

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

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| In the Matter of the |) | DEFAULT ORDER DENYING |
| Teaching License of: |) | APPLICATION FOR SCHOOL |
| |) | COUNSELING LICENSE |
| CINDI MARIE CORRIE |) | OAH Case No.: 800577 |

On June 10, 2008, the Teacher Standards and Practices Commission (“Commission”) issued its Notice of Denial of Application for School Counseling License and Opportunity for Hearing alleging that Cindi Marie Corrie did not meet the requirements for an Initial School Counseling License under temporary administrative rule 584-070-0013 (effective April 1, 2006, through October 1, 2006).

On June 26, 2008, Ms. Corrie requested a hearing. The Commission referred the matter to the Office of Administrative Hearings (OAH) for a contested case hearing which was held in Salem at the OAH on December 3, 2008. Ms. Corrie failed to appear at this hearing.

Based on Ms. Corrie’s failure to appear at the hearing, the Commission finds her in default and enters the following order based on the records and files of the Commission in this matter.

II. FINDINGS OF FACT

1. On March 9, 2006, the Commission adopted a temporary rule, OAR 584-070-0013, which allowed Oregon Department of Education Certified Child Development Specialists meeting certain requirements to become Initial School Counselors.
2. This temporary rule, former OAR 584-070-0013, went into effect April 1, 2006, and expired October 1, 2006. The Commission allowed Certified Child Development Specialists to apply for the Initial School Counselor License. At the time Ms. Corrie applied for the Initial School Counselor License she was not an Oregon Department of Education Certified Child Development Specialist as required under OAR 584-070-0013(1) and (3). The PEER report submitted with her application indicated that her Child Development Specialist status existed from 1994 to 2002.
3. Pursuant to ORS 342.125(1) and OAR 584-050-0005(1)(a) the Commission has no legal authority to issue a license for which an applicant is not qualified.

4. On December 3, 2008, a contested case hearing on the matter was convened. Ms. Corrie failed to appear. She received notice of the hearing from the OAH in a prehearing conference and in writing, and from the Department of Justice when exhibits were submitted.


III. CONCLUSIONS OF LAW

1. Former OAR 584-070-0013, required in part that the applicant be a currently Certified Child Development Specialist.
2. Ms. Corrie's application failed to meet the requirements of former OAR 584-070-0013 because she was not a Certified Child Development Specialist at the time she applied for an Initial School Counselor License.
3. Pursuant to ORS 342.125(1) and OAR 584-050-0005(1)(a) the Commission has no legal authority to issue a license for which an applicant is not qualified.

IV. ORDER

The application for Initial School Counselor License of Cindi Marie Corrie is DENIED.

DATED this 23 day of February, 2009.


Victoria Chamberlain, Executive Director,
Teacher Standards and Practices Commission

Notice: You are entitled to judicial review of this order. Filing a Petition for Reconsideration or Rehearing shall be a condition of judicial review of any Final Order of the Commission pursuant to OAR 584-019-0045. If the Commission does not act on your petition for reconsideration or rehearing, the petition shall be deemed denied the 60th day following the date the petition was filed. ORS 183.482. In such case, a petition for judicial review shall be filed within 60 days only following this date. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals