

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

In the Matter of the)
Teaching License of)
DAVID FLOOD)

DEFAULT ORDER OF
REVOCATION OF
RIGHT TO APPLY FOR LICENSURE

On March 5, 2008, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to David Flood (Flood) in which the Commission charged Flood with misconduct under ORS 342.175. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7006 0810 0001 4602 2272 to the address Mr. Flood provided to the Commission. The U.S. First Class Mail was returned to the Commission on March 27, 2008 unsigned and unable to forward, regular mail was assumed received as it was not returned. The Notice of Opportunity of Hearing, dated March 5, 2008, and signed by Victoria Chamberlain, Executive Director, stated:

"You, David Flood, 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. Attached to this notice is a copy of the procedures, right of representation and other rights of parties relating to the conduct of a hearing as required under ORS 183.413(2)."

Mr. Flood did not request a hearing. The Commission, therefore, finds Mr. Flood 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. Mr. Flood has been licensed by the Commission since July 15, 1986. On October 31, 2002 the Commission issued Mr. Flood a Substitute Teaching License valid until June 2, 2006, valid for substitute teaching in any specialty.
2. Mr. Flood failed to respond to requests for information from, or participate in an interview with, the Commission. This conduct constitutes gross neglect of duty in violation of OAR 584-020-0040(4)(p) (Subject to the exercise of any legal right or privilege, failure or refusal by an educator under investigation to respond to requests for information, to furnish documents or to participate in interviews with a Commission representative relating to a Commission

1 investigation).

2 **CONCLUSIONS OF LAW**

3 Failure to respond to requests for information and to participate in interviews with a
4 Commission representative relating to a Commission investigation constitutes Gross Neglect of Duty
5 in violation of OAR 584-020-0040(4)(p). The Commission's authority to impose discipline in this
6 matter is based upon ORS 342.175.

7 **ORDER**

8 The Commission hereby revokes David Flood's right to apply for a teaching license.
9 IT IS SO ORDERED this 19 day of May, 2008.

10 TEACHER STANDARDS AND PRACTICES COMMISSION

11 By Victoria Chamberlain
12 Victoria Chamberlain, Executive Director
13
14

15 **NOTICE OF APPEAL OR RIGHTS**

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