

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

In the Matter of the)
Teaching License of)
HEATHER DIANA DESANTO)

On June 19, 2008, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Heather Diana DeSanto (DeSanto) in which the Commission charged her with misconduct under ORS 342.175. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7006 2760 0000 1638 6671 to the address Ms. DeSanto provided to the Commission. The Certified Mail was returned on July 14, 2008 as “unclaimed.” The Notice of Opportunity of Hearing, dated June 19, 2008, and signed by Victoria Chamberlain, Executive Director, stated:

"You, Heather Diana DeSanto, 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)."

Ms. DeSanto did not request a hearing. The Commission, therefore, finds Ms. DeSanto 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 March 1, 2006, you submitted a "Certificated Paid And/Or Unpaid Leave Application" for emergency leave ostensibly for a medical procedure to occur on April 4 and 5, 2006. Your actual reason for submitting the leave request was to extend your honeymoon. This conduct violates OAR 584-020-0040(3)(c), (4)(c) and (4)(o) ("Knowing falsification of any document or knowing misrepresentation directly related to licensure, employment, or professional duties," and "Substantial deviation from professional standards of ethics set forth in OAR 584-020-0035," respectively). Your alleged substantial deviation from professional standards regarding ethics is further defined in OAR 584-020-0035(3)(a) (requiring that ethical educators "Maintain the dignity of the profession by

1 respecting and obeying the law, exemplifying personal integrity and honesty"). Your conduct
2 establishes grounds for discipline under ORS 342.175(1)(b) (gross neglect of duty).

3 2. Your request on March 1, 2006, and subsequent neglected teaching duties including
4 arranging for other teachers to cover classes, abusing the substitute teacher request policy and not
5 accounting for attendance of students violated OAR 584-020-0040(3)(c) and (4)(n) ("Substantial
6 deviation from professional standards of competency set forth in OAR 584-020-0010 through 584-
7 020-0030"). Your alleged substantial deviation from professional standards regarding competency is
8 further defined in OAR 584-020-0010(5), 584-020-0020(2)(d) and 584-020-0025(2)(c) and (e) ("use of
9 professional judgment," "skill in supervision of students," "using and maintaining student records as
10 required by federal and state law and district policies and procedures," and "using district lawful and
11 reasonable rules and regulations," respectively). Your conduct establishes grounds for discipline
12 under ORS 342.175(1)(b) (gross neglect of duty).

13 CONCLUSIONS OF LAW

14 Ms. DeSanto falsified an emergency leave request form. This conduct constitutes Gross
15 Neglect of Duty, in violation of OAR 584-020-0040(3)(c), OAR 584-020-0040(4)(c) and OAR 584-020-
16 0040(4)(o) as it incorporates OAR 584-020-0035(3)(a). Ms DeSanto neglected her teaching duties.
17 This conduct violates OAR 584-020-0040(3)(c) and OAR 584-020-0040(4)(n) as it incorporates OAR
18 584-0020-0010(5), 584-020-0020(2)(d) and 584-020-0025(2)(c) and (e). The Commission's authority
19 to impose discipline in this matter is based upon ORS 342.175.

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1 **ORDER**

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3 The Commission adopts and incorporates herein the above findings of facts and conclusions

4 of law, and based thereon, hereby revokes the Initial I Teaching License of Heather Diana DeSanto.

5 IT IS SO ORDERED this 11th day of August, 2008.

6 TEACHER STANDARDS AND PRACTICES COMMISSION

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8 By: 

9 Victoria Chamberlain, Executive Director

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11 NOTICE OF APPEAL OR RIGHTS

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13 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE

14 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF

15 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE

16 OREGON COURT OF APPEALS.