## 1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON 3 In the Matter of the STIPULATION OF FACTS AND 4 **Educator License of** ) FINAL ORDER OF 5 CHERYL L. SUMERLIN PUBLIC REPRIMAND 6 7 On May 2, 2019, the Teacher Standards and Practices Commission (Commission) 8 received a report from the Crook County School District (District) indicating that Cheryl 9 L. Sumerlin (Sumerlin) may have committed an act of gross neglect of duty and/or gross 10 unfitness. Specifically, the District reported Sumerlin was sentenced in criminal court for 11 her misuse of funds from the account of a non-school related activity. 12 After review of the matters alleged, Sumerlin and the Commission agree that 13 their respective interests, together with the public interest, are best served by a 14 stipulation to certain facts and the imposition of a Public Reprimand. 15 This Order sets forth the facts upon which the parties have agreed and the 16 sanction to be imposed. In entering into this stipulation, Sumerlin waives the right to a 17 hearing to contest the findings of fact, conclusions of law and order set forth below. 18 By signing below, Sumerlin acknowledges, understands, stipulates, and agrees to 19 the following: (i) she has been fully advised of her rights to notice and a hearing to 20 contest the findings of fact, conclusions of law, and order set forth below, and fully and 21 finally waives all such rights and any rights to appeal or otherwise challenge this 22 Stipulation of Facts and Final Order of Public Reprimand (Stipulation and Final Order); 23 (ii) this Stipulation and Final Order is a public document and disclosed to the public 24 upon request by the Commission; (iii) this Stipulation and Final Order is contingent 25 upon and subject to approval and adoption by the Commission. If the Commission does 26 not approve and adopt this Stipulation and Final Order, then neither Sumerlin nor the 27 Commission are bound by the terms herein; (iv) she has fully read this Stipulation and 28 Final Order, and understands it completely; (v) she voluntarily, without any force or 29 duress, enters into this Stipulation and Final Order and consents to issuance and entry of 30 the Stipulated Final Order below; (vi) she states that no promise or representation has been made to induce her to sign this Stipulation and Final Order; and (vii) she has 31 32 consulted with an attorney regarding this Stipulation and Final Order and has been fully 33 advised with regard to her rights thereto, or waives any and all rights to consult with an attorney prior to entering into this Stipulation and Final Order and issuance and entry of

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the Stipulated Final Order below.

## STIPULATION OF FACTS

- The Commission has licensed Sumerlin since March 28, 1997. Sumerlin holds a
  Professional Teaching License, with a Specialization: Early Childhood Education
  (PK-12) and an endorsement in Elementary Multiple Subjects (PK-12), valid
  from November 11, 2018, through November 17, 2023. During all relevant times,
  Sumerlin was employed by the Crook County School District (CCSD).
  - On May 2, 2019, the Commission received a report from the CCSD reporting that Sumerlin was sentenced in criminal court for her misuse of funds from the account of a non-school affiliated activity.
  - 3. Investigation determined that in October 2014, Sumerlin began serving as a voluntary treasurer for the group known as the Redmond High School (RHS) Senior Graduation Committee. The group raised funds for and hosted the Senior Graduation Night Party for the senior class at RHS, but was not officially affiliated with the high school or the Redmond School District. When Sumerlin began her role as treasurer, she opened a personal checking account for the Committee under her name at Bank of the Cascades. During her time as treasurer, Sumerlin co-mingled Committee funds and her personal finances in the account. Sumerlin managed the account for the 2015 and 2016 graduating classes' parties. In July 2016, Sumerlin ended her role as treasurer.
  - 4. Following Sumerlin's departure as treasurer, a new treasurer reviewed account records for the 2014-2015 and 2015-2016 school years and found several transactions unrelated to RHS Graduation Committee's activities. Local law enforcement was contacted, and a criminal investigation initiated. The criminal investigation determined Sumerlin had comingled personal funds in the account to offset funds she misappropriated for personal expenses which were not related to Committee activities. Sumerlin maintained she added personal funds to the account which equaled or exceeded any monies she used for personal expenses.
  - 5. On April 27, 2017, Sumerlin was accused by the Deschutes County Grand Jury of, and indicted on, three (3) felony counts of Theft in the First Degree, two (2) felony counts of Fraudulent Use of a Credit Card in the First Degree, and three (3) felony counts of Identity Theft in the First Degree. On March 26, 2019, Sumerlin accepted a plea agreement and plead guilty to two (2) misdemeanor counts of Fraudulent Use of a Credit Card and two (2) misdemeanor counts of Identity Theft. On April 30, 2019, Sumerlin was sentenced. Sumerlin's sentence

1	included paying a \$1,000 compensatory fine to the RSD, two (2) days' jail time
2	per count, 125 hours of community service per count and probation for twenty-
3	four (24) months. On June 11, 2019, Sumerlin resigned her position with the
4	CCSD effective June 14, 2019, in lieu of termination.
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6	IT IS SO STIPULATED:
7 8 9 10 11 12	Cheryl L. Sumerlin  Cheryl L. Sumerlin  Date  1/20/2028  Trent Danowski, Deputy Director  Teacher Standards and Practices Commission
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14	CONCLUSION OF LAW
15	The conduct described above constitutes gross neglect of duty in violation of ORS
16	342.175(1)(b); OAR $584-020-0040(4)(n)$ as it incorporates OAR $584-020-0010(5)$ ( $Use$
17	professional judgment), and OAR 584-020-0035(3)(a) (Maintain the dignity of the
18	profession by respecting and obeying the law, exemplifying personal integrity and
19	honesty). The above conduct also constitutes gross unfitness in violation of ORS
20	342.175(1)(c); OAR 584-020-0040(5)(b) (Fraud or misrepresentation); and 584-020-
21	0040(5)(c) (Conviction of violating any federal, state, or local law. A conviction
22	includes any final judgment of conviction by a court whether as the result of guilty
23	plea, no contest plea or any other means).
24	
25	The Commission's authority to impose discipline in this matter is based upon
26	ORS 342.175.
27 28	ORDER
29	The Commission adopts and incorporates herein the above findings of fact and
30	conclusions of law, and based thereon, imposes a Public Reprimand on Cheryl L.
31	Sumerlin's Oregon educator license.
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34	Issued and dated this day of February 2022.
35	TEACHER STANDARDS AND PRACTICES COMMISSION
36	STATE OF OREGON

Page 3 STIPULATION OF FACTS AND FINAL ORDER OF PUBLIC REPRIMAND—CHERYL  ${\tt L}.$  SUMERLIN

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By
Dr. Anthony Rosilez, Executive Director