

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2
3 OF THE STATE OF OREGON
4
5
6

7 In the Matter of the)
8 Teaching License of:) ORDER SUSPENDING
9) LICENSE
10 HEIDE HAUSKEN,)
11 Licensee)
12
13

14 This matter came before the Commission on March 16, 2007 to consider whether to
15 suspend Licensee's teaching license for the remainder of the school year pursuant to ORS
16 342.553 and OAR 584-050-0020. Licensee appeared in person representing herself. The
17 Commission was represented by Raul Ramirez, Assistant Attorney General. The following
18 witnesses testified: Hank Harris, Director of Human Resources for Canby School District
19 (CSD), Justin Potts, Teacher at CSD. The Commission also received sworn testimony in writing
20 from Sondra Strong, Director of Special Programs, CSD. Licensee testified on her behalf.
21

22 Exhibits 1 to 6 were offered and admitted into evidence without objection. Based on the
23 foregoing, the Commission now makes the following:
24

25 FINDINGS OF FACT
26
27

28 1. On November 22, 2006, the Teacher Standards and Practices Commission
29 received a report from the Canby School District (CSD), alleging that Licensee had resigned her
30 teaching position without providing 60 days' written notice prior to resignation. The
31 Commission informed Licensee of the Commission's intent to suspend her teaching license on
32 the basis of CSD's report. The Executive Director notified Licensee by certified mail of the
33 Commission's proposed action on December 1, 2006. Licensee requested a hearing. (Ex 1 to 3)
34

35 2. Licensee was employed as a teacher for the Canby School District (District)
36 during the 2005-2006 school year. On March 6, 2006, the District Board of Directors notified
37 Licensee that the Canby School Board voted to renew Licensee's probationary teacher's contract
38 for the 2006-2007 school year. (Test. of Harris, Hausken; Ex 5)
39

40 3. The Notice of contract renewal provided a space for Licensee to accept or reject
41 the offer. Licensee did not return the form to the District. Licensee's collective bargaining
42 agreement requires a 60-day notice of resignation. Licensee appeared for work on or about
43 September 8, 2006. When a teacher does not return a signed acceptance or rejection of the
44 contract renewal offer, the district treats the situation as an acceptance of the offer. In Licensee's
45 case, the District did so. When Licensee showed up for work at the beginning of the school year,

1 the District additionally relied on her appearance as acceptance of the contract and its terms.
2 (Test. of Harris, Ex 5)
3

4 4. Licensee was incorrectly informed by a union representative that she was not
5 subject to the requirement that she give at least 60-days notice before resigning. On September
6 19, 2006, Licensee submitted a letter of resignation to Harris stating she was resigning her
7 position effective October 20, 2006. Licensee did not provide a specific reason for her
8 resignation. She stated "I have enjoyed working with the Canby School District's fine staff of
9 professionals, and I will miss my associations here." (Test. of Harris, Hausken, Ex 1, p 9; Ex 3).
10

11 5. Harris discussed with Licensee the requirement that she was obligated to provide
12 a 60-day notice of resignation. Harris conferred with Licensee's supervisor, Sondra Strong,
13 about alternate ways that Licensee could fulfill her obligation to the District. Harris wrote to
14 Licensee on September 20, 2006 regarding a proposal for Licensee to fulfill the 60-day notice
15 requirement. Licensee responded to Harris by email, confirming that Licensee's last day would
16 be October 20, 2006. (Test. of Harris, Hausken, Ex 1)
17
18

19 CONCLUSIONS OF LAW 20

21 1. By failing to give the required 60 days notice before resigning her position as a
22 teacher, Licensee violated ORS 342.553.
23

24 2. Hausken's teaching license is subject to suspension for the remainder of the
25 school year.
26

27 ORDER 28

29 Based on the Findings of Fact and Conclusions of Law, it is hereby ordered as follows:
30

31 The Transitional School Psychologist License of Heide Hausken is suspended for the
32 remainder of the 2006-2007 school year.
33
34

35 IT IS SO ORDERED this 10 day of May 2007.
36
37

38
39 TEACHER STANDARDS AND PRACTICES COMMISSION
40

41
42 By Victoria Chamberlain
43 Victoria Chamberlain, Executive Director
44
45
46

1
2
3
4
5
6
7
8

NOTICE OF APPEAL RIGHTS

You are entitled to judicial review of this Order in accordance with ORS 183.480 to 183.482. You may request judicial review by filing a petition for review with the Oregon Court of Appeals within sixty (60) days from the date of this Order.