is required** to perform any one of the following duties:
 - Supervise TSPC-licensed school personnel; (New to rule)
 - Evaluate TSPC-licensed school personnel; (In current rule)
 - Discipline TSPC-licensed school personnel; (In current rule)
 - Authorize the assignment of TSPC-licensed school personnel to teaching, administrator or other licensed school personnel positions; (New to rule) or
 - Authorize out-of-school suspension or expulsion of preK-12 students. (In current rule)
- **Responsibilities:** An Oregon School Administrator is responsible for:
 - Supervising TSPC-licensed personnel under their authority;
 - Approving evaluations of TSPC licensed personnel under their authority;
 - Properly assigning TSPC licensed personnel to teaching, administrator or other licensed school personnel positions;
 - Supervising the conduct of all school personnel who have direct contact with students and who work in the school, education service district or school district

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under their authority. Direct contact includes in-person, electronic or virtual contact or communication;

- Properly authorizing out-of-school suspension and expulsions of the students under their authority;
- Properly authorizing the expenditure of public funds under their authority;
- Supporting the continuous improvement and capacity of the school administrator profession;
- Authorizing the initiation and closing of investigations of complaints of abuse;
- Providing notification of an open investigation of abuse or sexual conduct to another principal within district;
- Providing notification of an open investigation of abuse or sexual conduct to another school district;; and
- Make best efforts to meet the performance standards, as provided in subsection (3) through (11). These standards are based on the draft research-based Professional Standards for Educational Leaders (PSEL) standards with some Oregon modifications.

Principal License

- Replaces the Preliminary Administrator License
- Is for building-level administrators (e.g. Principals, Vice-Principals);
- Qualifications:
 - Must hold a master’s degree;
 - Must have (3) years full-time (or 6 years part-time) licensed school experience.
 - Licensed experience must include working directly with students on any license appropriate for the assignment.
 - May include teaching, school social worker, school counselor, school psychologist, speech language pathologist, school nurse, physical therapist, occupational therapist and other school licensed experience.
 - Must complete a Commission-approved Principal License program, or out-of-state equivalent.
- Has a three year term;
- Renewal:
 - Is renewed with 90 PDUs or 6 graduate level semester credits;
 - May be continuously renewed if:
 - Holds a building-level administrator position; or
 - Does not hold an administrator position.
 - *For example, a principal is not required to move to a Professional Administrator License. They may simply continuously renew the principal license until they decide to move to the Professional Administrator License, if at all.*
- If a teacher or other licensed school personnel is hired as a Building-Level Principal, the educator would be issued a Restricted Administrator License. The educator would have three years to complete the requirements for the Principal License.

Professional Administrator License

- Is required for district-level administrator positions. (District level positions are administrative positions that have responsibilities across schools or programs within a district, including director of programs and superintendency positions);
- May also be used for building-level administrator positions;

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- Qualifications:
 - Must hold a master’s degree;
 - Must have three (3) years of full-time or six (6) years of part-time licensed school administrator experience. Experience must include duties that require school administrator licensure, in accordance with 584-235-0010, *Scope and Responsibilities of Oregon Administrator Licenses*;
 - Must complete a Commission-approved Professional Administrator License program or meet program waiver requirements.
- Has a five year term;
- Renewal:
 - Is renewed with 120 PDUs or 8 graduate level semester credits;
 - May be continuously renewed.
- If a holder of a Principal license is hired for a district-level position, the administrator is issued an LCA for Professional Administrator License. The administrator has three years to complete the Professional Administrator License.
- If a teacher or other licensed school personnel is hired for a district-level position, the educator is issued a Restricted Administrator License to obtain the Principal License. After the educator attains the Principal License, they are eligible for an LCA for Professional Administrator License.

