

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the Educator License of) DEFAULT ORDER OF
5 TANYA MAROOCHY EARLE) REVOCATION AND REVOCATION
6) OF RIGHT TO APPLY
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9 On March 27, 2013, the Teacher Standards and Practices Commission (Commission) issued a
10 Notice of Opportunity for Hearing to Tanya Maroochy Earle (Earle) in which the Commission
11 charged her with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail and U.S.
12 Certified Mail Receipt 7011 2000 0001 1292 0233 to the address on file with the Commission. The
13 Notice designated the Commission file as the record for purposes of proving a prima facie case. The
14 Certified Mail receipt was returned, signed to the Commission on April 1, 2013. The regular mail was
15 not returned to the Commission. The Notice of Opportunity of Hearing, dated March 27, 2013, and
16 signed by Victoria Chamberlain, Executive Director, stated:

17 "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD,
18 YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR
19 FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF
20 YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE
21 COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE
22 REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
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24 Earle did not request a hearing. The Commission, therefore, finds Earle to be in default and enters
25 the following findings of fact, conclusions of law, and final order, based on the files and records of
26 the Commission concerning this matter.
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28 **FINDINGS OF FACT**

- 29 1. Tanya Maroochy Earle has been licensed by the Commission since July 7, 2000. Earle's Initial II
30 Teaching License, with endorsements in Multiple Subjects (MIDLVL), and Social Studies
31 (ML/HS), was issued March 13, 2011, and expires on March 12, 2014. During all relevant times,
32 Earle was employed by the Molalla River School District.
- 33 2. On December 21, 2012, Earle pled guilty and was subsequently convicted of two counts of
34 Contributing to the Sexual Delinquency of a Minor (ORS 163.435) a class A Misdemeanor. Seven
35 counts of Sexual Abuse were dismissed as part of Earle's plea agreement. Earle was sentenced to
36 36 months of probation to include "No contact with minors" and "register as a sex offender".
- 37 3. Earle's conviction arose from allegations that on or around September 2007 and September
38 2008, you engaged in sexual relations with a minor aged student.

1 **CONCLUSIONS OF LAW**

2 Earle's convictions constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR
3 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); and
4 OAR 584-020-0040(1)(r) (*ORS 163.435 – Contributing to the Sexual Delinquency of a Minor*). This
5 conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(e)
6 (*Admission of or engaging in acts constituting criminal conduct, even in the absence of a*
7 *conviction*). Pursuant to ORS 342.175(2)(a) and OAR 584-020-0040(1) the Commission will deny,
8 revoke or deny the right to apply for a license or charter school registration to any applicant or
9 educator who, has been convicted of any of the crimes listed in ORS 342.143.

10 Furthermore, the conduct underlying Earle's convictions constitutes gross neglect of duty in
11 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5)
12 (*Use professional judgment*); OAR 584-020-0040(4)(k) (*knowing violation of any rule or order of*
13 *the Commission*); OAR 584-020-0040(4)(f) (*Any sexual conduct with a student*), and OAR 584-
14 020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession*
15 *by respecting and obeying the law, exemplifying personal integrity and honesty*); and the conduct
16 underlying Earle's convictions constitute "gross unfitness" in violation of ORS 342.175(1)(c); OAR
17 584-020-0040(3)(a) and (d) as defined by OAR 584-020-0040 (5) ("*Gross unfitness is any conduct*
18 *which renders an educator unqualified to perform his or her professional responsibilities*").


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

20 **FINAL ORDER**

21 The Commission hereby revokes Tanya Maroochy Earle's educator license and Tanya
22 Maroochy Earle's right to apply for an educator license.

23 IT IS SO ORDERED THIS 2nd day of July, 2013.

24 TEACHER STANDARDS AND PRACTICES COMMISSION

25 By: 
26 Victoria Chamberlain, Executive Director
27

28 **NOTICE OF APPEAL OR RIGHTS**

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