

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the
5 Teaching License of
6 GAVIN D. MACCLUER
7
8

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

DEFAULT ORDER
SUSPENDING LICENSE

9 On or about December 18, 2000, the Teacher Standards and Practices Commission received a
10 complaint from the Scappoose School District No. 1J, indicating that Gavin MacCluer had
11 violated his contract by failing to provide 60 days' written notice prior to resignation. Under
12 OAR 584-050-0020, the Commission informs the educator of intent to suspend the license on the
13 basis of such complaints. The Executive Director took action to notify Gavin MacCluer of intent
14 to suspend his license, and to inform him of his opportunity for hearing by letter dated December
15 19, 2000. The letter was sent by Certified Mail—Return Receipt Requested #Z 204 897 158.
16 The receipt was signed by Gavin MacCluer on January 2, 2001, and returned to TSPC on
17 January 9, 2001. Gavin MacCluer did not request a hearing.
18

19 FINDINGS OF FACT
20

- 21 1. On or about May 30, 2000, Gavin MacCluer signed a contract with the Scappoose School
22 District for the 2000-2001 School year.
23
24 2. On November 27, 2000, Gavin MacCluer submitted a letter of resignation and gave the
25 Scappoose School District notice of intent to resign from his positions as teacher and
26 coach at Scappoose High School. MacCluer basically left his teaching assignment the
27 very day he resigned, refusing to provide any time for transition.
28
29 3. Meeting in regular session on December 11, 2000, the Scappoose School District Board
30 of Directors took action to seek a suspension of Gavin MacCluer's Teaching license for
31 the balance of the 2000-01 school year.
32
33 4. The Scappoose School District informed TSPC of this action in a letter dated December
34 12, 2000, requesting the suspension of Gavin MacCluer's Teaching license.
35
36
37
38

39 ULTIMATE FINDINGS OF FACT
40
41
42

39 Gavin MacCluer signed an employment contract with the Scappoose School District 1J on or
40 about May 30, 2000. Mr. MacCluer submitted a letter of resignation, dated November 27, 2000,
41 and effective immediately.
42

1 CONCLUSIONS OF LAW

2
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.

7
8 ORDER

9
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.

13
14 Dated this 9th day of March 2001.

15
16 TEACHER STANDARDS AND PRACTICES COMMISSION

17
18 By David V. Myton
19
20 David V. Myton, Executive Director
21
22

23 DVM/mgh

24
25 ACTION OF THE COMMISSION TO SUSPEND LICENSES FOR CONTRACT
26 VIOLATIONS UNDER ORS 342.553 ARE FINAL AND MAY NOT BE APPEALED.

27
28
29 CERTIFICATE OF MAILING

30
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
36
37
38
39 Dated this 15th day of March 2001.

40
41
42 By: Melody Hanson
43
44 Melody Hanson
45 Executive Assistant to the Commission
46