Reciprocal Administrator License

- Is issued to out-of-state applicants;
- Has a 18 month term;
- Is used to complete Oregon requirements: civil rights and Oregon school law and finance;
- May be used for building-level or district-level administrator positions;
- Is not renewable;
- Some applicants will be able to move directly to the Principal or Professional Administrator License, bypassing the Reciprocal Administrator License. To do this, applicants will need to complete the Oregon civil rights, law and finance requirements prior to applying for their first Oregon administrator license.
- Most out-of-state applicants with the highest level of administrator license in their state will be issued the Professional Administrator License after their Reciprocal Administrator License expires.
- If an applicant is hired for an Oregon district-level position, but only has an out-of-state building – level or principal license, the applicant can be issued an LCA for the Professional Administrator License on their Reciprocal Administrator License. The applicant will have three years to complete the requirements for the Professional Administrator License. (The LCA will move to the Principal Administrator License after the Reciprocal Administrator License term has ended unless the candidate has been issued the Professional Administrator License.)

Restricted Administrator License

- Issued to teachers and other school personnel who are hired for administrator positions and do not hold an administrator license.
- Requires district sponsorship;
- Requires a bachelor’s degree;
- Has a one-year term, valid for a total of three years;
- First license – educator must provide evidence of admission and enrollment in Principal Administrator License;

- First reissue – Program must verify that candidate is making progress toward completion of the program.
- Second reissue – Program must provide evidence of educator completing 50 percent of the Principal program.

LCA for Professional Administrator License

- Issued to holders of a principal license who are hired for district-level positions;
- Requires district sponsorship;
- Requires a master’s degree;
- May be added to a Principal, Reciprocal and Legacy Administrator license;
- Has a one-year term, valid for a total of three years;
- First reissue – educator must provide evidence of admission and enrollment in Professional Administrator License;
- Second reissue – educator must complete 50 percent of the Professional Administrator program.

Transition

- All Initial and Preliminary Administrators will be transitioned to the Principal License;
- All Standards, Continuing, Distinguished will be transitioned to the Professional Administrator License;
- Until **August 1, 2022**, applicants will have the choice of renewing under the current requirements for the CAL program or the new requirements;
- If an applicant renews their administrator license in accordance with the requirements of 584-235-0020, Principal License, the applicant must renew in accordance with the requirements of 584-235-0020, Principal License or 584-235-0030 Professional Administrator License for all subsequent renewals;
- After **August 1, 2022**, all applicants must renew their license as provided in 584-235-0020, Principal License;
- Approximately 2,000 holders of Preliminary /Initial Administrator License will need a method to move to the Professional Administrator License that provides them the choice of the new requirements or their previously advised requirements;
- Approximately 700 IAL/Preliminary and CAL program enrollees will need transition plans. The EPPs are responsible for determining if candidates are adequately prepared for administrator licenses. The agency and the EPPs will develop plans for completing candidates currently enrolled in initial and continuing administrator programs.

Background Information:

Goals of Administrator Redesign – (Administrator Context Lens from Admin Redesign Committee ~ Sept 2014)

- 1) Ability to grow our own – combine with understanding cultural competence/equity
- 2) The final licensure structure serves the rural or small district population: prepared to wear multiple hats (HR, SPED, etc).
- 3) Clear scope defined – who needs to hold a license; how often you renew; what required to renew – what is the state’s role and what is the district’s role in defining requirements?

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- 4) Endorsements/specializations/ focus on building vs district preparation (career paths). – What should be required and what should be optional? (Related to #3)
- 5) Keeping it simple – simplify the number of licenses.
- 6) Defensible in all contexts.
- 7) Out of state: Be more clear about Learning Oregon – (the School Law/Finance context) Focus has to be on OAR/ORS (include licensure knowledge) – not just general constitutional law, etc.
- 8) Licensure has to serve the districts and not the preparation programs.
- 9) Induction or comparable support required. [example: BTSA program – CA]
- 10) Reflects clear understanding and preparation for “instructional leadership” (is this a licensure or preparation issue)?

