

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

4 In the Matter of the ) DEFAULT ORDER OF  
5 Teaching License of ) REVOCATION OF  
6 NICOLASA MOHS ) EDUCATOR LICENSE  
7

8 On September 13, 2010, the Teacher Standards and Practices Commission  
9 (Commission) issued a Notice of Opportunity for Hearing to Nicolasa Mohs (Mohs) in  
10 which the Commission charged her with Gross Neglect of Duty and Gross Unfitness  
11 pursuant to OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5); OAR  
12 584-020-0040(5)(c); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-  
13 0035(3)(a). The Notice was sent via U.S. First Class Mail and U.S. Certified Mail  
14 Receipt 7010 0290 0001 6831 4350 to the address on file with the Commission. On  
15 September 14, 2010, Mohs signed for the Certified Mail. The Notice of Opportunity of  
16 Hearing, dated September 13, 2010, and signed by Victoria Chamberlain, Executive  
17 Director, stated:

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

29 **FINDINGS OF FACT**

- 30 1. Mohs has been licensed as a teacher in Oregon since June 27, 1991. Her  
31 current Standard Administrative License and Standard Personnel Service  
32 Licenses both issued on December 11, 2007, expire on December 13, 2013. Her  
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1 current Standard Teaching License issued December 29, 2008, is valid through  
2 December 28, 2013.

- 3
- 4 2. On September 30, 2009, Mohs plead guilty to, and was convicted of one charge  
5 of Conspiracy to Commit Aggravated Theft in the First Degree, a Class B Felony.  
6 This conviction was the result of Mohs having fraudulently written a life insurance  
7 policy on her father, after his death, for the benefit of her mother. On September  
8 29, 2009, Mohs' insurance producer license was revoked for the conduct  
9 involving the life insurance policy, and because of her failure to report her  
10 previous discipline by the Oregon Government Ethics Commission and the  
11 Teacher Standards and Practices Commission, pursuant to ORS 744.089. On  
12 May 21, 2007, the Commission suspended Mohs' license for 30 days for failure  
13 to follow Willamette Education Service District's policies, the Oregon Government  
14 Ethics Commission's standards and the Commission's standards.

#### 15 CONCLUSIONS OF LAW

16 Nicolasa Mohs's conduct described above constitutes gross neglect of duty in  
17 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-  
18 020-0010(5) (Use professional judgment); OAR 584-020-0040(4)(o) as it incorporates  
19 OAR 584-020-0035(3)(a) (Maintain dignity of profession by respecting and obeying the  
20 law, exemplifying personal integrity and honesty); and gross unfitness under ORS  
21 342.175(1)(c); OAR 584-020-0040(5)(c) (Conviction of violating any federal, state, or  
22 local law. A conviction includes any final judgment of conviction by a court whether as  
23 the result of guilty plea, no contest plea or any other means). The Commission's  
24 authority to impose discipline in this matter is based upon ORS 342.175.

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1 **FINAL ORDER**

2 The Commission hereby revokes Nicolasa Mohs' educator license.

3 IT IS SO ORDERED THIS 5<sup>th</sup> day of November, 2010.

4 TEACHER STANDARDS AND PRACTICES COMMISSION

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6  
7 By:   
8 Victoria Chamberlain, Executive Director  
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12 **NOTICE OF APPEAL OR RIGHTS**

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14  
15 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY  
16 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE  
17 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS  
18 OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

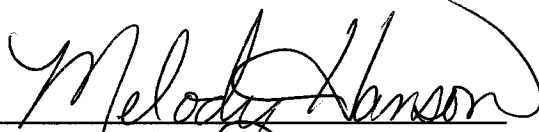
CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Nicolasa Mohs  
4860 Burns Ave.  
Salem OR 97305

Dated this 13<sup>th</sup> day of June, 2011.

By: \_\_\_\_\_

  
Melody Hanson  
Executive Assistant