

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

In the Matter of the Educator License of ) DEFAULT ORDER OF 90 DAY  
CHERYL ANN SCHRIVER ) SUSPENSION OF RIGHT TO APPLY FOR  
 ) AN EDUCATOR LICENSE

On September 12, 2012, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Cheryl Ann Schriver (Schriver) 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 7011 2000 0001 1292 0325 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 not returned to the Commission, and the return receipt was received by TSPC on September 14, 2012. The Notice of Opportunity of Hearing, dated September 12, 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."

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

**FINDINGS OF FACT**

1. Cheryl Ann Schriver has been licensed by the Commission since July 11, 2008. Schriver's Charter School Registry with an endorsement in Art (ML/HS, ECE/ELE L), was issued July 11, 2008, and expired on July 11, 2011. During all relevant times, Schriver was employed by the Siletz Valley Public Charter School.
2. On June 27, 2011, Schriver made timely application for renewal of her registration but failed to pass the mandatory ORELA Civil Rights exam, making Schriver's application incomplete. As a result, Schriver's charter school registry expired as scheduled, after her allotted 120 day grace period ended on November 8, 2011. On April 9, 2012, Schriver made application to reinstate her expired registration. Schriver's supporting paperwork indicated she had continued to teach from November 8, 2011, through April 13, 2012, a period of approximately five months, while her Charter School Registration had been expired. During this time, Schriver did not hold a valid license or charter school registry. Records indicate Schriver's additional attempts to pass the required civil rights

1 exam had failed. Schriver's district requested an Emergency License to allow her to continue to  
2 teach while she made further attempts to pass the required exam. This request was denied and  
3 Schriver was removed from teaching by the school district.

4 **CONCLUSIONS OF LAW**

5 Schriver's conduct described in section two (2) above, constitutes gross neglect of duty in  
6 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-  
7 0010(5) (*Use professional judgment*), OAR 584-020-0040(4)(r) (*Knowingly working without*  
8 *a license*); and OAR 584-050-0006(f) (*The applicant has served in violation of OAR 584-050-*  
9 *0035, Must be Licensed, Registered or Certified at All Times While Employed*).


10  
11 The Commission's authority to impose discipline in this matter is based upon ORS  
12 342.175.

13 **FINAL ORDER**

14 The Commission hereby suspends Cheryl Ann Schriver's right to apply for educator  
15 licensure for a period of 90 days.

16 IT IS SO ORDERED THIS 24<sup>th</sup> day of April, 2013.

17 **TEACHER STANDARDS AND PRACTICES COMMISSION**

18  
19 By:   
20 Victoria Chamberlain, Executive Director  
21  
22

23 **NOTICE OF APPEAL OR RIGHTS**

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25 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE  
26 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF  
27 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO  
28 THE OREGON COURT OF APPEALS.