

Testament to TSPC Mismanagement

Submitted by Cynda S. Rickert, Superintendent of Jackson County School District 9, Eagle Point, Oregon

State leaders have made education reform a top priority for many years. Much attention is given to funding levels, student achievement and graduation rates. Little to no attention has been focused on one of the state's key education components – the Teacher Standards and Practices Commission (TSPC).

TSPC is beyond broken. It lacks accountability, transparency and – most fundamentally – it lacks the basic tenet of due process.

Absent abolishing TSPC and transferring its functions to the Department of Education, TSPC must be reformed.

Below are documented issues we have experienced first-hand at Jackson County School District 9 in Eagle Point. In addition to highlighting the dysfunctions, we offer proposed solutions.

My personal experiences as well as district experiences exemplify the need for such reform. The following are documented issues I/the district have experienced firsthand over the past two years regarding bogus complaints, denial of basic human and professional due process rights, and general harassment at the hand of TSPC. As you will see, at best this organization has attempted to censure me for fulfilling my professional responsibilities; at worst they have colluded with disgruntled former employees and union members to use this important public agenda in an unwarranted and unconscionable personal attack to retaliate against me for successfully leading Jackson County School District 9 through a contentious strike by the Eagle Point Education Association. In brief, I/the district was:

- Investigated five times for same complaint filed by the same person.
- Denied from knowing what the complaints were until after being charged.
- Denied from knowing who filed complaints against me.
- Denied from hearing evidence presented against me to the commission.
- Denied from hearing the vote by commission on whether to charge me.

Attached Documentation to support:

1. Timeline
2. TSPC Ethics Issues and Possible Solutions
3. Daily Operations/Licensing Issues
4. Mail Tribune editorial November 19, 2013 *Oregon's Star Chamber*.

1. Timeline

4/6/2010	1 st time Eagle Center complaint was filed, investigated and dropped.	JCSD9 Board Member, Jim Mannenbach, (former teacher and staunch union supporter) files a complaint with the district requesting an investigation into three standards from the annual Division 22 Standards and Assurance Report including Comprehensive Guidance and Counseling.
4/30/2010		JCSD9 Standards Review Committee Meeting – Committee votes unanimously that the district is in total compliance with Division 22 Standard 581-022-1510 Comprehensive Guidance & Counseling, 581-022-1630 Daily Class Size, and 581-022-1520 Media Specialist.
9/29/2010	2 nd time	JCSD9 receives notification from ODE that they had received a complaint appeal from Jim Mannenbach in relation to compliance with Division 22 Standards 581-022-1510 Comprehensive Guidance & Counseling, 581-022-1630 Daily Class Size, and 581-022-1520 Media Specialist and 581-022-1941 District Complaint Procedures.
10/22/2010		JCSD9 sends documentation in response to Jim Mannenbach’s complaint appeal.
12/9/2010		JCSD9 receives notification from ODE that the district was found to be in compliance in all 4 areas listed in the complaint filed on September 29, 2010 including Comprehensive Guidance and Counseling.
1/26/2011	3 rd time	“Unknown” person (later identified as Board Member Jim Mannenbach) files complaint with TSPC re: Patron alleges that Rickert is using classified employees as school counselors in the Eagle Center at Eagle Point High School to help balance the budget. Rickert is not notified of this complaint until August 2012, 19 months later.
5/8-15/2012		Employee strike where Board Member Mark Bateman is on the picket line and Board member Jim Mannenbach also supports the union.
5/22/2012		One week after employee strike TSPC subpoenas JCSD9 for: List of all Eagle Point High School Academic Advisors and job descriptions for the 2010-2011 and 2011-2012 school years. There is no mention that the complaint is against Rickert.
6/5/2012		Unknown person files complaint with TSPC re: Another “unknown” patron (later identified as Board Member Mark Bateman) alleges Rickert has purposely been avoiding buying buses so the reimbursement funds sent by the Oregon Department of Education and derived from buying buses will dwindle to nothing.
7/30-8/1/2012		Emails between TSPC investigator Tanya Figgat and TSPC Commissioner Shirley Blanchard regarding investigation of Rickert. Commissioner Blanchard offers to provide “under the hood” information on Rickert.
8/20/2012		Rickert receives first notification of Preliminary Investigation in possible misconduct in licensing of educators. (complaint from Jan 16, 2011)
8/29/2012		JCSD9 Attorney Nancy Hungerford and Rickert have phone conference with TSPC investigator Tanya Figgat. During this phone interview Rickert is not told what the charges are against her.
10/30/2012		Rickert receives Notice of Investigation Report and Recommendation stating that TSPC will consider an investigation report to charge her with Gross Neglect of Duty and/or Gross Unfitness. Preliminary Investigation Report is included summarizing the complaints. This is the first time Rickert is made aware of the nature of the complaints against her.
11/1/2012		Superintendent Rickert sends email and fax to TSPC Executive Director requesting an open session at the November 2 TSPC commission meeting.

