1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON	
4 5 6 7	4 In the Matter of the ) DEFAULT ORDER OF 5 Teaching License of ) REVOCATION OF RIGH 6 BLAS E ELGUEZABAL ) APPLY FOR LICENSUR 7	
8 9		Commission)
10	10 issued a Notice of Opportunity for Hearing to Blas E. Elguezabal (Elguezabal	) in which the
11	11 Commission charged him with Gross Neglect of Duty pursuant to OAR 584-0	20-0040(4)(d), (n)
12	and (o). The Notice was sent via U.S. First Class Mail and U.S. Certified Mai	il Receipt 7008
13	13 1140 0002 8580 9393 to the address on file with the Commission. The U.S.	Postal Service
14	returned the certified mail receipt, signed by Elisha Elguezabal, to the Comm	ission on July 6,
15	15 2009. The Notice of Opportunity of Hearing, dated July 1, 2009, and signed I	by Victoria
16	Chamberlain, Executive Director, stated:	
17 18 19 20	"You, Blas E. Elguezabal are entitled to a hearing on the proposed action of the Commission. If you want a hearing, you must file a written request for a hearing with the Commission within 21 days of the date of this notice."	
	Mr. Elguezabal did not request a hearing. The Commission, therefore, finds	Mr. Elguezabal to
22	be in default and enters the following findings of fact, conclusions of law and	order, based on
23	the files and records of the Commission concerning this matter.	
24	24 FINDINGS OF FACT	
25	1. Mr. Elguezabal held a Restricted Transitional Teaching License from	September 1,
26	26 2004 to September 1, 2007. He did not renew this license when it ex	rpired.
27	27 2. On or about October 6, 2008, while employed as a teacher at Open I	3ible Christian
28	School (OBCS) in Newberg, Oregon, Mr. Elguezabal engaged in a co	onversation with
29	SK, a 13 year old female student at OBCS, via text messaging. The	content of the text
30	messages included comments such as, "I'm way hotter then (sic) the	m And you
31	Know It;" "So who did you make out with?" "How far have you gon	e with a guy
32	32 anyway " He admitted texting SK and making these inappropriate or	nmante

1 3. On or about July 17, 2008, three 12 year old girls in Milwaukie, Oregon, filed a 2 complaint with the Clackamas County Sheriff, alleging that Mr. Elguezabal approached 3 them outside an elementary school and asked them if they liked college guys, if they 4 liked to party, and requesting their phone numbers. Mr. Elquezabal admitted initiating a 5 conversation with these girls, giving them his business card, and asking them to party 6 with him. 7 4. On more than one occasion between March and July, 2008, Mr. Elguezabal conducted 8 conversations of a sexual nature with underage girls through the internet, specifically 9 through a MySpace account. He admitted to engaging in this conduct. 10 **CONCLUSIONS OF LAW** 11 Sending text messages to a student as described in paragraph 2 above constitutes 12 gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(o) as it 13 incorporates OAR 584-020-0035(1)(c)(A) and (D) (Expressing professionally inappropriate 14 interest in a student's personal life; Not honoring appropriate adult boundaries with students in 15 conduct and conversations at all time). 16 Speaking with three underage girls as described in paragraph 3 above constitutes gross 17 unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5) (... when such conduct bears 18 a demonstrable relationship to the educator's ability to fulfill professional responsibilities 19 effectively). 20 Engaging in conversations with underage girls through the internet as described in 21 paragraph 4 above constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-22 0040(5) (...when such conduct bears a demonstrable relationship to the educator's ability to 23 fulfill professional responsibilities effectively). 24 111 25 111

26

111

**FINAL ORDER** The Commission hereby revokes Blas E. Elguezabal's right to apply for a teaching license. IT IS SO ORDERED THIS // day of August, 2009. TEACHER STANDARDS AND PRACTICES COMMISSION Victoria Chamberlain, Executive Director NOTICE OF APPEAL OR RIGHTS YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.