1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 4 5 6 7 In the Matter of the 8 Teaching License of: ORDER SUSPENDING LICENSE 9 10 KEITH CLEVELAND, Licensee 11 12 13 14 On September 10, 2007, and October 17, 2007, Baker School District 5J submitted 15 information to the Commission to consider whether to suspend Licensee's teaching license for the remainder of the school year pursuant to ORS 342.553 and OAR 584-050-0020. Licensee 16 17 was informed on October 9, 2007, that his license would be suspended effective October 30, 2007, unless an appeal was received. Notice was sent via U.S. First Class Mail and U.S. 18 Certified Mail Receipt 7006 0810 0001 4602 2005 to the address on file with the Commission. 19 20 The certified mail receipt was signed by Keith Cleveland and returned to the Commission on October 15, 2007. 21 22 23 Keith Cleveland did not submit an appeal. The Commission, therefore, finds Keith Cleveland to be in default and enters the following findings of fact, conclusions of law and order, based on the 24 files and records of the Commission concerning this matter. 25 26 27 FINDINGS OF FACT 28 29 30 1. On September 10, 2007, the Teacher Standards and Practices Commission received a report from the Baker School District 5J (Baker SD), alleging that Licensee had 31 resigned his teaching position without providing 60 days' written notice prior to resignation. 32 The Commission informed Licensee of the Commission's intent to suspend his teaching license 33 on the basis of Baker SD's report. The Executive Director notified Licensee by certified mail of 34 35 the Commission's proposed action on October 9, 2007. Licensee did not request a hearing. 36 2. 37 Licensee received a letter from Baker SD dated May 14, 2007, offering him a position with the district. The letter provided a space for Licensee to accept or reject the offer. 38 39 Licensee signed the letter from the Baker SD indicating "I accept the above offer of employment". 40 41 42 Licensee signed and dated an Employment Agreement with the Baker SD on July 19, 2007, for the 2007-2008 school year. Employment was to begin August 27, 2007. 43

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1	4. Licensee's employment agreement contains a condition that the undersigned teacher
2	give 60-days written notice of termination to the District Superintendent. Failure to do so subjects
	said teacher to possible loss of certification as set forth under ORS 342.553(1).
4	
5	5. On July 31, 2007, Licensee emailed the Superintendent stating that he was
	resigning from the teaching position with Baker SD effective immediately. Licensee stated he did
	not understand the nature of the job when he signed the contract. It was his opinion that the work
	environment was not conducive to a safe classroom for the students and staff.
	environment was not conductive to a safe classiconn for the students and staff.
9	C O C C 1 A 2007 (1 D 1 CE1 4' CD 1 CD 1 (4 1 D 1 4 1 D 1 4 1 CD 1
10	6. On September 4, 2007, the Board of Education of Baker SD adopted Resolution 08-
	5 stating that TSPC will be contacted to review Keith Cleveland's teaching license for failure to
	give sixty (60) days written notice of termination to the District Superintendent set forth under
	ORS 342.553(1). Licensee submitted a letter to the Baker School Board stating he will not be able
	to attend the Board meeting in person as he was out of town. He provided an explanation of why
15	he resigned and requested that the Baker SD Board not approve turning this matter over to TSPC.
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17	CONCLUSIONS OF LAW
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19	1. By failing to give the required 60 days notice before resigning his position as a
20	teacher, Licensee violated ORS 342.553.
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22	2. Cleveland's teaching license is subject to suspension for the remainder of the school year.
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24	ORDER
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26	Based on the Findings of Fact and Conclusions of Law, it is hereby ordered as follows:
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28	The Initial I Teaching License of Keith Cleveland is suspended effective October 30, 2007,
	for the remainder of the 2007-2008 school year.
30	101 the Telliander of the 2007 2000 Selloof year.
31	$\mathcal{L}_{\mathbf{r}}$
32	IT IS SO ORDERED this day of February 2008.
33	11 15 50 ORDERED this day of reoldary 2008.
34	TEACHER STANDARDS AND PRACTICES COMMISSION
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36 27	AX - OI
37	- Marcha Chamberlann
38	By Manuelain
39	Victoria Chamberlain, Executive Director
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42	NOTICE OF APPEAL RIGHTS
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44	You are entitled to judicial review of this Order in accordance with ORS 183.480 to
	183.482. You may request judicial review by filing a petition for review with the Oregon Court of
45	Appeals within sixty (60) days from the date of this Order.

1	CERTIFICATE OF MAILING
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3	I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as
4	such by regular U.S. mail and by U.S. Certified Mail—Return Receipt Requested, addressed to:
5	
6	Keith Cleveland
7	2114 2 nd Street
8	LaGrande OR 97850-1707
9	·
10	74th
11	Dated thisday of March, 2008.
12	
13	(100)
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15	By: Wody William
16	Melody Hanson, Executive Assistant