11/2/2012		<p>TSPC Commission meets to consider investigation report to charge Superintendent Rickert with Gross Neglect of Duty and or Gross Unfitness.</p> <p>Superintendent Rickert, Allen Barber, Scott Whitman, Tim Rupp and Kathy Ascuena attempt to attend the executive session and are denied which is in violation of ORS 192.660 (2)(b). We are told the commission would also vote in Executive Session which is in violation of ORS 192.660 “no executive session may be held for the purpose of taking final action or making any final decision.” We are allowed to submit the following documentation (all previously sent Sept 18 or Sept 24, 2012 to investigators but excluded from the commission by Victoria Chamberlain):</p> <ul style="list-style-type: none"> • Auditor findings on the District’s accounting and use of transportation monies. (The commission chairman indicated that he had not yet seen this document.) • Complete copy of Superintendent Rickert’s response to the TSPC Investigator • Copies of transcripts from Eagle Center Interviews conducted by our attorney. <p>These are all key documents in disproving there was a case.</p>
11/5/2012		<p>K. Ascuena, Rickert’s secretary, contacts TSPC Coordinator, Jeff Van Laanen, and learns that on Friday, November 2, the commission “elected to charge” Superintendent Rickert. Because they are “still trying to determine the violation” they are unable to tell us what she is being charged with. Mr. Van Laanen also shares that he had also received phone calls “from the two board members who filed the complaints” although he does not share their names. This is how we learned who the complainants were.</p>
11/5/2012		<p>D9 Attorney notifies TSPC attorney that Superintendent Rickert believes the executive session on November 2 was illegal and inappropriate due to their refusal of her request to be present and hold the meeting in open session (ORS 192.660(2)(b)) and that the commission is prohibited from taking action in an executive session (ORS 192.660) even though they did vote in executive session to charge her.</p>
11/6/2012		<p>Receive Notice of Commission Action to Charge stating that a Notice of Opportunity for Hearing (NOH) will soon be sent along with Notice of Contested Case Rights and Procedures.</p>
11/15/2012		<p>K. Ascuena, Rickert’s Secretary, leaves message with TSPC Coordinator requesting information on NOH hearing date.</p>
12/24/2012		<p>Receive Notice of Opportunity for Hearing stating that the Commission is charging Superintendent Rickert with Gross Neglect of Duty.</p> <ul style="list-style-type: none"> • 2 years after ODE dismissed the same complaint. • Almost 2 years after the complaint was filed. • Over 4 months after Rickert was notified of preliminary investigation. • 7 weeks after the TSPC commission met and voted to charge.
1/3/2013		<p>Rickert sends letter to V. Chamberlain requesting a hearing.</p>
1/29/2013		<p>Letter from Hungerford to Assistant Attorney General, Raul Ramirez, requesting hearing date, copy of TSPC investigative file, and requesting close scrutiny due to lack of accuracy and obvious retaliation by board members.</p>
1/31/2013		<p>K. Ascuena, Rickert’s secretary, contacts TSPC to clarify hearing outcomes. Jeff Van Laanen stated: “Don’t expect a dismissal; that never happens.” This was prior to a hearing.</p>
2/13/2013		<p>Email from TSPC Director of Professional Practices, Melody Hansen, to other TSPC staff stating “Left assigned Investigator in HAPPY as Tanya since new complaints have recently arrived 😊.” (smiley face is unprofessional and unethical)</p>
7/1/2013		<p>Hungerford receives notice that hearing set for November 12-14 in Medford almost 3 years after complaint was filed.</p>

