

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

4 In the Matter of the Educator                    )  
5 License of    )  
6 PETER A. BUTTACCIO                                )

DEFAULT ORDER OF  
PUBLIC REPRIMAND

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9           On December 30, 2016, the Teacher Standards and Practices Commission  
10 (Commission) issued a Notice of Opportunity for Hearing to Peter A. Buttaccio (Buttaccio)  
11 in which the Commission charged him with Gross Neglect of Duty. The Notice was sent via  
12 U.S. First Class Mail and U.S. Certified Mail Receipt 7016 0750 0000 2419 0655 to the  
13 address on file with the Commission. The Notice designated the Commission file as the  
14 record for purposes of proving a prima facie case. The Certified Mail receipt was returned to  
15 the Commission as "Refused" unable to forward. The first class mail was returned to the  
16 Commission "Return to Sender". The Notice of Opportunity of Hearing, dated December 30,  
17 2016, and signed by Monica Beane, Executive Director, stated:

18           "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY  
19 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED  
20 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR  
21 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU  
22 FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER  
23 OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF  
24 YOUR LICENSE OR OTHER DISCIPLINE."  
25

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

29   **FINDINGS OF FACT**

- 30           1. Buttaccio has been licensed by the Commission since July 6, 1983. Buttaccio held  
31 a Standard Teaching License, with endorsements in Basic Physical Education  
32 (018) and Standard Exceptional Learner I (018), valid from October, 3, 2011,  
33 through October 2, 2016. Buttaccio did not make application for renewal. During  
34 all relevant times, Buttaccio was employed by the Hood River County School  
35 District.
- 36           2. On December 21, 2015, the Commission received a district report indicating  
37 Buttaccio may have committed acts which constitute gross neglect of duty;

1 specifically, the falsification of Individualized Education Program (IEP)  
2 documentation. Investigation determined that on October 15, 2015, Buttaccio  
3 facilitated an IEP meeting. The meeting failed to include the required  
4 participants making the meeting invalid. Instead of rescheduling the meeting,  
5 Buttaccio requested that other team members, who were not present for the  
6 meeting, sign the official paperwork after the fact and backdate the documents.  
7 Buttaccio's paperwork and process errors were determined by the school district  
8 to be in violation of local policy and related law.

### 9 CONCLUSIONS OF LAW

10 Peter A. Buttaccio engaged in unprofessional conduct as described above. This  
11 conduct constitutes Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-  
12 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR  
13 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); and  
14 OAR 584-020-0040(4)(c) (*Falsification of any document or knowing misrepresentation*  
15 *directly related to licensure, employment, or professional duties*).  
16

17 The Commission's authority to impose discipline in this matter is based upon ORS  
18 342.175.

### 19 FINAL ORDER

20 The Commission hereby issues a Public Reprimand upon Peter A. Buttaccio's Oregon  
21 educator license.

22  
23  
24 IT IS SO ORDERED THIS 27<sup>th</sup> day of February, 2017.

25  
26 TEACHER STANDARDS AND PRACTICES COMMISSION

27  
28 By: Monica Beane  
29 Dr. Monica Beane, Executive Director

1 NOTICE OF APPEAL OR RIGHTS

2  
3 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW  
4 MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM  
5 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE  
6 PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.