

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

4 In the Matter of the Educator) DEFAULT ORDER OF
5 License of) REVOCATION OF
6 MARY LYNN BOND-NEUMANN) EDUCATOR LICENSE
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9 On December 2, 2013, the Teacher Standards and Practices Commission
10 (Commission) issued a Notice of Opportunity for Hearing to Mary Lynn Bond-Neumann
11 (Bond-Neumann) in which the Commission charged her with Gross Neglect of Duty. The
12 Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7012 1010 0003
13 2804 2254 to the address on file with the Commission. The Notice designated the
14 Commission file as the record for purposes of proving a prima facie case. The Certified Mail
15 receipt was not returned to the Commission, nor was the letter returned as undelivered. The
16 first class mail was not returned to the Commission. The Notice of Opportunity of Hearing,
17 dated December 2, 2013, and signed by Victoria Chamberlain, Executive Director, stated:

18 “IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
19 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
20 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
21 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU
22 FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER
23 OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF
24 YOUR LICENSE OR OTHER DISCIPLINE.”
25

26 Bond-Neumann did not request a hearing. The Commission, therefore, finds Bond-
27 Neumann to be in default and enters the following findings of fact, conclusions of law, and
28 final order, based on the files and records of the Commission concerning this matter.

29 **FINDINGS OF FACT**

- 30 1. Bond-Neumann has been licensed as a teacher in Oregon since November 13, 1990.
31 Bond-Neumann’s Standard Teaching License, with an endorsement in Standard
32 Elementary (016) was issued on September 8, 2008, and expires on June 21, 2014.
33 During all relevant times, Bond-Neumann was employed by the Klamath County School
34 District.
35 2. On January 25, 2013, the Commission received information from the Klamath
36 County School District indicating Bond-Neumann may have committed acts which
37 constitute gross neglect of duty. Subsequent investigation determined that on

1 January 3, 2013, staff of the Sterns Elementary School reported Bond-Neumann's
2 breath smelled of alcohol, Bond-Neumann slurred her speech, and had difficulty
3 following directions. Staff reported their concern to the building principal that Bond-
4 Neumann was under the influence of alcohol while teaching. The principal contacted
5 Bond-Neumann and made similar observations of Bond-Neumann's behavior. When
6 Bond-Neumann was asked if she had consumed alcohol, Bond-Neumann responded
7 "I'm not going down that road. If you are uncomfortable with me, I will take my
8 belongings and go home". When the Principal followed up with additional questions,
9 Bond-Neumann refused to answer. Bond-Neumann was removed from the
10 classroom and later removed from the substitute teacher list.

- 11 3. On November 7, 2005, Bond-Neumann entered into a stipulated agreement with the
12 Commission regarding being under the influence of alcohol while on duty. Bond-
13 Neumann received a public reprimand and four years probation as Bond-Neumann
14 sought treatment for alcohol dependency. On February 11, 2008, Bond-Neumann
15 entered into a stipulated agreement with the Commission resulting in a five month
16 suspension of her teaching license followed by four years of probation for being
17 under the influence of alcohol while on duty.
- 18 4. Commission investigators made multiple attempts to conduct an interview with
19 Bond-Neumann. This included Bond-Neumann receiving and signing for certified
20 mail, regular mail, email, and telephone calls all requesting Bond-Neumann contact
21 the investigator as required by rule OAR 584-020-0040(4)(p). Bond-Neumann
22 failed to contact the investigator as required.

23 24 **CONCLUSIONS OF LAW**

25 Bond-Neumann's conduct described in sections two (2) and three (3) above
26 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-
27 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR
28 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); OAR
29 584-020-0040(4)(g) (*Appearing on duty or at any district-sponsored activity while under*
30 *the influence of alcohol or any controlled substance*); and OAR 584-020-0040(4)(k)
31 (*Knowing violation of any order or rule of the Commission*).


1 Bond's conduct described in section four (4) above constitutes gross neglect of duty
2 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
3 020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(4)(p) (*Subject to the*
4 *exercise of any legal right or privilege, failure or refusal by an educator under*
5 *investigation to respond to requests for information, to furnish documents or to*
6 *participate in interviews with a Commission representative relating to a Commission*
7 *investigation*).

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9 The Commission's authority to impose discipline in this matter is based upon ORS
10 342.175.

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12 **FINAL ORDER**

13 The Commission hereby revokes Mary Lynn Bond-Neumann's Educator license.
14 IT IS SO ORDERED THIS 11th day of February, 2014.

15 TEACHER STANDARDS AND PRACTICES COMMISSION

16
17 By: 
18 Victoria Chamberlain, Executive Director

19 NOTICE OF APPEAL OR RIGHTS

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

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Mary Lynn Bond-Neumann
649 Front St
Klamath Falls, OR 97601-1913

Dated this 11th day of February, 2014.

By: Patty Liddell
Patty Liddell
Investigative Assistant