[Administrator License Survey: 2,965 Reponses](#) (All administrator license holders - April 2017)

Administrator License Survey: Conclusions (Survey Analysis by the Chief Education Office)

- Preference for more advanced program options across all groups; mixed responses to endorsements
- Desire for options that are more meaningful, valuable, and accessible for practicing administrators
- Lack of support for current policy across all groups
- No consensus regarding the question of required teaching vs. any licensed experience

Administrator License Survey: Preference for Moving to the Professional Administrator License (Survey Analysis by the Chief Education Office)

- More options
- Equity of access
- Individualized to the educator
- Embedded in professional growth plans
- More specialization
- Concerns about specialization
- Focus on retention

Summary of Previous Commission Action

Administrator Redesign Timeline:

September 2014: The administrator redesign process began.

September 2014 to July 2016: Administrator redesign committee worked on proposals for a new administrator license structure.

December 2016: Rules Advisory Committee reviewed the proposed CONCEPTS and provided feedback.

January 2017: Agency sent a survey on questions to holders of administrator licenses. The agency received nearly 3,000 responses.

January 2017: Commission received an update on the administrator redesign process.

April 2017: Commission received an analysis of the survey results from the Chief Education Office.

June 2017: Licensure Committee discussed next steps in the administrator licensure redesign.

September 2017: Rules Advisory Committee reviewed the most recent administrator concepts and rules and provided feedback on them.

November 2017: Commission reviewed the reviewed issues related to administrator scope and requirements.

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January 2018: Commission reviewed the reviewed issues related to administrator scope and requirements. Commission “voted” by straw poll on some specific questions, as follows:

<i>Who should be required to hold an administrator License?</i>	
<i>Should the scope of the administrator licenses include supervision of licensed teachers (or educators), as is required by Oregon statute?</i>	GREEN
<i>Should the scope be the same for the Preliminary and Professional Administrator licenses? If so, is the scope different for superintendent as well?</i>	GREEN
<i>New question: The scope means the duties (evaluating and disciplining of license staff, and suspension and expulsion of students). There is no difference in the scope of the license between the Preliminary and Professional, but there is agreement that the educator must move to the Professional within some timeframe of achieving employment to hold the Superintendent position.</i>	GREEN

Purpose of License Type: The purpose of a license type is to indicate to an employer the level of preparation and experience of the licensee. In the absence of endorsement, the purpose may also indicate what roles the license authorizes the holder to perform.

<i>What is the purpose of the Preliminary Administrator License?</i>	
<i>Is the purpose to indicate to the employer that the holder has completed a portion of their preparation program and will need to complete their preparation after serving as an administrator for up to 10 years? OR</i>	RED
<i>Is the purpose to indicate to the employer that the holder is fully prepared to be a building-level administrator?</i>	GREEN

What is the purpose of the Professional Administrator License?	
<i>Is the purpose to indicate to the employer that the holder is fully prepared to be a district-level administrator? OR</i>	GREEN
<i>Is the purpose to indicate to the employer that the holder is an administrator with advanced competencies and experience?</i>	GREEN
<i>Is the purpose to indicate to the employer that the holder is fully prepared to be a superintendent?</i>	GREEN

April 2018: Dr. Rosilez presented “Administrative Licensure Redesign: Executive Director’s Perspective”. The presentation generated questions and the Commission “voted” by straw poll on some specific questions, as follows:

Item for Discussion	Straw Poll Result
The presentation suggested that a position titled as a “Coordinator” could require an Administrator License.	Commission consensus is to remove the title of “Coordinator” from positions requiring an Administrator License. In some districts, a coordinator position may be filled by a TOSA

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	(teacher on special assignment) when the position is not required to execute the duties requiring an Administrator License.
Dr. Rosilez suggested that a “chief administrator of an independent public educational entity providing direct or indirect service students (e.g. ODE or TSPC) would require an Administrator License.	Close on the straw poll, but the majority agreed that this was a good thing. Marty abstained requesting more discussion.
Administrator experience to move from the Preliminary to the Professional Administrator License	Follow the teaching license design of 4 years of full time or 6 years at .5 FTE of Administrative Experience to move from Prelim Admin to Pro Admin License.
Licensed and employed experience for the Preliminary Administrator License	To be eligible for the Preliminary Admin license, the educator must have 4 full-time or 6 .5 FTE years of licensed and employed experience – the experience is not an admission requirement but a licensure requirement. (Teaching and other licensed school experience would count. Does not need to be TSPC license experience – could by SLP, OT or PT as well.)
Allow the PhD and EdD to bypass the CAL	Do not allow to bypass the CAL with PhD or EdD. Must complete Commission-approved advanced admin program for the Professional Administrator License.
Reciprocity	Remove requirement of “direct service to students” and add licensed experience. No other decisions made on reciprocity.
Reinstating admin licenses for educators who lost Administrator License due to previous requirements (e.g. exhausted the 3 terms of the IAL before they were successful in being employed as an administrator).	Educators who held the Initial Administrator License, completed a Continuing Administrator Licensure program, should be allowed to apply for a new Preliminary without penalty. (No additional reinstatement PDUs) Those who held the IAL but didn’t complete the CAL can also reinstate to the Preliminary Admin. (No additional reinstatement PDUs)

June 29, 2018: Administrator Workgroup meeting

August 14, 2018: Administrator Workgroup meeting

September 18, 2018: Rules Advisory Committee reviewed draft rules.

September 21, 2018: Administrator Workgroup meeting reviews draft administrator rules.

September 24, 2018: Program Approval Committee reviewed draft rules.

October 12, 2018: ORPEA reviewed draft rules.

For more background information, please refer to: [Agenda Item 4.1](#) from the April 2018 Commission meeting.

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Has the Proposed Rule Changed Since the Last Commission Meeting?

- N/A – first read, has not been before the Commission;
- No – the draft rule has not changed since the previous Commission action;
- Yes – as follows:

Policy Issues or Concerns

Issue #1: *What is the definition of “supervise” for the purpose of requiring an administrator license? When does the duties of an employee become “supervising” a TSPC-licensed personnel?*

The draft rules require an administrator license for someone who supervises TSPC-licensed personnel. Stakeholders have asked for a specific definition for “supervise” so they can be clear about when an administrator license is required.

Issue #2: *How many years of licensed school experience should be required to qualify for a Principal Administrator License?*

- The draft rules require three years of licensed school experience.
 - Licensed school experience must include working directly with students while holding any license, charter school registration or school nurse certificate appropriate for the assignment.
 - Qualifying school experience may include teaching, school counseling, speech language pathologists, school social worker, school psychologists, physical therapist, occupational therapist and other licensed school experience.
- Three years of full-time licensed experience aligns to the number of years a person can hold a restricted administrator or LCA for administrator license.
- At the April 2018 meeting, the Commission indicated a preference for four years of licensed experience.
- At stakeholder meetings, many participants requested that the rules only require three years of experience so that a person may acquire the required number of years of experience while holding a restricted administrator license.

Issue #3: *Should experience as a charter school teacher or certified school nurse qualify as licensed school experience for the Principal License?*

- The draft rule does allow experience while holding a charter school registration or school nurse certificate to qualify as licensed school experience for the Principal license.
- TSPC does not receive many requests for to use this experience to qualify for school administrator licenses.
- The currently-adopted Initial Administrator License rule only allows licensed experience.

Issue #4: *How many years of licensed school administrator experience should be required for the Professional Administrator License?*

- The draft rules require three years of school administrator experience.
 - Experience must include duties that require school administrator licensure, in accordance with 584-235-0010, *Scope and Responsibilities of Oregon Administrator Licenses*.
- Three years of full-time school administrator experience aligns to the number of years a person can hold a LCA for administrator license.
- At the April 2018 meeting, the Commission indicated a preference for four years of licensed school administrator experience.
- At stakeholder meetings, many participants requested that the rules only require three years of experience so that a person may acquire the required number of years of school administrator experience while holding a LCA for school administrator license.

Issue #5: *How long should the term be for the Reciprocal Administrator License? In other words, how much time does an out-of-state administrator need to complete Oregon requirements such as civil rights, Oregon school law and school finance requirements?*

- The draft rules have an 18 month term for the Reciprocal Administrator License, which is the same as the currently-adopted term.

