

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

In the Matter of the Educator )  
License of )  
LINDA JO CAREW )

On March 18, 2015, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Linda Jo Carew (Carew) in which the Commission charged her with Gross Neglect of Duty and Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7014 0150 0000 1046 5598 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 receipt was returned unsigned to the Commission on April 1, 2015. The first class mail was not returned and assumed delivered. The Notice of Opportunity for Hearing, dated March 18, 2015, 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.”

Carew did not request a hearing. The Commission, therefore, finds Carew 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. Carew had been licensed as a teacher in Oregon since December 22, 1977. Carew's Standard Teaching License, with endorsements in Basic Elementary (014) and Standard Exceptional Learner I (018), was valid from March 20, 2009 through March 19, 2014. Carew did not make application for renewal. During all relevant times, Carew was not employed in a teaching position.

2. On February 22, 2014, the Commission conducted a routine background check in conjunction with Carew's license coming up for renewal. The results of Carew's background check indicated a criminal conviction in September of 2013. According to reports, on September 6, 2013, Carew was convicted of Possession of a Controlled Substance II (C-felony), and Theft III (C misdemeanor). Carew was sentenced to 10 days in jail, 18 months' probation and required to participate in a drug treatment program. Carew's conduct that lead to these charges and convictions included the theft of prescription drugs from a client Carew served as a caretaker for. When contacted by Commission investigators, Carew refused to conduct an interview. Commission records indicate Carew did not make application for the renewal of her license.

### CONCLUSIONS OF LAW

The conduct described above establishes that Carew does not possess good moral character or mental and physical fitness as required to hold a license under ORS 342,143(2). Carew's conduct also constitutes gross neglect of duty in violation of OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty*). Carew's conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any federal, state, or local law. A conviction includes any final judgment of conviction by a court whether as the result of guilty plea, no contest plea or any other means*), and OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the absence of a conviction*).

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

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1 **FINAL ORDER**

2 The Commission hereby revokes Linda Jo Carew's right to apply for licensure.

3 IT IS SO ORDERED THIS 20<sup>th</sup> day of May, 2015.

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5 TEACHER STANDARDS AND PRACTICES COMMISSION



6 By: \_\_\_\_\_  
7 Victoria Chamberlain, Executive Director  
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9 NOTICE OF APPEAL OR RIGHTS

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