

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
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4 In the Matter of the
5 Teaching License of
6 MARK RICHARD GERMAN
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DEFAULT ORDER
SUSPENDING LICENSE

On or about September 8, 2000, the Teacher Standards and Practices Commission received a complaint from the Hermiston School District No. 8R, indicating that Mark German had violated his contract by failing to provide 60 days' written notice prior to resignation. Under OAR 584-050-0020, the Commission informs the educator of intent to suspend the license on the basis of such complaints. The Executive Director took action to notify Mark German of intent to suspend his license, and to inform him of his opportunity for hearing by letter dated October 18, 2000. The letter was sent by Certified Mail—Return Receipt Requested #Z 294 586 819. The receipt was signed by Patty German on October 28, 2000, and returned to TSPC on October 30, 2000. Mark German did not request a hearing.

FINDINGS OF FACT

1. On or about May 26, 2000, Mark German signed a contract with the Hermiston School District for the 2000-2001 School year.
2. On August 14, 2000, Mark German submitted a letter of resignation and gave the Hermiston School District notice of intent to resign his position as a sixth grade teacher at Armand Larive Middle School. This notification came seven days before he was expected to fulfill his duties. He will also no longer fulfill his basketball and tennis coaching positions.
3. Meeting in regular session on September 5, 2000, the Hermiston School District Board of Directors took action to seek a suspension of Mark German's Teaching license for the balance of the 2000-01 school year.
4. The Hermiston School District informed TSPC of this action in a letter dated September 6, 2000, requesting the suspension of Mark German's Teaching license.

ULTIMATE FINDINGS OF FACT

Mark German signed an employment contract with the Hermiston School District on or about May 26, 2000. Mr. German submitted a letter of resignation, dated August 14, 2000, and effective immediately.

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CONCLUSIONS OF LAW

ORS 342.553 requires the suspension of a license for the balance of the school year for failure to provide 60 days' notice prior to resignation. If the charge of the contract violation is proven, and justification for the contract violation is not satisfactory, the Commission is required to suspend the license for the remainder of the school year. The Commission's decision is final.

ORDER

The Commission suspends the Oregon Teaching License #307391, issued to Mark German, for violation of contract by resignation without providing 60 days' written notice.

Dated this 12th day of January 2001.

TEACHER STANDARDS AND PRACTICES COMMISSION

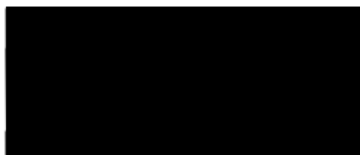
By David V. Myton
David V. Myton, Executive Director

DVM/mgh

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

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by regular U.S. First Class Mail and by U.S. Certified Mail—Return Receipt Requested to:



Dated this 29th day of January 2001.

By: Melody Hanson
Melody Hanson
Executive Assistant to the Commission