

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the Educator License of) DEFAULT ORDER OF
5 CECILIA MARIE LUEBBERS) REVOCATION OF RIGHT TO APPLY
6) FOR AN EDUCATOR LICENSE
7
8

9 On September 12, 2012, the Teacher Standards and Practices Commission (Commission)
10 issued a Notice of Opportunity for Hearing to Cecilia Marie Luebbers (Luebbers) in which the
11 Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First Class
12 Mail and U.S. Certified Mail Receipt 7011 2000 0001 1292 0264 to the address on file with the
13 Commission. The Notice designated the Commission file as the record for purposes of proving a
14 prima facie case. The Certified Mail was returned to the Commission "Unclaimed" on October
15 04, 2012. The regular mail was not returned to the Commission. The Notice of Opportunity of
16 Hearing, dated September 12, 2012, and signed by Victoria Chamberlain, Executive Director,
17 stated:

18 "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD,
19 YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR
20 FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL.
21 IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A
22 HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY
23 INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER
24 DISCIPLINE."
25

26 Luebbers did not request a hearing. The Commission, therefore, finds Luebbers to be in default
27 and enters the following findings of fact, conclusions of law, and final order, based on the files
28 and records of the Commission concerning this matter.

29 **FINDINGS OF FACT**

- 30 1. Cecilia Marie Luebbers has been licensed by the Commission since July 1, 1975. Luebbers's
31 Basic Teaching License, with an endorsement in Basic Elementary (014), was issued May 2,
32 2008, and expired on May 1, 2011. Luebbers did not make application for renewal. During
33 all relevant times, Luebbers was employed by the Rainier School District.
- 34 2. In January 2010, during the administration of the State of Oregon Online Reading Assessment
35 (OAKS) test, Luebbers violated state test administration guidelines. During the test, Luebbers gave
36 impermissible assistance to a student. Specifically, Luebbers provided two answers to a student
37 while she was taking the test. The incident was reported to the ODE and the test was invalidated.
- 38 3. May thru July 2012, despite multiple attempts to contact Luebbers, both by telephone and via email
39 for an investigative interview, Luebbers refused to contact the TSPC investigator. The investigator

1 informed Luebbers that refusing to cooperate in a mandated interview was grounds for possible
2 discipline by the Commission. Luebbers passively refused to participate in an interview.

3 **CONCLUSIONS OF LAW**

4 Luebbers's conduct described in section two (2) above, constitutes gross neglect of duty
5 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
6 0010(5) (*Use professional judgment*) and OAR 584-020-0025(e) (*Using district lawful and*
7 *reasonable rules and regulations*).

8 Luebbers's conduct described in section three (3) above, constitutes gross neglect of
9 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(p) (*Subject to the exercise of any*
10 *legal right or privilege, failure or refusal by an educator under investigation to respond to*
11 *requests for information, to furnish documents or to participate in interviews with a*
12 *Commission representative relating to a Commission investigation*).

13 The Commission's authority to impose discipline in this matter is based upon
14 ORS 342.175.

15 **FINAL ORDER**

16 The Commission hereby revokes Cecilia Marie Luebbers's Right to Apply for any
17 Educator licensure.

18 IT IS SO ORDERED THIS 15th day of February, 2013.

19 TEACHER STANDARDS AND PRACTICES COMMISSION



20 By: _____
21 Victoria Chamberlain, Executive Director
22
23
24
25
26

27 **NOTICE OF APPEAL OR RIGHTS**

28 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
29 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
30 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:

Cecilia Marie Luebbers
26309 Wonderly Rd
Rainier, OR 97048

Dated this 15th day of February, 2013.

By: Patty Liddell
Patty Liddell
Investigative Assistant