1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
5 6 7 8	In the Matter of the Educator License of JOLEEN A FAVORITE DEFAULT ORDER OF DENIAL OF APPLICATION AND REVOCATION OF RIGHT TO APPLY FOR LICENSURE
9	On May 29, 2015, the Teacher Standards and Practices Commission (Commission)
10	issued a Notice of Opportunity for Hearing to Joleen A Favorite (Favorite) in which the
11	Commission denied Favorite's application for reinstatement of her suspended licensure. Th
12	Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7014 0150 0000
13	1046 6311 to the address on file with the Commission. The Notice designated the
14	Commission file as the record for purposes of proving a prima facie case. The Certified Mail
15	receipt was returned to the Commission "signed" on June 8, 2015. The first class mail was
16	not returned to the Commission. The Notice of Opportunity of Hearing, dated May 29, 2015
17	and signed by Victoria Chamberlain, Executive Director, stated:
18 19 20 21 22 23 24 25	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 60-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	Favorite did not request a hearing. The Commission, therefore, finds Favorite 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. The Commission has licensed Favorite since August 1, 2003. Favorite previously
31	held an Initial I Teaching License issued November 21, 2006, with endorsements in
32	Physical Education (ML/HS, ECE/ELE L) and Health Education (HS) that would
33	have expired on March 31, 2010. On August 10, 2009, the Commission adopted a
34	final order suspending Favorite's license and/or Favorite's right to apply for a license
35	for a period of 45 days.
36	2. On December 22, 2014, Favorite made application for the reinstatement of her

l	teaching license. Favorite's application was referred to Professional Standards to
2	investigate Favorite's background history. Investigation determined Favorite had
3	been arrested in July 2013, and charged with Criminal Trespass (Class A
4	Misdemeanor), Unlawful Entry of a Motor Vehicle (Class A Misdemeanor), and Theft
5	3 (Class C Misdemeanor). Favorite's conduct resulting in her arrest included
6	entering a private recreational vehicle and a pickup truck and rearranging the
7	contents of the vehicles. Favorite removed some items and took them with her when
8	she left; Favorite took some items from one vehicle and placed them into another in
9	what police described as "odd" behavior; Favorite also opened the property owner's
10	chicken coop and fed the chickens. Favorite was confronted by the victim at a nearby
11	park. When confronted, Favorite told the victim that Favorite had "taken her stuff
12	and hid it in a special spot". Favorite was described as acting odd and giggling when
13	confronted. Favorite had to be restrained until the police arrived. When arrested, the
14	police found stolen property on Favorite's person from the victim's vehicles.

- 3. Law enforcement learned Favorite had been suffering from a mental illness, later diagnosed as Bipolar Disorder. Upon agreeing to seek treatment, the victims agreed not to press criminal charges. On or about October 2013, Favorite was admitted to a mental health facility and began treatment. The criminal charges were dismissed.
- 4. On December 22, 2014, the Commission received Favorite's application for reinstatement of her license. On April 10, 2015, the Commission considered Favorite's application for reinstatement of her licensure.

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CONCLUSIONS OF LAW

Based upon the conduct as described above;

- 1. The Commission denies Favorite's reinstatement application and revokes Favorite's right to apply for a license for the following reasons:
 - The information Favorite submitted, along with her reinstatement documents, do not establish that Favorite possess good moral character, trustworthiness, or physical and mental health to hold an educator's license; and
 - b. Based on the above conduct, Favorite failed to provide the Commission

1	satisfactory evidence of good moral character or mental and physical fitness as
2	required to hold a license under ORS 342,143(2). Favorite's conduct also
3	constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-
4	020-0040(2) (An applicant fails to meet the requirement of ORS 342.143
5	"good moral character" if the applicant engages in gross neglect of duty,
6	gross unfitness, in violation of section (4) of this rule or other acts which are
7	in violation of sections (1) and (3) of this rule); OAR 584-020-0040(4)(n) as it
8	incorporates OAR 584-020-0010(5) (Use professional judgment). This
9	conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c);
10	OAR 584-020-0040(5)(e) (Admission of or engaging in acts constituting
11	criminal conduct, even in the absence of a conviction).
12	
13	The Commission's authority to impose discipline in this matter is based upon ORS
14	342.175.
15	FINAL ORDER
16	The Commission hereby denies Joleen A Favorite's application for reinstatement and
17	revokes her right to apply for licensure.
18	IT IS SO ORDERED THIS 21 day of October 2015.
19	TEACHER STANDARDS AND PRACTICES COMMISSION
20	By:
21	Victoria Chamberlain, Executive Director
22 23	NOTICE OF APPEAL OR RIGHTS
2425262728	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.