10/14/2013		TSPC offers to give Rickert a "private reprimand" that would go away after a year. Rickert declines.
11/4/2013		Email from AAJ Ramirez to Administrative Law Judge Barber requesting hearing is postponed to facilitate potential settlement and TSPC review on November 8, 2013. ALJ Barber confirms postponement of hearing. AAG Ramirez is still trying to determine the violation.
11/8-12/2013		Board Member Mannenbach emails TSPC Commissioners urging them to uphold charges. Mannenbach emails Mail Tribune reporter.
11/7-8/2013		Commission meets in executive session and re-reviews Rickert's case 3 days after Ramirez requested hearing postponement.
11/11/2013		Email from AAG Raul Ramirez "Commission decided to withdraw their Notice of Opportunity for Hearing." (received 1 year earlier)
11/13/2013		<ul style="list-style-type: none"> • Melody Hansen from TSPC calls Mail Tribune reporter to tell her there were 9 more complaints against Superintendent Rickert. Reporter calls Superintendent Rickert. This is the first Rickert has heard of additional complaints. TSPC tells the media but does not notify Rickert. These complaints were orchestrated by former board member Jim Mannenbach. • K. Ascuena calls Melody Hansen at TSPC who confirms 9 additional complaints but will not divulge the nature of or who made them. • Letter from TSPC to Board Chair, Scott Grissom, states the commission re-reviewed this case and dismissed the allegations. • Letter from TSPC to ALJ Rick Barber states that the commission was withdrawing the referral of this case to the Office of Administrative Hearings for the reason that the Commission is withdrawing its contested case notice.
11/16/2013		TSPC Executive Director, Victoria Chamberlain, tells Rickert that she had never been charged and the Eagle Center counselor complaint was dismissed by the commission at their November 7-8, 2013 meeting.
1/21/2014		District receives 3 subpoenas for information regarding multiple complaints against Rickert.
4/10/2014	4 th time	TSPC receives letter of complaint against JCSD9 Director of Human Resources, Allen Barber.
4/25/2014	5 th time	Rickert and Hungerford meet with TSPC investigator, George Finch, regarding 9 new complaints against Rickert including counselor complaint filed previously and dropped. These 9 complaints are also orchestrated by former Board Member Jim Mannenbach.
5/28/2014		Allen Barber has phone conference with TSPC investigator, George Finch, regarding Comprehensive Guidance and Counseling at Eagle Point High School.
7/29/2014		Rickert's secretary, K Ascuena, leaves message with TSPC (Melody Hansen) regarding status of investigation of 9 new complaints. Victoria Chamberlain returns call to and states that their attorney advises that they don't speak to our district. Our attorney would have to call their attorney because "those cases are at a different level." When asked what level, Chamberlain replied "Kathy, your attorney must contact our attorney."
8/5/2014		Rickert receives notice from TSPC that multiple letters of complaint had been received and that the commission reviewed the investigation report and is dismissing the complaint against her. It is unknown which, if any, complaints were dismissed and which, if any, complaints remain open.
8/5/2014		Allen Barber receives letter from TSPC that they are dismissing the counselor complaint filed against him.
9/18/2014		After a Southern Oregon Human Resources Directors meeting Elizabeth Keller from TSPC stopped by Allen Barber's table and said "You keep that superintendent of yours out of trouble"

