## BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 1 2 OF THE STATE OF OREGON 3 4 DEFAULT ORDER OF 90 DAY In the Matter of the Educator License of ) SUSPENSION OF RIGHT TO APPLY FOR 5 6 7 8 CHERYL ANN SCHRIVER ) ) AN EDUCATOR LICENSE 9 On September 12, 2012, the Teacher Standards and Practices Commission (Commission) 10 issued a Notice of Opportunity for Hearing to Cheryl Ann Schriver (Schriver) in which the Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First Class 11 Mail and U.S. Certified Mail Receipt 7011 2000 0001 1292 0325 to the address on file with the 12 Commission. The Notice designated the Commission file as the record for purposes of proving a 13 prima facie case. The Certified Mail was not returned to the Commission, and the return receipt 14 was received by TSPC on September 14, 2012. The Notice of Opportunity of Hearing, dated 15 September12, 2012, and signed by Victoria Chamberlain, Executive Director, stated: 16 "IF A REOUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, 17 YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR 18 FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. 19 IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A 20 HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY 21 INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER 22 23 DISCIPLINE." 24 Schriver did not request a hearing. The Commission, therefore, finds Schriver to be in default 25 and enters the following findings of fact, conclusions of law, and final order, based on the files 26 and records of the Commission concerning this matter. 27 28 FINDINGS OF FACT 1. Cheryl Ann Schriver has been licensed by the Commission since July 11, 2008. Schriver's 29 30 Charter School Registry with an endorsement in Art (ML/HS, ECE/ELE L), was issued July 11, 2008, and expired on July 11, 2011. During all relevant times, Schriver was employed by 31 32 the Siletz Valley Public Charter School. 2. On June 27, 2011, Schriver made timely application for renewal of her registration but failed to pass 33 the mandatory ORELA Civil Rights exam, making Schriver's application incomplete. As a result, 34 Schriver's charter school registry expired as scheduled, after her allotted 120 day grace period ended 35 on November 8, 2011. On April 9, 2012, Schriver made application to reinstate her expired 36 registration. Schriver's supporting paperwork indicated she had continued to teach from November 37 8, 2011, through April 13, 2012, a period of approximately five months, while her Charter School 38 Registration had been expired. During this time, Schriver did not hold a valid license or charter 39 school registry. Records indicate Schriver's additional attempts to pass the required civil rights

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1	exam had failed. Schriver's district requested an Emergency License to allow her to continue to
2	teach while she made further attempts to pass the required exam. This request was denied and
3	Schriver was removed from teaching by the school district.
4	CONCLUSIONS OF LAW
5	Schriver's conduct described in section two (2) above, constitutes gross neglect of duty in
6	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
7	0010(5) (Use professional judgment), OAR 584-020-0040(4)(r) (Knowingly working without
8	a license); and OAR 584-050-0006(f) (The applicant has served in violation of OAR 584-050-
9	0035, Must be Licensed, Registered or Certified at All Times While Employed).
10	
11	The Commission's authority to impose discipline in this matter is based upon ORS
12	342.175.
13	FINAL ORDER
14	The Commission hereby suspends Cheryl Ann Schriver's right to apply for educator
15	licensure for a period of 90 days.
16	IT IS SO ORDERED THIS 24 th day of April, 2013.
17	TEACHER STANDARDS AND PRACTICES COMMISSION
18 19 20	By: Victoria Chamberlain, Executive Director
21 22	
23	NOTICE OF APPEAL OR RIGHTS
24 25 26 27 28	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

## **CERTIFICATE OF MAILING**

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Cheryl Ann Schriver 771 Criteser Loop Toledo, OR 97391-9527

Dated this  $24^{4}$  day of April, 2013.

Patty Liddell

**Investigative Assistant**