

1                   BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION  
2   OF THE STATE OF OREGON  
3  
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5   In the Matter of the  
6   Teaching License of  
7   MICHAEL SCOTT WEISSENFLUH  
8  
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  |                   DEFAULT ORDER OF  
  |                   DENIAL OF LICENSURE  
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11                   On January 25, 2002, the Teacher Standards and Practices Commission issued a  
12   Notice of Opportunity for Hearing to Michael Scott Weissenfluh, in which the Commission  
13   proposed to deny issuance of a Teaching License under ORS 342.143. The notice was sent  
14   via U.S. First Class Mail and U.S. Certified Mail Receipt #7001 0320 0005 0740 9480 to  
15   the address Mr. Weissenfluh provided to the Commission. The certified mail receipt was  
16   signed and dated by M. Weissenfluh on January 29, 2002, and returned to the Commission  
17   on January 30, 2002. Michael Weissenfluh did not request a hearing.  
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19                   The Notice of Opportunity for Hearing, signed by David V. Myton, Executive  
20   Director, stated:

21                   If a request for hearing is not received within this 21-day period, your right to  
22                   hearing shall be considered waived unless your failure to request a hearing was  
23                   beyond your reasonable control. If you do not request a hearing or if you fail to  
24                   appear at a hearing, the Commission will uphold the denial of your application  
25                   for an Oregon teaching license.  
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27                   Based on the foregoing, the Commission finds Michael Weissenfluh in default and  
28   such default is hereby entered. Based on the records and files of the Commission, the  
29   Commission enters the following findings of fact and order.  
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31   **FINDINGS OF FACT**  
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33                   1. On or about September 26, 2001, Michael Weissenfluh submitted an Application  
34   for Educator License Form C-1 for a Substitute Teaching license at the Elementary, Middle  
35   School and High School Level. Mr. Weissenfluh answered "yes" to character questions 4, 8  
36   and 10.  
37

1           2. On or about July 10, 2000, Weissenfluh plead guilty to Bank Fraud in violation of  
2 18 USC 1344, a felony crime. The judgment of conviction was entered in the United States  
3 District Court Central District of California on September 25, 2000. The Court sentenced  
4 Mr. Weissenfluh to probation for three years, to pay to the U.S. a special assessment of \$50,  
5 pay restitution in the amount of \$50,000, participate in a home detention program for five  
6 months, and participate in a psychological/psychiatric counseling or treatment program.

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8                                   **CONCLUSIONS OF LAW**

9           Michael Weissenfluh's actions constitute gross unfitness in violation of ORS  
10 342.143, OAR 584-050-0006 and OAR 584-020-0040(5)(c).

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12                                   **ORDER**

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14           The Commission denies issuance of a Teaching License to Michael Weissenfluh for  
15 gross unfitness.

16  
17 Dated this 8<sup>th</sup> day of March 2002.

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19                                   TEACHER STANDARDS AND PRACTICES COMMISSION

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21                                   By David V. Myton

22                                   David V. Myton, Executive Director

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24                                   **NOTICE OF APPEAL RIGHTS**

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