2. TSPC Ethics Issues and Possible Solutions

	Issue	Possible Solution
A.	<p>Timeliness and Legitimacy</p> <ul style="list-style-type: none"> • Took over one and a half years to learn there was a complaint filed against me. • Same complaint was reinvestigated three and a half years after original complaint and five months after charges had been dropped. • Same complaint was brought against my colleague six months after I had been investigated a second time for the same complaint. 	<ul style="list-style-type: none"> • Create viable and fair timelines to investigate complaints. (342.176 “promptly undertake”) Discern the legitimacy of complaints to determine if they go forward and in what priority. • NEVER evoke double jeopardy. (Fifth Amendment)
B.	<p>Complaints were clearly driven by two disgruntled board members backed by the union to harass me. These complaints lied dormant for over 1 ½ years and appeared to be of no interest until they were used as retaliation for a failed labor strike.</p>	<p>Analyze and determine the legitimacy of each case in a preliminary screening before investigating. [342.176(1)]</p> <ul style="list-style-type: none"> • TSPC interprets 342.176(1) as MUST investigate ALL complaints. • 342.176(1) allows screening but if it’s not clear, spell out that initial screening is TSPC’s first step in what complaints move forward to further investigation and what complaints are duplicative, motivated by harassment, so tardily filed that they are not significant, or motivated by factors other than those listed in 342.176(1).
C.	<p>TSPC Commissioner was corresponding with TSPC investigator responsible for conducting the investigation and offered “to get the under the hood” information on me.</p>	<p>Any TSPC Commissioner should never be involved in an investigation.</p>
D.	<p>TSPC Commissioner who was involved in the investigation then sat on the “unbiased” commission, heard the case, and brought charges against me.</p>	<p>Should there be any authorized reason for being involved, the Commissioner must recuse him/herself from participating in hearing the case when it is brought to the commission.</p>
E.	<p>The same TSPC Commissioner’s term expired on 12/31/2013 but she remained seated on the Commission for seven months, allowing her to be inappropriately privy to confidential information.</p>	<p>Once a TSPC Commissioner’s term expires, the Commissioner should no longer remain seated and be privy to confidential information.</p>
F.	<p>I was not told what the complaints were until after I was charged.</p>	<p>Anyone facing charges should be told what the complaints are and who the complainants are BEFORE being investigated. Nothing in statute prohibits this, yet TSPC maintains it can’t do this. So add language “Upon request, the Commission investigator shall provide the educator with a copy of the complaint and the name of the complainant.”</p>
G.	<p>I was not told who filed the complaint(s).</p>	<p>See above</p>

H.	I was denied access to hear the evidence brought forward in the case against me when it was presented to the Commission even though I appeared and requested entrance.	Person charged has the right to receive the investigation results and to appear and object to the Commission before TSPC decides to pursue the complaint. The person involved should have the option to request an open meeting. This practice already takes place in public school districts.
I.	I was denied hearing the Commission's findings (no minutes were made available) and the Commission voted in executive session to which I was denied access.	Person charged should be afforded the right to hear publicly the action/decision recommended by the Commission. 192.660(6) This practice already takes place in public school districts. 192.660(2)(b).
J.	TSPC investigators notified the media before notifying me of complaints filed. I learned about the complaints from a local reporter.	TSPC employees should not communicate with media before notifying person being investigated.
K.	I was not allowed any defense until after finding out what I'd been charged with and the penalty the Commission had been advised to assess.	342.177 Hearing and decision on charges; notice states "The person against whom the charge is made shall have the right to be represented by counsel and to present evidence and argument." This basic due process right must be granted during the investigation phase, currently, 342.176.
L.	Since I did not agree with the charges I requested a hearing. However, TSPC is NOT bound by the decision of the judge overseeing the hearing.	A legitimate appeal process must support upholding the findings of the unbiased body that hears the appeal. Allowing TSPC or any agency to not be bound by the appeal decision begs the questions, "Why appeal?" and "Who is TSPC accountable to?"

