| 1 2 | BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON |
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| 3 4 5 6 | In the Matter of the Educator License of CHELSEA KING (DJURICIC) DEFAULT ORDER OF SUSPENSION OF EDUCATOR LICENSE |
| 7 8 | On December 12, 2018, the Teacher Standards and Practices Commission (Commission) |
| 9 | issued a Notice of Opportunity for Hearing to Chelsea King (Djuricic) (King (Djuricic)) in which the |
| 10 | Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail |
| 11 | and U.S. Certified Mail Receipt 7018 0680 0000 1028 3125 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 receipt was not returned to the Commission. The regular, first |
| 14 | class mail was not returned to the Commission, and both are assumed to have been delivered. The |
| 15 | Notice of Opportunity of Hearing, dated December 12, 2018, and signed by Anthony Rosilez, |
| 16 | Executive Director, stated: |
| 17 18 19 20 21 22 23 | "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THIS COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE." |
| 24 | King (Djuricic) did not request a hearing. The Commission, therefore, finds King (Djuricic) to be in |
| 25 | default and enters the following findings of fact, conclusions of law, and final order, based on the |
| 26 | files and records of the Commission concerning this matter. |
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| 28 | FINDINGS OF FACT |
| 29 | 1. Chelsea King (Djuricic) has been licensed by the Commission since August 7, 2013. King |
| 30 | (Djuricic) holds an Initial I Teaching License, with an endorsement in Special Education |
| 31 | (ECE/ELE L), valid from August 7, 2013 through January 1, 2017. King (Djuricic) made |
| 32 | timely application for renewal of her license, and due to the pending investigation, the |
| 33 | expiration of King's (Djuricic's) license was pended until the investigation process was |
| 34 | complete. During all relevant times, King (Djuricic) was employed by the Canby School |
| 35 | District (CSD). |
| 36 | 2. On February 8, 2017, the Commission received information from the CSD indicating King |
| 37 | (Djuricic) may have committed acts which constitute gross neglect of duty. The district |
| 38 | reported that during the 2016-17 school year, King (Djuricic) had violated school district |
| 39 | policy related to the Drugs, Alcohol and Tobacco Policy. |

3. Investigation determined that on December 12, 2016, school officials were notified by staff that they had witnessed King (Djuricic) seated in her parked car smoking what they believed to be marijuana from a bong type pipe while King (Djuricic) was in the parking lot on school property. As the district conducted their investigation, they learned that other employees had also witnessed King (Djuricic) smoking from a bong, smoking cigarettes, and possibly marijuana while seated in her parked car or another employee's parked car located on school property.

In the course of the investigation, King (Djuricic) admitted to using marijuana recreationally when off duty, but claimed to have never used marijuana before work, during work or on school property. King (Djuricic) admitted to using a bong device to smoke tobacco products while seated in her vehicle or another employees' vehicle. King (Djuricic) stated that she errantly believed the parking lot she did this in was not on school property. Several staff members reported that on occasion, they observed King (Djuricic) to smell like marijuana while working and on school property.

District officials were unable to convincingly sustain the drug use allegations, but found King (Djuricic) in violation of district policies related to use and possession of tobacco and drug paraphernalia on school property. On February 1, 2017, King (Djuricic) reached a separation agreement with the district and resigned her employment "in lieu of termination effective February 15, 2017".

CONCLUSIONS OF LAW

King's (Djuricic's) conduct described above, constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); and OAR 584-020-0040(4)(g) (*Appearing on duty or at any district-sponsored activity while under the influence of alcohol or any controlled substance*).

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

| 1 | FINAL ORDER |
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| 3 | The Commission hereby suspends Chelsea King's (Djuricic's) licensure for a period of thirty |
| 4 | (30) days, to begin upon the date this order is signed and in effect. |
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| 7 | IT IS SO ORDERED THIS 28th day of January, 2019. |
| 8 | TEACHER STANDARDS AND PRACTICES COMMISSION |
| • | By: Anthony J. Rosiles |
| 9 10 11 | Dr. Anthony Rosilez, Executive Director |
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| 14 15 | |
| 16 | NOTICE OF APPEAL OR RIGHTS |
| 17 18 | YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE |
| 19 - | OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF |
| 20 | THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO |
| 21 | THE OREGON COURT OF APPEALS. |