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

4 5 6	In the Matter of the) DEFAULT ORDER SUSPENDING Teaching License of) RIGHT TO APPLY FOR LICENSURE ARMANDO ALEJANDRO MACIAS)
7	On May 6, 2005, the Teacher Standards and Practices Commission (Commission)
8	issued a Notice of Opportunity for Hearing to Armando Alejandro Macias (Macias) in which the
9	Commission charged him with misconduct under ORS 342.175. The Notice was sent via U.S.
10	First Class Mail and U.S. Certified Mail Receipt 7005 0390 0000 5019 1639 to the address that
11	Mr. Macias provided to the Commission. The U.S. Certified Mail was returned to the
12	Commission "unclaimed" on May 26, 2005. The U.S. First Class mail was not returned. The
13	Notice of Opportunity of Hearing, dated May 6, 2005, and signed by Victoria Chamberlain,
14	Executive Director, stated:
15 16 7 19 20	"You, Armando Alejandro Macias, 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)."
21 22	Mr. Macias did not request a hearing, nor did he respond to request for information
23	during the Commission's investigation of this matter. The Commission, therefore, finds Mr.
24	Macias to be in default and enters the following findings of fact, conclusions of law and order,
25	based on the files and records of the Commission concerning this matter.
26	FINDINGS OF FACT
27	1. Mr. Macias' Initial Three Year Professional Technical Teaching License endorsed in
28	Agriculture Science and Technology issued August 31, 2001, expired on August 31, 2004.
29	2. Mr. Macias began contract employment with Tillamook School District on August 24
30	2001. Mr. Macias resigned his teaching position with the District effective December 13, 2004.
31	3. Mr. Macias served as a teacher in the classroom from September 2004 until
	December 2004. Mr. Macias did not apply to renew his teaching license.

1	4. A District-owned computer with Internet access was present in Mr. Macias'
2	classroom for his use in connection with his assigned responsibilities. From August to
3	December of 2004, Mr. Macias used Tillamook School District equipment and employment time
4	to send approximately 1800 personal emails Tillamook High School.
5	CONCLUSIONS OF LAW
6	Armando Alejandro Macias' knowing and substantial unauthorized use of District
7	equipment for personal purposes; and knowing and substantial unauthorized use of
8	employment time and school resources constitute Gross Neglect of Duty as defined in violated
9	OAR 584-020-0040(4)(a) and OAR 584-020-0040(4)(b). The Commission's authority to impose
10	discipline in this matter is based upon ORS 342.175.
11	ORDER
12	The Commission hereby suspends Armando Alejandro Macias' right to apply for
13	licensure for a period of six (6) months effective August 5, 2005.
.4	IT IS SO ORDERED thisday of August, 2005.
15	TEACHER STANDARDS AND PRACTICES COMMISSION
16 17 18 19	By: Manuberlain, Executive Director
20	NOTICE OF APPEAL OR RIGHTS
21 22 23 24 25	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.