Additional Notes:

- a. TSPC should always give first priority for investigation to complaints of educator actions against children.
- b. Complaints of violation of licensure laws should be among the lowest priorities, unless there are multiple separate charges that would constitute a pattern, if found to be true.

Summary:

- Investigated five times for same complaint filed by the same person.
- Denied from knowing what the complaints were until after being charged.
- Denied from knowing who filed complaints against me.
- Denied from hearing evidence presented against me to the commission.
- Denied from hearing vote by commission on whether to charge me.

3. Daily Operations/Licensing Issues

The previous information is documentation about TSPC's complaint process; however, it does not address the daily operations at TSPC. The following documentation is one district's, Jackson County School District9/Eagle Point; experience with TSPC on what should be routine matters such as licensing. There are 197 school districts in the state of Oregon and it's difficult to imagine if all of them have similar experiences with the daily operations of TSPC. If our experience is common across the state, it's clear that TSPC is dysfunctional and mismanaged. In talking to my colleagues from other districts, they experience similar roadblocks with TSPC.

<p>License Changes for Middle School Endorsements: Teacher applied for MS Social Studies License (June 2014) and was told in July that she could not be endorsed based upon her coursework and tests. Per an email from Maria Odle, assigned TSPC rep for JCSD9, the Commission voted at the November 2013 meeting to not allow recommendation for a Middle Level-subject alone if they have not completed an Elementary program. Teacher was not made aware, district is unaware. TSPC staff member, Elizabeth Keller, brought in, not really understanding situation. JCSD9 Human Resources Director, Allen Barber, sends to Chuck White (OSPA) who is unaware and says to forward to Elizabeth Keller (we already had). Per email from Odle, 'VC' (Vickie Chamberlain) says it's a go and license was issued. The District is still unclear of Commission's final decision.</p>
<p>Nationally Certified School Psychologists: July 2014 – JCSD9 hired 2 School Psychologists who held NCSP certification. District was originally told it was not possible for them to receive an Oregon license even though the educators are nationally certified. HR (Chrissy Richmond) receives 2 different rules from TSPC staff that do not match. Complete confusion and different answers provided by TSPC staff involved: Marie Odle, Julie McCann, Elizabeth Keller and Victoria Chamberlain. After multiple lengthy emails from HR (Chrissy Richmond) citing statute and TSPC rules, TSPC finally conceded that she was correct and issued Initial School Psych licenses to both.</p>
<p>License Communication Problems</p>
<p>Teacher renewal application was made on 1/6/14. TSPC notifies him on 8/5/14 that is application is incomplete. TSPC let him expire prior to his notification.</p>
<p>Teacher renewal application made on 12/3/13. No notification as of 2/7/14. HR Office (Chrissy Richmond) inquires about status on 2/7/14 to TSPC (Marie Odle.) Licensure Incomplete Notice is sent on 2/28/14 indicating that transcripts had not been received. Via email, teacher questions how they could have 'received my fee payment and not my official transcript since they were sent in the same envelope. Could you please double check this.' In an email response back to teacher from TSPC who state: "The sooner we receive them, the sooner we can renew your license and make you and the Eagle Point SD happy."</p>
<p>JCSD9 HR (Chrissy Richmond) thought a mistake was made on employee's license (issued 5/21/13). Emailed TSPC (Marie Odle) on 1/10/14 to question. On 1/13/14 Odle responded that teacher's license was issued incorrectly and had been corrected.</p>
<p>Teacher's administrative application mailed in June 2011. No notification as of 2/2/12. HR (Chrissy Richmond) questions TSPC (Marie Odle) in email on 2/2/12 and receives the following response: "I've issued the Admin license and I'm asking my supervisor if I can refund her \$100 because there's no reason that we should have taken 7 months without evaluating her application."</p>
<p>Teacher's license expired on 11/14/11 with no correspondence from TSPC and her application was on file. Teacher had sent an email a week prior with no response. TSPC (Marie Odle) responded "Well, her application fell through the cracks. I've issued her license and I have given her an extra year for our problem."</p>
<p>11/30/12 - Because of employee and HR (Chrissy Richmond) follow-up, employee was given an Incomplete Notice 17 days prior to her grace period ending. Otherwise, no notification was given by TSPC.</p>
<p>10/28/14, HR (Chrissy Richmond) sends an email to TSPC (Marla Odle) because employee's grace period expires on 10/30/14. Email from Odle says, "Send me the \$25 late fee and I can process her application." TSPC sent teacher Incomplete Notice on 10/28/14 stating "This will be your ONLY incomplete notice" (2 days from her grace expiration).</p>
<p>Teacher's license renewed on 7/30/14 per letter from TSPC. On 10/28/14 the TSPC website shows that her license</p>

