

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

4 In the Matter of the Educator License of) DEFAULT ORDER OF
5 MICHELLE MARIE PEDERSEN) REVOCATION OF RIGHT TO APPLY FOR
6) AN EDUCATOR LICENSE
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9 On September 13, 2012, the Teacher Standards and Practices Commission (Commission)
10 issued a Notice of Opportunity for Hearing to Michelle Marie Pedersen (Pedersen) in which the
11 Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First Class
12 Mail and U.S. Certified Mail Receipt 7011 2000 0001 1292 0370 to the address on file with the
13 Commission. The Notice designated the Commission file as the record for purposes of proving a
14 prima facie case. The Certified Mail was returned to the Commission, as "Unclaimed". The
15 regular mail was not returned to the Commission. The Notice of Opportunity of Hearing, dated
16 September 13, 2012, and signed by Victoria Chamberlain, Executive Director, stated:

17 "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD,
18 YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR
19 FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL.
20 IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A
21 HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY
22 INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER
23 DISCIPLINE."
24

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

28 **FINDINGS OF FACT**

- 29 1. Michelle Marie Pedersen has been licensed by the Commission since August 30, 2001.
30 Pedersen's Restricted Transitional Teaching License with an endorsement in Music (PreK-
31 12), was issued August 30, 2001, and expired on August 30, 2004. Pedersen's Charter School
32 Registry with an endorsement in Music (PreK-12), was issued November 12, 2004, and
33 expired on November 12, 2007. During all relevant times, Pedersen was employed by the
34 Howard Street Charter School of the Salem-Keizer School District.
- 35 2. On February 9, 2011, Pedersen was referred to investigations for teaching without a license or
36 registration. The Commission conducted an investigation and learned that Pedersen's original
37 Restricted Transitional Teaching License had expired on August 30, 2004 and her Charter School
38 Registration had expired on November 12, 2007. Pedersen made application for a Charter School
39 Registration on November 12, 2010. Pedersen included a letter to the Commission explaining that

1 she was late in renewing her Charter School Registration because she had failed to receive her
2 renewal packet that was sent to Pedersen in July 2007. Pedersen explained in her letter that she had
3 continued to teach for another two and one half years without a valid license or registration because
4 Pedersen failed to realize hers had expired.

5 CONCLUSIONS OF LAW

6 Pedersen's conduct described in section two (2) above, constitutes gross neglect of duty
7 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
8 0010(5) (*Use professional judgment*), OAR 584-020-0040(4)(r) (*Knowingly working without*
9 *a license*); and OAR 584-050-0006(f) (*The applicant has served in violation of OAR 584-050-*
10 *0035, Must be Licensed, Registered or Certified at All Times While Employed*).


11
12 The Commission's authority to impose discipline in this matter is based upon ORS
13 342.175.

14 FINAL ORDER

15 The Commission hereby revokes Michelle Marie Pedersen's right to apply for educator
16 licensure.

17 IT IS SO ORDERED THIS 24th day of April, 2013.

18 TEACHER STANDARDS AND PRACTICES COMMISSION

19
20 By: 
21 Victoria Chamberlain, Executive Director
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24

25 NOTICE OF APPEAL OR RIGHTS

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