

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON

3
4 In the Matter of the) DEFAULT ORDER OF
5 Teaching License of) REVOCATION OF
6 STEPHEN JOHN LUCERO) RIGHT TO APPLY FOR LICENSURE
7

8 On May 13, 2004, the Teacher Standards and Practices Commission (Commission)
9 issued a Notice of Opportunity for Hearing to Stephen John Lucero (Lucero) in which the
10 Commission charged him with misconduct under ORS 342.175. The Notice was sent via U.S.
11 First Class Mail and U.S. Certified Mail Receipt 7003 2260 0000 8804 5917 to the address
12 Mr. Lucero provided to the Commission on his application for licensure. The certified mail
13 receipt was returned to the Commission unclaimed. The Notice of Opportunity of Hearing,
14 dated May 13, 2004, and signed by Victoria Chamberlain, Executive Director, stated:

15 "You, Stephen John Lucero, are entitled to a hearing on the proposed action of
16 the Commission. If you want a hearing, you must file a written request for a
17 hearing with the Commission within 21 days of the date of this notice. Attached
18 to this notice is a copy of the procedures, right of representation and other rights
19 of parties relating to the conduct of a hearing as required under ORS
20 183.413(2)."
21

22 Mr. Lucero did not request a hearing. The Commission, therefore, finds
23 Mr. Lucero to be in default and enters the following findings of fact, conclusions of law
24 and order, based on the files and records of the Commission concerning this matter.

25 **FINDINGS OF FACT**

- 26 1. The Commission issued Mr. Lucero a Basic Teaching License with a Basic
27 Elementary Endorsement on December 11, 2000, that license expired November 15, 2003.
- 28 2. Mr. Lucero began employment with Coos Bay Public Schools on August 29, 1994.
29 Mr. Lucero resigned his employment with the district in lieu of termination effective April 1, 2003.
- 30 3. Between 1999 and 2003, Mr. Lucero kissed NM, a female middle-school student,
31 touched her on the breast and encouraged her to wear miniskirts and tight or revealing clothing.

1 4. Between 1999 and 2003, Mr. Lucero used profanity at school and during school
2 sponsored activities.

3 5. Between 1999 and 2003, Mr. Lucero failed to recognize the worth and dignity of all
4 persons by giving preferential treatment to certain female students.

5 6. Between 1999 and 2003, Mr. Lucero placed students in head locks against their will,
6 hit and slapped students with towels and wrestled with students.

7 7. During the 2000-2001 basketball season Mr. Lucero took the girls basketball team
8 for a night swim in the lake at Tugman State Park after a game in Reedsport, Oregon.

9 **CONCLUSIONS OF LAW**

10 Mr. Lucero's sexual conduct, both verbal and physical, with NM constitutes violation of
11 OAR 584-020-0040(4)(f). By using profanity at school and during school sponsored events
12 Mr. Lucero failed to demonstrate a commitment to use professional judgment in violation of
13 OAR 584-020-0010(5) and engaged in sexual conduct of a verbal nature in violation of OAR
14 584-020-0040(4)(f). Mr. Lucero failed to demonstrate a commitment to recognize the worth and
15 dignity of all persons when he gave preferential treatment to certain female students in violation
16 of OAR 584-020-0010(1). Mr. Lucero violated OAR 584-020-0040(4)(d) by using unreasonable
17 physical force against students which included placing students in head lock positions, hitting,
18 slapping and wrestling with students. When Mr. Lucero took the girls basketball team for a night
19 swim the lake at Tugman State Park after a game in Reedsport, Oregon, he violated District
20 policy and again failed to demonstrate a commitment to use professional judgment in violation
21 of OAR 584-020-0010(5). This misconduct constitutes Gross Neglect of Duty. The
22 Commission's authority to impose discipline in this matter is based upon ORS 342.175.

23 ///

24 ///

25 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14

ORDER

The Commission hereby revokes Stephen John Lucero's right to apply for licensure.

IT IS SO ORDERED this 29th day of July, 2004.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: *Victoria Chamberlain*
Victoria Chamberlain, Executive Director

NOTICE OF APPEAL OR RIGHTS

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.

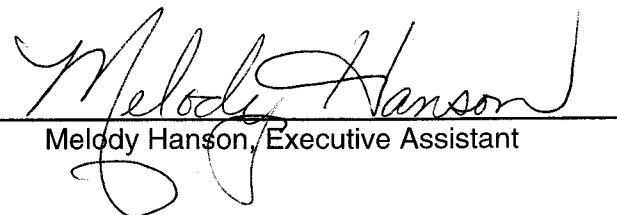
CERTIFICATE OF MAILING

1
3 I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me
4 as such by regular U.S. mail and by U.S. Certified Mail—Return Receipt Requested, addressed
5 to:
6

7 Stephen John Lucero
8 560 Exchange Street
9 North Bend OR 97459

10 Dated this 11th day of August 2004.
11

12
13
14
15
16
By:


Melody Hanson, Executive Assistant