expired on 8/23/11. In a TSPC email from Maria Odle they state that they will send it to their computer guru so that he can fix it on the website and send me proof that it was issued and valid through 8/23/17.

New hire for 2014-2015. Teacher received her license on 7/9/14, and then she received an email on 7/30/14 that TSPC issued her a secondary authorization in error and wanted her permission to delete, she agreed. Then, her license completely disappeared from the TSPC website. TSPC (Marie Odle) response was "That's totally weird that her license does NOT show up on our website. I will let our techy guy know and hopefully we'll get it fixed today for you!" This could have caused an issue for both her and the district as she was in the middle of financing /buying a house and the district had issued a letter to her lender verifying that she was a licensed teacher.

Pended Licenses and Held Renewals without notification:

Administrator's renewal materials submitted in May 2013, still on Grace Period 10/14/13 which ends 10/29/13. JCSD9 learns from our attorney that his license was pending due to an investigation. 10/14/13 HR (Chrissy Richmond) sends email inquiry to TSPC (Maria Odle) regarding his status. Reply "Let me put it on referral and I'll see what kind of an answer I get back." On 10/15 they remind him of his Incomplete Notice sent on 5/28/13 regarding missing C-2 Transcripts. License is issued 10/15/13 and then we are notified that it was issued without official transcripts. TSPC (Marie Odle) email states "I'm begging that you get them to us as his file will go before the Commission in November to dismiss the charges brought against him and I want him to have a valid license and it all be complete."

Administrator's renewal date 3/11/13 and all materials submitted prior. License listed as 'Active' with status of 'Pending' and that no application materials are being processed at this time. HR (Chrissy Richmond) questions her TSPC rep (Maria Odle) via email on 4/18/13. On 4/22/14 a response is received from TSPC's Joanne Kandle, Investigative Assistant that "Administrator is currently under review by Professional Practices. Her application for license renewal has been pended, and will remain valid until the review has been completed..." Administrator was never notified of this action by TSPC.

License Renewal Changes: 3/22/10 Teacher notified by TSPC that he needed 9 quarter hours for renewal. Employee did not take classes; District was planning to take action if license expired. HR (Chrissy Richmond) had been in communication with TSPC (Maria Odle) regarding previous correspondence and requirements. 4/4/14 TSPC notifies HR (Chrissy Richmond) that his license was renewed without credits and without notification to the district. When HR (Chrissy Richmond) questioned TSPC (Marie Odle), the final response on 4/7/14 was "There was a rule change or policy change about the coursework and when to apply the first license. Do we go off the 1st License ANYWHERE..... or do we go off the 1st license in OREGON? That was the question... He also got a PASS from TSPC when he renewed his license on 03/08/2007. We should have held for coursework at that time, but the Evaluator did not hold and renewed his license. Sorry for the problems."

