

1 attorney prior to entering into this Stipulation and Final Order and issuance and entry of
2 the Stipulated Final Order below.

4 **STIPULATION OF FACTS**

- 5
6 1. The Commission has licensed Garcia since October 29, 2020. Garcia holds a
7 Preliminary Teaching License with an endorsement in Reading Intervention (PK-
8 12) valid from October 29, 2020 to January 21, 2024, and a Professional
9 Teaching License with an endorsement in Reading Intervention (PK-12) valid
10 from July 13, 2022 to January 21, 2028. Additionally, Garcia has an application
11 for Administrative/Principal pending which was submitted on July 14, 2022.
12 During all relevant times Garcia was employed by the Portland Public School
13 District (PPS).
14
- 15 2. On December 7, 2021, TSPC received a misconduct report from the PPS. The
16 report alleged that Garcia “made dishonest statement on his employment
17 applications regarding his experience and circumstances of the revocation of his
18 Washington State teaching credentials.” The report also alleged that PPS offered
19 Garcia a conditional term of employment with the district but that he resigned his
20 position prior to the conclusion of PPS’s internal investigation into this matter.
21
- 22 3. According to documentation provided by PPS, The Colorado Department of
23 Education (CDE), and the Washington Office of Superintendent of Public
24 Instruction (OSPI), TSPC Investigative Staff was able to determine the following:
25
- 26 • Garcia repeatedly falsified his professional qualifications and/or
27 credentials while working as a licensed educator in the State of Colorado
28 from approximately 1997-2010 in order to obtain employment with school
29 districts and justify salary and/or raises. Garcia engaged in this behavior
30 by misrepresenting his work history, his education, and his experience. In
31 one instance, Garcia claimed that he had earned a Master of Science
32 Degree in Psychology and Counseling when he had not. Garcia’s actions
33 allowed him to gain employment that he might not have otherwise been
34 considered or qualified for.
 - 35 • In 2009, Garcia submitted an application for employment with the Cesar

1 Chavez School Network. On the application Garcia falsely stated that he
2 had never been forced to resign from a position for misconduct.

- 3 • In October 2010, Garcia submitted his application to OSPI for educator
4 licensure/certification. On the application Garcia falsely stated that he
5 had worked for the Denver Public School District (DPSD) and omitted
6 working for the Adams County School District (ACSD), Cherry Creek
7 School District (CCSD), Adams 12 Five Star Schools, the Aurora School
8 District (ASD), the Jefferson County School District (JCSD) and the Cesar
9 Chavez School Network. Additionally, on the same application, Garcia
10 again falsely stated that he had never been forced to resign from a
11 position for misconduct. Furthermore, Garcia falsely answered a question
12 on the OSPI application regarding his criminal history. Garcia indicated
13 on the application that he had “never been arrested for any crime” when
14 in fact he had been, twice in Colorado.
- 15 • From 2010-2012, Garcia repeatedly falsified his professional
16 qualifications and/or credentials while working as a licensed educator in
17 the State of Washington in order to obtain employment with school
18 districts and justify salary and/or raises. Garcia engaged in this behavior
19 by misrepresenting his work history, his education, and his experience.
20 Garcia again claimed that he had earned a Master of Science Degree in
21 Psychology and Counseling when he had not. In another instance, Garcia
22 falsely claimed that he had received a master’s degree from the University
23 of Denver and possessed a doctorate degree from Argosy University in
24 Seattle. Garcia’s actions allowed him to gain employment that he might
25 not have otherwise been considered or qualified for.
- 26 • From October of 2011 to February of 2012, Garcia worked as the Dean of
27 Students and Academic Intervention Specialist for Franklin High School
28 in Seattle, Washington without a valid Washington license or certificate.
- 29 • In 2011 Garcia falsely represented himself as the Principal of Franklin
30 High School in an email using district email.
- 31 • In 2020, Garcia made application with TSPC for a Preliminary Licensure.
32 On this application, Garcia again misrepresented his criminal history and
33 falsely answered application questions indicating that he had not been
34 disciplined by any public licensure agency.

- PPS became aware of Garcia’s history of misrepresentation of his experience and credentials on November 2, 2021, approximately one month after he had been hired by the district as an Instructional Specialist.
- On December 6, 2021, Garcia resigned from PPS.

4. On April 20, 2022 Garcia interviewed with TSPC investigative staff. During this interview he attributed the misrepresentations and falsehoods made about his credentials and experience over the years to his struggles with anxiety and mental health diagnoses. He provided TSPC with documentation of these diagnoses and stated that he was currently being treated by a therapist. During the interview he acknowledged that the decisions he had made were poor, indicating that he had been struggling with his mental health since the “mid 2000’s.” In a follow-up interview with TSPC investigative staff on February 27, 2023, he indicated that he would like to enter into a Stipulated Order Agreement in which he wanted his mental health documented as the primary reason for the misrepresentations and falsehoods that had occurred during his career.

IT IS SO STIPULATED:

Daniel J. Garcia

Date

Trent Danowski, Deputy Director
Teacher Standards and Practices Commission

Date

CONCLUSION OF LAW

The above conduct described in section three (3) above, constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty*); OAR 584-020-0040(4)(r) (*Working without a license*); and OAR 584-050-0035 (1) (*Any person employed in a position in a school district, education service district, or charter school for which a license or registration is required pursuant to ORS Chapter 342, must*

1 *hold a valid license or registration appropriate for the assignment while working as a*
2 *public school, education service district or charter school employee); and OAR 584-020-*
3 *0040(4)(c) (Falsification of any document or knowing misrepresentation directly*
4 *related to licensure, employment, or professional duties).*

5

6 The Commission's authority to impose discipline in this matter is based upon
7 ORS 342.175.

8

ORDER

9 The Commission adopts and incorporates herein the above findings of fact and
10 conclusions of law, and based thereon, imposes a revocation of Garcia's Oregon educator
11 license. Additionally, the commission imposes a term of probation for not less than
12 three (3) years.

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14 Issued and dated this 7 day of April, 2023.

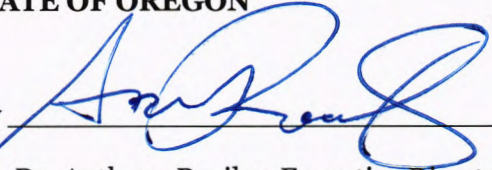
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TEACHER STANDARDS AND PRACTICES COMMISSION
STATE OF OREGON

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By  _____

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Dr. Anthony Rosilez, Executive Director