

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

4 In the Matter of the Educator)
5 License of)
6 DANIEL SCOTT OSWALD)

DEFAULT ORDER OF
PUBLIC REPRIMAND

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9 On September 12, 2019, the Teacher Standards and Practices Commission
10 (Commission) issued a Notice of Opportunity for Hearing to Daniel S. Oswald (Oswald) in
11 which the Commission charged him with Gross Neglect of Duty. The Notice was sent via
12 U.S. First Class Mail and U.S. Certified Mail Receipt 7018 1830 0001 6178 6544 to the
13 address on file with the Commission. The Notice designated the Commission file as the
14 record for purposes of proving a prima facie case. The Certified Mail receipt was returned to
15 the Commission signed on September 25, 2019. The first class mail was not returned to the
16 Commission and assumed delivered. The Notice of Opportunity of Hearing, dated
17 September 12, 2019, and signed by Anthony Rosilez, 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, WITHDRAW
22 YOUR REQUEST FOR HEARING, IF YOU FAIL TO APPEAR AT A HEARING, OR
23 NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE
24 COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE
25 THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER
26 DISCIPLINE.”
27

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

31 **FINDINGS OF FACT**

- 32 1. Oswald has been licensed by the Commission since August 29, 2016. Oswald
33 holds a Preliminary Teaching License, with an endorsement in Social Studies
34 (PK-12), valid from January 30, 2019 through March 31, 2022. During all
35 relevant times, Oswald was employed by the Willamina School District (WSD).
36 2. On or about January 29, 2019, Commission licensure staff referred Oswald to
37 Professional Practices after determining Oswald may have inappropriately
38 performed the duties of a teacher without an appropriate, valid license or

1 registration. Investigation determined that on August 29, 2016, Oswald was
2 issued a Reciprocal Teaching License, valid for one year. Oswald was informed of
3 the requirements for renewal including, making application, paying appropriate
4 fees, and passing the civil rights exam. On March 31, 2017, Oswald was sent a
5 reminder about his upcoming renewal. On April 26, 2017, Oswald was sent
6 another reminder advising him that his license would expire on August 29, 2017
7 and the requirements for renewal.

8 On January 25, 2019, Oswald contacted commission staff asking if his most
9 recent transcripts had been received. During this conversation, it was discovered
10 that Oswald's license had expired on August 29, 2017; however, Oswald
11 continued to provide teaching services to WSD. Oswald promptly made proper
12 application, WSD expedited Oswald's application, and Oswald's license was
13 issued on January 30, 2019. Oswald advised that after he passed the civil rights
14 exam Oswald errantly believed he had meet all his renewal requirements but
15 forgot he also needed to make application and pay his fees. WSD did not have
16 Oswald on their renewal tracking list and was unaware of Oswald's licensure
17 lapse.
18

19 CONCLUSIONS OF LAW

20 Daniel Oswald's unprofessional conduct, as described above, constitutes Gross
21 Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
22 incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
23 0040(4)(r) (*Working without a license*); and OAR 584-050-0035 (1) (*Any person employed*
24 *in a position in a school district, education service district, or charter school for which a*
25 *license or registration is required pursuant to ORS Chapter 342, must hold a valid license*
26 *or registration appropriate for the assignment while working as a public school, education*
27 *service district or charter school employee*).
28


29 The Commission's authority to impose discipline in this matter is based upon ORS
30 342.175.

1 **FINAL ORDER**

2 The Commission hereby issues a Public Reprimand upon Daniel Oswald's Educator
3 licensure.

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6 IT IS SO ORDERED THIS 31st day of October, 2019.

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8 **TEACHER STANDARDS AND PRACTICES COMMISSION**
9

10 By: 
11 Dr. Anthony Rosilez, Executive Director
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14

15 **NOTICE OF APPEAL OR RIGHTS**
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17 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW
18 MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM
19 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE
20 PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.