Grace Period: JCSD9 stresses the importance of keeping your license current. Failure to maintain a license may invalidate their contract. JCSD9 CBA states, "If the 120-day grace period elapses during the school year, the teacher shall be terminated." When a licensed employee has failed to renew, they have typically been able to pay the money or other requirements and the Grace Period is activated or the expiration just goes away. This makes it extremely difficult for our district to take any action.

Lost Records: HR (Chrissy Richmond) received and complied with 4 separate requests for complete copies of teacher's personnel file. Subpoena and files sent and lost:

- #1-Paul Cimino, Certified Mail, 5/30/13 (included the Allen Barber reference/subpoena dated 5/17/13)
- #2-Tanya Figgat, sent via email, 11/8/13
- #3-George Finch, Certified Mail, 2/27/14
- #4-Kevin Cooley, sent via email 3/21/14

4. Mail Tribune Editorial

November 19, 2013 2:00AM

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Oregon's star chamber

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Gov. John Kitzhaber has made education reform one of the centerpieces of his second administration. For the reform to be complete, he needs to include the Teacher Standards and Practices Commission among the areas targeted for change.

The change needed in that organization is less about education and more about requiring it to follow the basic tenets of due process in its investigations. There is plenty of evidence to suggest that is sorely lacking now.

Eagle Point Superintendent Cynda Rickert has encountered that evidence firsthand, as she has been forced to defend herself against what were essentially secret allegations of wrongdoing — so secret, in fact, that investigators would not even tell her on what grounds she was being investigated. That lack of transparency is only one of the many astonishing violations of basic fairness perpetrated by the agency.

The TSPC's mission is to oversee the training and licensing of educators and to handle disciplinary actions when educators are accused of committing crimes or violating state standards. While we have no issue with aggressively pursuing allegations of wrongdoing on the part of educators, the commission's process in doing so is essentially a star chamber, in which there are virtually no safeguards to protect the accused.

Rickert has been the target of an ongoing series of complaints filed with the TSPC and the Oregon Department of Education. The chief accusers are former Eagle Point School Board members who found themselves on the losing side of district decisions — some involving acrimonious labor issues that led to a teacher's strike. They sought to besmirch Rickert and the district, and in the TSPC, they found the perfect tool to do that.

The violations of basic due process that Rickert has encountered are many:

- She was the target of a complaint in early 2010 but didn't learn of that for a year and a half.
- When TSPC investigators contacted her, they would not tell her what she was accused of.
- The TSPC refused to tell her who filed the complaints.
- When Rickert traveled to Salem to address the meeting of the commission in which her case was being heard, she was told she had no right to attend the meeting.
- When she asked for details on the hearing, she was told there would be no minutes made available and whatever vote was taken would be secret.
- In more recent complaints — filed by the same embittered former board members in Eagle Point — information about her case was released to the media before she knew anything about it.

If, after its secret hearing, the commission finds the accused guilty of misconduct — which it has not so far in Rickert's case — it then assesses a penalty and notifies all the parties. So the accused finds out what they have been accused of and the penalty they've been assessed before they are allowed to provide any defense.

An accused educator who does not agree with the charges and declines to roll over can demand a hearing before an administrative law judge. But, in the final capper, the TSPC is not bound by the decision of the judge.

That kind of process by a public body almost defies belief and is clearly not acceptable by any modern standard of fairness. Empowering a state agency to employ star chamber tactics in prosecuting someone anonymously accused not only does a disservice to the educator facing the allegations, but also to the state and its citizens, who can have no confidence in a quasi-judicial process that lacks the very basics of due process.

Yes, governor, do what's necessary to bring the state's education system into the 21st century. While you're at it, you should bring the Teacher Standards and Practices Commission into the 20th century.

<http://www.mailtribune.com/article/20131119/OPINION/311190301>

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