

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

In the Matter of the)
Teaching License of)
MARY ELLEN ROBBINS)

On February 21, 2012, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Mary Ellen Robbins (Robbins) in which the Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7009 1410 0002 1925 3297 to the address on file with the Commission. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Certified Mail was returned "Unclaimed" on March 15, 2012. The regular mail was not returned to the Commission. Robbins confirmed receipt of the Notice on February 29, 2012 when she requested a hearing. The Notice of Opportunity of Hearing, dated February 21, 2012, and signed by Victoria Chamberlain, Executive Director, stated:

“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, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE.”

Robbins requested a hearing on February 29, 2012, and the hearings process began. On October 10, 2012, Robbins notified the Commission's Counsel that she was withdrawing from the hearing and would not be attending. On October 12, 2012, the Commission gave notice to the Office of Administrative hearings that the Commission was withdrawing the referral of the case because of Robbins' withdrawal, and would move towards a default order. The Commission, therefore, finds Robbins to be in default and enters the following findings of fact, conclusions of law and order, based on the files and records of the Commission concerning this matter.

FINDINGS OF FACT

1. Robbins has been licensed as a teacher in Oregon since June 11, 1990. She currently holds a Standard Teaching License issued March 9, 2007, with endorsements in Basic Elementary Pre-K-9th grade and Standard Handicapped Pre-K-12th grade, which was scheduled to expire on March 8, 2012. Robbins made application for renewal on February 17, 2012 and her license status was extended pending the outcome of this case.
2. On June 9, 2009, Robbins used school Home Economics equipment to prepare a turkey without requesting or receiving prior permission. Robbins had been advised previously by her supervisors that she could not use any Home Economics equipment for her own

1 purposes, or any other purposes, without prior permission. Furthermore, Robbins did not
2 appropriately supervise the cooking turkey and a fire ensued, requiring district employees to
3 respond to the situation and causing damage to the classroom.

- 4 3. On June 9, 2009, Robbins completed a purchase order for food items for a school picnic. No
5 receipts were turned in for this purchase. Receipts retrieved from the grocery store show
6 that the purchase order was used to purchase a \$200 gift certificate. Robbins did not
7 produce corresponding receipts for the purchase order or school supplies.
- 8 4. While employed with the Brookings Harbor School District, Robbins was assigned as case
9 manager to students requiring additional help in various academic areas. Robbins
10 encouraged or allowed Student R to stop attending alternative education classes and instead
11 spend time in her classroom. Robbins enrolled Student M in online courses rather than
12 provide direct instruction for reading, writing, and math. Afterwards, the students were able
13 to complete tests unusually quick, leading to an investigation. At least one of the students
14 advised district personnel that Robbins had allowed himself and others to see the answers to
15 the tests on Robbins' computer screen.
- 16 5. In early December 2009, Robbins requested 6 days off from work but was absent until
17 January 18, 2010.

18 CONCLUSIONS OF LAW

19 Mary Robbins' conduct described in section #2 above constitutes gross neglect of duty in
20 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
21 0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(b) (*Using and maintaining*
22 *district property, equipment, and materials appropriately*); OAR 584-020-0040(4)(a)
23 (*Knowing and substantial unauthorized use of: school name or financial credit; school*
24 *materials or equipment for personal purposes; or school personnel to provide personal*
25 *services unrelated to school business*); and OAR 584-020-0040(4)(b) (*Knowing and*
26 *substantial unauthorized use of employment time or school resources for private purposes*).

27 Mary Robbins' conduct described in section #3 above, constitutes gross neglect of duty
28 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
29 0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and*
30 *reasonable rules and regulations*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-
31 0035(2)(e) (*Not use the district's or school's name, property, or resources for non-educational*
32 *benefit or purposes without approval of the educator's supervisor or the appointing*
33 *authority*); OAR 584-020-0040(4)(a) (*Knowing and substantial unauthorized use of: school*
34 *name or financial credit; school materials or equipment for personal purposes; or school*

1 *personnel to provide personal services unrelated to school business); OAR 584-020-0040(4)(c)*
2 *(Knowing falsification of any document or knowing misrepresentation directly related to*
3 *licensure, employment, or professional duties).*

4 Mary Robbins' conduct described in section #4 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(2) (*Encourage scholarship*), OAR 584-020-0010(4) (*Raise educational standards*), OAR
7 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0010(6) (*Promote equitable*
8 *learning opportunities*), OAR 584-020-0015(2)(a) (*Use of state and district adopted*
9 *curriculum and goals*), OAR 584-020-0015(2)(e) (*Skill in the selection and use of teaching*
10 *techniques conducive to student learning*).

11 Mary Robbins' conduct described in section #5 above, constitutes gross neglect of duty in
12 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
13 0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and*
14 *reasonable rules and regulations*); OAR 584-020-0040(4)(c) (*Knowing falsification of any*
15 *document or knowing misrepresentation directly related to licensure, employment, or*
16 *professional duties*).

17 The Commission's authority to impose discipline in this matter is based upon ORS
18 342.175.

19 FINAL ORDER

20 The Commission hereby revokes Mary Ellen Robbins right to apply for a license for one
21 year from the effective date of this order.

22 IT IS SO ORDERED THIS 23rd day of October, 2012.

23 TEACHER STANDARDS AND PRACTICES COMMISSION

24
25 

26 By: _____
27 Victoria Chamberlain, Executive Director

28 NOTICE OF APPEAL OR RIGHTS

29
30 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
31 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
32 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
33 THE OREGON COURT OF APPEALS.