## BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON

In the Matter of the Teaching License of GAVIN D. MACCLUER

DEFAULT ORDER SUSPENDING LICENSE

On or about December 18, 2000, the Teacher Standards and Practices Commission received a complaint from the Scappoose School District No. 1J, indicating that Gavin MacCluer had violated his contract by failing to provide 60 days' written notice prior to resignation. Under OAR 584-050-0020, the Commission informs the educator of intent to suspend the license on the basis of such complaints. The Executive Director took action to notify Gavin MacCluer of intent to suspend his license, and to inform him of his opportunity for hearing by letter dated December 19, 2000. The letter was sent by Certified Mail—Return Receipt Requested #Z 204 897 158. The receipt was signed by Gavin MacCluer on January 2, 2001, and returned to TSPC on January 9, 2001. Gavin MacCluer did not request a hearing.

## FINDINGS OF FACT

1. On or about May 30, 2000, Gavin MacCluer signed a contract with the Scappoose School District for the 2000-2001 School year.

2. On November 27, 2000, Gavin MacCluer submitted a letter of resignation and gave the Scappoose School District notice of intent to resign from his positions as teacher and coach at Scappoose High School. MacCluer basically left his teaching assignment the very day he resigned, refusing to provide any time for transition.

3.

Meeting in regular session on December 11, 2000, the Scappoose School District Board of Directors took action to seek a suspension of Gavin MacCluer's Teaching license for the balance of the 2000-01 school year.

4. The Scappoose School District informed TSPC of this action in a letter dated December 12, 2000, requesting the suspension of Gavin MacCluer's Teaching license.

## **ULTIMATE FINDINGS OF FACT**

Gavin MacCluer signed an employment contract with the Scappoose School District 1J on or about May 30, 2000. Mr. MacCluer submitted a letter of resignation, dated November 27, 2000, and effective immediately.

1	CONCLUSIONS OF LAW
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3	ORS 342.553 requires the suspension of a license for the balance of the school year for failure to
4	provide 60 days' notice prior to resignation. If the charge of the contract violation is proven, and
5	justification for the contract violation is not satisfactory, the Commission is required to suspend
6	the license for the remainder of the school year. The Commission's decision is final.
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8	ORDER
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10	The Commission suspends the Oregon Teaching License #304957, issued to Gavin MacCluer,
11	DOB 04-12-76, SSN 544-02-3365, for violation of contract by resignation without providing 60
12	days' written notice.
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14	Dated this day of March 2001.
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16	TEACHER STANDARDS AND PRACTICES COMMISSION
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20	By Maray / Myth
21	By David V. Myton, Executive Director
22	David V. Hyton, Excounte Director
23	DVM/mgh
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25	ACTION OF THE COMMISSION TO SUSPEND LICENSES FOR CONTRACT
26	VIOLATIONS UNDER ORS 342.553 ARE FINAL AND MAY NOT BE APPEALED.
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29	CERTIFICATE OF MAILING
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31	I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me
32	as such by regular U.S. First Class Mail and by U.S. Certified Mail—Return Receipt Requested
33	to:
34	
35	Gavin MacCluer
36	12505 SW North Dakota St #909
37	Tigard OR 97223
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39	i v th
40	Dated this day of March 2001.
41	day of Watch 2001.
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42	$M \cap M \cap M$
44	By: / eloce Nanson
45	Melody Hanson
46	Executive Assistant to the Commission
<del>1</del> 0	Exceptive Assistant to the Commission