

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION **RECEIVED**
OF THE STATE OF OREGON JAN 23 2017

In the Matter of the) **STIPULATION OF FACTS AND**
Educator License of:) **FINAL ORDER OF** Teacher Standards &
Practices Commission
SUSAN GERTRUDE BUCHERT) **REVOCATION OF RIGHT TO APPLY**

On or about July 3, 2014, the Teacher Standards and Practices Commission (Commission) received a report from the Eugene School District, indicating that licensed educator Susan Buchert (Buchert) may have violated professional standards.

After review of the matters alleged, Buchert and the Commission agree that their respective interests, together with the public interest, are best served by a stipulation to certain facts, and revocation of Buchert's right to apply for licensure.

This document sets forth the facts upon which the parties have agreed and the stipulated sanction to be imposed. Buchert stipulates that there is sufficient evidence in the Commission's files and records to support the findings of fact, conclusions of law, and order set forth below.

By signing below, Buchert acknowledges, understands, stipulates, and agrees to the following: (i) she has been fully advised of her rights to notice and a hearing to contest the findings of fact, conclusions of law, and order set forth below, and fully and finally waives all such rights and any rights to appeal or otherwise challenge this Stipulation of Facts and Final Order of Revocation of Right to Apply (Stipulation and Final Order); (ii) this Stipulation and Final Order is a public document and disclosed to the public upon request by the Commission; (iii) this Stipulation and Final Order is contingent upon and subject to approval and adoption by the Commission. If the Commission does not approve and adopt this Stipulation and Final Order, then neither Buchert nor the Commission are bound by the terms herein;

(iv) she has fully read this Stipulation and Final Order, and understands it completely; (v) she voluntarily, without any force or duress, enters into this Stipulation and Final Order and consents to issuance and entry of the Stipulated Final Order below; (vi) she states that no promises or representation has been made to induce her to sign this Stipulation and Final Order; and (vii) she has consulted with an attorney regarding this Stipulation and Final Order and has been fully 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 the Stipulated Final Order below. This Order sets forth the facts upon which the parties have agreed and the sanction to be imposed. In entering into this stipulation, Buchert waives the right to a hearing to contest the findings of fact, conclusions of law and order set forth below.

STIPULATION OF FACTS

- The Commission has licensed Buchert since March 13, 2000. Buchert's Initial II Teaching License; with endorsements in Early Intervention/Special Education (EISE), Multiple Subjects Self-Contained (EDE, ELE), Reading (ML/HS, ECE/ELE L), and Special Education (ECE/ELE L); was valid from January 19, 2013, through March 31, 2016. Buchert has not made application for renewal of her licensure. During all relevant times, Buchert was employed by the Eugene School District.
- On July 3, 2014, the Commission was notified by the Eugene School District that Buchert may have violated professional standards. The school district's report indicated that the Oregon Department of Humans Services (DHS) had substantiated a report that Buchert had abused and/or neglected her own children.

- Investigation determined that DHS conducted an investigation into Buchert's possible abuse of her two, 10-year-old twin children, AB and JB. On May 28, 2014, DHS "Founded" the investigation for neglect. On or about June 16, 2014, Buchert entered into a Circuit Court agreement resulting in the children falling under the jurisdiction of the courts and placed with other family members while Buchert works with DHS to meet agreed upon requirements to safely parent the children. On or about May of 2014, the Eugene School District placed Buchert on administrative leave and did not renew Buchert's teaching contract.
- Buchert has not been convicted of any criminal acts related to the issues regarding her children and the DHS matters. She asserts her innocence and does not admit to any criminal conduct by signing this agreement.

IT IS SO STIPULATED:

Susan Gertrude Buchert

Susan Gertrude Buchert

Date 1-19-17

Monica Beane

Dr. Beane, Executive Director
Teacher Standards and Practices Commission

Date 1-24-17

CONCLUSION OF LAW

Susan Gertrude Buchert's conduct that resulted in the revocation of her parental rights, and the loss of those rights, demonstrates Gross Unfitness. Buchert's conduct as described above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1) (*Recognize the worth and dignity of all persons and respect for each individual*), and OAR 584-020-0010(5)

(Use professional judgment). Additionally, your conduct constitutes "gross unfitness" in violation of ORS 342.175(1)(c), OAR 584-020-0040(3)(c) and (d) as defined by OAR 584-020-0040 (5) (*Gross unfitness is any conduct which renders an educator unqualified to perform his or her professional responsibilities*), 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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ORDER

The Commission adopts the above Stipulation of Facts, and hereby revokes Susan Gertrude Buchert's right to apply for an educator license.

IT IS SO ORDERED this 26th day of January, 2017.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: Monica Beane
Dr. Monica Beane, Executive Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts and Final Order of Revocation of Right to Apply, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail – Return Receipt Requested, addressed to:

Susan Gertrude Buchert
1542 Fetters Loop
Eugene, OR 97402-6721

DATED this 6th day of February, 2017.

By: Patty Sheldon
Patty Sheldon
Investigative Assistant

Certificate of Mailing – Susan Gertrude Buchert

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