| 1 2 3 | BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON | | |
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| 4 5 6 7 8 | Li | the Matter of the Educator) DEFAULT ORDER OF cense of) REVOCATION OF RIGHT ATHERINE FRANCES MORRISSEY) TO APPLY | |
| 9 | : | On April 23, 2014, the Teacher Standards and Practices Commission (Commission) | |
| 10 | | sued a Notice of Opportunity for Hearing to Catherine Frances Morrissey (Morrissey) in | |
| 11 | | hich the Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S | |
| 12 | | rst Class Mail and U.S. Certified Mail Receipt 7010 2780 0000 2187 3002 to the address | |
| 13 | | n file with the Commission. The Notice designated the Commission file as the record for | |
| 14 | _ | urposes of proving a prima facie case. The Certified Mail receipt was returned signed to the | |
| 15 | | ommission on April 28, 2014. The first class mail was not returned and assumed delivered | |
| 16 | | ne Notice of Opportunity of Hearing, dated April 23, 2014, and signed by Victoria | |
| 17 | Cr. | namberlain, Executive Director, stated: | |
| 18 19 20 21 22 23 24 25 | | "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE." | |
| 26 | M | orrissey did not request a hearing. The Commission, therefore, finds Morrissey to be in | |
| 27 | de | efault 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. | Morrissey been licensed as a teacher in Oregon since September 25, 2012. Morrissey's | |
| 31 | | Initial I Teaching License, with endorsements in General Business (HS, ML), Middle | |
| 32 | | School Social Studies (MIDLV), Multiple Subject (MIDLVL), and Special Education | |
| 33 | | (ML/HS, ECE/ELE L), was issued on September 25, 2012, and expired on March 25, | |
| 34 | | 2014. | |
| 35 | 2. | On October 3, 2013, the Commission received information from the NASDTEC | |
| 36 | | clearing house indicating that Morrissey's teaching credentials in the State of | |

- Georgia had been suspended due to testing irregularities for a period of one year commencing on January 27, 2012.
- 3. On or about January 13, 2012, Morrissey was placed on leave by her employer while 3 they continued to investigate the testing irregularities referenced above. On January 4 26, 2012. Morrissey resigned her teaching position in Georgia due, in part to her 5 testing misconduct. Review of the Georgia investigation determined that Morrissey 6 7 was made aware of the investigation in writing by Georgia officials on February 14, 2012. Morrissey signed for the certified letter on February 15, 2012. The letter clearly 8 9 states that Morrissey was under investigation by the Georgia Professional Standards 10 Commission. On February 22, 2012, Morrissey received another notice from Georgia regarding her right to a hearing. Morrissey, via her attorney, responded to this letter 11 requesting a hearing. Morrissey settled her case with Georgia by consent order on 12 September 12, 2013. 13
- 4. On September 14, 2012, Morrissey made application to TSPC for licensure. 14 15 Morrissey answered "No" to all the character questions on the Oregon application. Specifically, question number one, "Have you ever left any educational or school 16 related employment, voluntarily or involuntarily, while under the subject of an 17 inquiry, review or investigation of alleged misconduct? Have you ever left 18 19 educational or school employment when you had reason to believe an investigation for misconduct was underway or imminent?"; question number two "Are you 20 currently the subject of an inquiry, review or investigation for alleged misconduct or 21 alleged violation of professional standards of conduct by either an employer or a 22 licensure agency?"; and question number three, "Have you ever been placed on leave 23 24 by your employer for any alleged misconduct?". Morrissey falsely answered "No" to 25 each of these character questions. Morrissey signed and dated her TSPC application

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on September 3, 2012.

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| 1 | CONCLUSIONS OF LAW |
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| 2 | Morrissey's conduct described above constitutes gross neglect of duty in violation of |
| 3 | ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) |
| 4 | (Use professional judgment); and OAR 584-020-0040(4)(c) (Knowing falsification of any |
| 5 | document or knowing misrepresentation directly related to licensure, employment, or |
| 6 | professional duties). This conduct also constitutes gross unfitness in violation of ORS |
| 7 | 342.175(1)(c); OAR $584-020-0040(5)(a)$ (Revocation, suspension or denial of a license by |
| 8 | another state for reasons and through procedures that are the same as, or substantially |
| 9 | equivalent to, those permitting similar action in Oregon); and OAR 584-020-0040(5)(b) |
| 10 | (Fraud or misrepresentation). |
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| 12 | The Commission's authority to impose discipline in this matter is based upon ORS |
| 13 | 342.175. |
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| | ETMAX ODDED |
| 15 | FINAL ORDER |
| 16 | The Commission hereby revokes Catherine Frances Morrissey's right to apply for an |
| 17 | educator license. |
| 18 | IT IS SO ORDERED THIS 29 day of May, 2014. |
| 19 | TEACHER STANDARDS AND PRACTICES COMMISSION |
| 20 | By: Victoria Chamberlain, Executive Director |
| 21 | Victoria Chamberlain, Executive Director |
| 22 23 24 | NOTICE OF APPEAL OR RIGHTS |
| 24 25 26 27 28 | 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. |