

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

In the Matter of the	)	DEFAULT ORDER OF
Educator License of	)	DENIAL OF APPLICATION AND
	)	REVOCATION OF RIGHT
	)	TO APPLY
FELIPE L. MIRANDA	)	

On May 21, 2020, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Felipe L. Miranda, (Miranda) in which the Commission charged him with Gross Neglect of Duty and /or Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7018 1830 0001 6178 7480 to the address on file with the Commission. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Certified Mail receipt was returned to the Commission signed. The regular first class mail was not returned to the Commission, and assumed delivered. The Notice of Opportunity of Hearing, dated May 21, 2020, and signed by Anthony Rosilez, Executive Director, stated:

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

On January 2, 2020, Miranda, through his attorney, requested a hearing. Later, in December 2020, via negotiations between TSPC and his attorney, Miranda withdrew his request for a hearing advising that he wished to default. The Commission, therefore, finds Miranda to be in default and enters the following findings of fact, conclusions of law, and final order, based on the files and records of the Commission concerning this matter.

## FINDING OF FACT

On January 3, 2020, TSPC investigative staff reviewed your Clinical

1 Practices application. TSPC staff noted you self-reported having been arrested and/or  
2 convicted for prior criminal misdemeanor and felony charges. Review of your criminal  
3 history record revealed details of arrests and convictions that are considered  
4 disqualifying for consideration of TSPC/State of Oregon teacher licensure.

### 6 CONCLUSIONS OF LAW

7 Your criminal convictions/arrests as described above, constitute gross neglect of  
8 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates  
9 OAR 584-020-0010(5) (*Use professional judgment*). This conduct also constitutes gross  
10 unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of*  
11 *violating any federal, state, or local law. A conviction includes any final judgment of*  
12 *conviction by a court whether as the result of guilty plea, no contest plea or any other*  
13 *means*); and OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting*  
14 *criminal conduct, even in the absence of a conviction*).


15  
16 The Commission's authority to impose discipline in this matter is based  
17 upon ORS 342.175.

### 18 FINAL ORDER

19 The Commission accepts Felipe Miranda's request to proceed with a Default  
20 Order and hereby denies Felipe Miranda's right to apply for licensure.

21  
22 IT IS SO ORDERED THIS \_\_\_\_ day of December, 2020.

23  
24 TEACHER STANDARDS AND PRACTICES COMMISSION

25 By:   
26 Dr. Anthony Rosilez, Executive Director  
27

### 28 NOTICE OF APPEAL OR RIGHTS

29  
30 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY  
31 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE  
32 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF  
33 ORS 183.482 TO THE OREGON COURT OF APPEALS.