

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32

In the Matter of the)
Teaching License of) **DEFAULT ORDER OF**
PATRICIA SUE DUNCAN) **LICENSE REVOCATION**

On May 13, 2009, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Patricia Sue Duncan (Duncan) in which the Commission charged her with Gross Neglect of Duty pursuant to OAR 584-020-0040(4)(c). The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7008 1140 0002 8580 9256 to the address on file with the Commission. The U.S. Postal Service delivered two notices to Duncan, the first on May 15, 2009, and the second on May 22, 2009, in an attempt to deliver this certified mail, before returning the certified mail receipt to the Commission on June 1, 2009. The first class mail was not returned to the Commission, however, indicating that the address on file with the Commission was still correct. The Notice of Opportunity of Hearing, dated May 13, 2009, and signed by Victoria Chamberlain, Executive Director, stated:

"You have 21 days from the date of this letter in which to request a hearing. If you do not request a hearing, the Commission will adopt a default order imposing disciplinary sanctions which may include suspending or revoking your Oregon teaching license."

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

FINDINGS OF FACT

1. On or about February 17, 2008, Ms. Duncan submitted an educator application form to the Commission for an Initial Teaching License. The license expires on September 25, 2009. There are no current applications for licensure on file. As part of the application she answered "No" to all of the character questions contained in the application. The responses to questions 1, 2, and 3 were false, given that:

a. In or around December 2005, the Shoreline School District in Washington issued a

1 Notice of Probable Cause to Discharge in connection with allegations of
2 misconduct. Ms. Duncan left employment with the district as the result of a
3 settlement agreement stemming from the allegations of misconduct.

4 b. At the time Ms. Duncan submitted her application to the Commission, she was the
5 subject of an investigation by the state of Washington Office of Professional
6 Practices relating to alleged misconduct with the Shoreline School District. The
7 investigation resulted in a 12-month suspension that became effective on July 18,
8 2008; and

9 c. Ms. Duncan was placed on administrative leave by the Shoreline School District on
10 two separate occasions between 2005 and 2006 in connection with allegations of
11 misconduct.

12 CONCLUSIONS OF LAW

13 Patricia Sue Duncan's failure to disclose: (a) that she left school-related employment as
14 the result of a settlement agreement stemming from allegations of misconduct; (b) that she was
15 currently the subject of an investigation by the State of Washington; and (c) that she was twice
16 placed on administrative leave in connection with allegations of misconduct each constitutes
17 gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(c) (*Knowing*
18 *falsification of any document or knowing misrepresentation directly related to licensure,*
19 *employment, or professional duties*). The Commission's authority to impose discipline in this
20 matter is based upon ORS 342.175.

21 ///

22 ///

23 ///

24 ///

25 ///

1 **FINAL ORDER**

2 The Commission hereby revokes Patricia Sue Duncan's educator license.

3 IT IS SO ORDERED THIS 10th day of August, 2009.

4 TEACHER STANDARDS AND PRACTICES COMMISSION

5
6 By: 
7
8 Victoria Chamberlain, Executive Director
9

10
11
12
13 **NOTICE OF APPEAL OR RIGHTS**

14
15 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
16 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
17 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
18 ORS 183.482 TO THE OREGON COURT OF APPEALS.
19