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On June 26, 2012, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Shannon Lee Powell (Powell) in which the Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7010 2780 0000 2187 2579 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 was signed for on June 27, 2012. The regular mail was not returned to the Commission. The Notice of Opportunity of Hearing, dated June 26, 2012, and signed by Victoria Chamberlain, Executive Director, stated:

Powell did not request a hearing. The Commission, therefore, finds Powell 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.

1. Powell has been licensed as a teacher in Oregon since April 7, 2008. Her current Charter School Registration with an endorsement in Multiple Subjects Self-Contained (ECE, ELE) issued January 6, 2012, expires on January 6, 2015. During all relevant times, Powell was employed by the Eugene 4 J School District.
2. On December 19, 2011, Powell was referred to investigations for teaching without a license or registration. The Commission conducted an investigation and learned that Powell's original Charter School Registration had been scheduled to expire on April 7, 2011. Powell submitted an application for renewal on January 28, 2011. The Commission evaluated Powell's application and sent notice to Powell that her application was incomplete. Powell was informed that she needed to complete and pass the Civil Rights exam before August 5, 2011 (this included her standard grace period if needed). Powell failed to take and pass the test until the end of November 2011. As a result, Powell's charter school registry expired on April 7, 2011; Powell's grace period expired on or about August 5, 2011.

1 Powell failed to renew her registration until January 2012. Powell continued to teach without a valid
2 license or registration from August 2011 until January 2012, a period of over five months.

3 **CONCLUSIONS OF LAW**

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


9 The Commission's authority to impose discipline in this matter is based upon ORS
10 342.175.

11 **FINAL ORDER**

12 The Commission hereby suspends Shannon Lee Powell's Charter School Registration for
13 a period of thirty (30) days, to begin upon the date this order is signed and in effect.

14 IT IS SO ORDERED THIS 1st day of November, 2012.

15 TEACHER STANDARDS AND PRACTICES COMMISSION

16
17
18 By: 
19 Victoria Chamberlain, Executive Director
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23 **NOTICE OF APPEAL OR RIGHTS**

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