Issue #6: *Does the Commission support providing administrators three years to qualify under the old “CAL” rules to move to the Professional Administrator License or should the transition time be shorter or longer?*

- The draft rules allow applicants to choose between moving to the Professional Administrator License under the current CAL requirements until February 15, 2022. After this date, all applicants must renew or upgrade their license as provided in 584-235-0020, Principal License or 584-235-0030 Professional Administrator License.

Equity Analysis

The proposed scope and responsibilities of the administrator licenses focuses on equity context and culturally responsive practices, disproportionality of referrals and discipline, and support for diverse administrators through mentoring.

The proposed rules allow the Principal License to be continuously renewed. This may remove barriers for new and current principals, as they can decide when, or if, they would like to move to the Professional Administrator License. By allowing the building-level administrator to determine the timing of upgrading the license, the administrator may make this decision based on their work and life circumstances, not by a mandated state timeline.

The proposed administrator reciprocity rules may remove barriers for out-of-state administrators, especially from states with more diverse populations. Under current rules, many out-of-state administrators are required to complete the CAL program, even though they completed a full administrator preparation program in their other state. Under the proposed system, if an administrator enters the state with the highest level administrator license from their original state, they will most likely receive the Professional Administrator License. In addition, administrators entering with a Principal

License will only be required to complete the Professional Administrator Program if they are employed at the district-level.

A concern with the draft rule opined by the Oregon Professors of Education Administration is that requiring much more of the program to include clinical practice with supporting coursework prior to the first Principal License may pose a financial barrier to candidates, especially for under-represented populations and may exacerbate the supply of administrators in rural areas. However, the draft rules allow ~~for~~ districts **to** hire individuals into an administrator for a limited duration while the program is being completed – this will allow the individual to earn income while completing the program. The agency will assure clinical practice based administrator programs through the program approval process so that administrator simultaneously work and complete program requirements.

- 1. Who are the racial/ethnic and underserved groups affected? What is the potential impact of the resource allocation and strategic investment to these groups?*
- 2. Does the decision being made ignore or worsen existing disparities or produce other unintended consequences? What is the impact on eliminating the opportunity gap?*
- 3. How does the investment or resource allocation advance opportunities for historically underserved students and communities?*
- 4. What are the barriers to more equitable outcomes? (e.g. mandated, political, emotional, financial, programmatic or managerial)*
- 5. How have you intentionally involved stakeholders who are also members of the communities affected by the strategic investment or resource allocation? How do you validate your assessment in (1), (2) and (3)?*
- 6. How will you modify or enhance your strategies to ensure each learner and communities' individual and cultural needs are met?*
- 7. How are you collecting data on race, ethnicity, and native language?*
- 8. What is your commitment to P-20 professional learning for equity? What resources are you allocating for training in cultural responsive instruction?*

Fiscal Analysis

State agencies: During the transition period, the agency will be required to provide technical assistance to candidates seeking administrator licensure. This may cause some initial increased expenses for the agency. After the transition period, the new administrator structure will be cost neutral for the agency.

Local government: District may need to provide support, resources and time to candidates completing administrator requirements while working, possibly increasing their personnel costs. Districts may save costs if the new system increases administrator retention rate.

Public: Some candidates may save costs because they are no longer required to move to the professional license according to a mandated state timeline. Some candidates may incur additional costs due to the

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transition to the new license structure, dependent on their individual circumstances. Some out-of-state candidates will incur less costs if they are no longer required to complete additional Oregon coursework. EPPs will likely incur costs as they redesign their programs to meet the new licensure requirements and program standards.

Small Business: None.

NOTE: 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 state agencies, local government, the public and business.

Effect of a “Yes” or “No” Vote

Yes – The Commission refers the new administrator licensure rules to public comment. The Commission will have an opportunity to adopt the new licensure rules at the February 2019 meeting.

No – The Commission does not refer the licensure rules out for public comment. The current IAL/CAL administrator licensure rules remain in place.