

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

4 In the Matter of the) DEFAULT ORDER OF DENIAL
5 Teaching License of) OF TEACHING LICENSE
6 STEPHANIE L. FICKER)

7 On December 9, 2005, the Teacher Standards and Practices Commission (Commission)
8 issued a Notice of Opportunity for Hearing to Stephanie L. Ficker (Ficker) in which the
9 Commission denied licensure based on ORS 342.143(2). The Notice was sent via U.S. First
10 Class Mail and U.S. Certified Mail Receipt 7005 0390 0005 5794 8699 to the address Ms.
11 Ficker provided to the Commission. The certified mail receipt was signed by the educator and
12 returned to the Commission on December 14, 2005. The Notice of Opportunity of Hearing,
13 dated December 9, 2005, and signed by Victoria Chamberlain, Executive Director, stated:

14 "You, Stephanie L. Ficker, are entitled to a hearing on the proposed action of the
15 Commission. If you want a hearing, you must file a written request for a hearing
16 with the Commission within 21 days of the date of this notice. Attached to this
17 notice is a copy of the procedures, right of representation and other rights of
18 parties relating to the conduct of a hearing as required under ORS 183.413(2)."
19

20 Ms. Ficker did not request a hearing. The Commission, therefore, finds Ms. Ficker to be
21 in default and enters the following findings of fact, conclusions of law and order, based on the
22 files and records of the Commission concerning this matter.

23 **FINDINGS OF FACT**

24 1. On September 6, 2004, Ms. Ficker was arrested for Driving Under the Influence of
25 Intoxicants (DUII) and granted a Diversion in Benton County, Oregon.

26 2. On September 13, 2004, Ms. Ficker signed and submitted a Student Teaching Or
27 Practicum Report – Form PA-1 in which she responded “no” to all character questions. Ms.
28 Ficker failed to respond affirmatively to character question 9, “Have you ever been arrested or
29 cited for any offense listed in question (8) above which is still pending in the court?”

30 3. On July 20, 2005, Ms. Ficker submitted an Application For Educator License Form

1 C-1 in which she responded "no" to all character questions. Ms. Ficker failed to respond
2 affirmatively to character question: 8, "Have you ever been convicted or been granted
3 conditional discharge by any court..."; character question 9, "Have you ever been arrested or
4 cited for any offense listed in question (8) above which is still pending in the court?"; and
5 character question 10, "Have you ever entered a plea of guilty or No Contest relative to any to
6 any charge for an offense listed in question 8?"

7 **CONCLUSIONS OF LAW**

8 Engaging in criminal behavior constitutes gross unfitness pursuant to OAR 584-020-
9 0040(5)(e). Misrepresentation directly related to licensure and/or false statement on application
10 are grounds for denial of licensure as per OAR 584-020-0040(4)(c) and OAR 584-050-0006(1).
11 Pursuant to OAR 584-050-0006(5) and ORS 342.143(2) the Executive Director may deny
12 issuance of a license based upon evidence that the applicant may lack fitness to serve as an
13 educator. The Commission's authority to impose discipline in this matter is based upon ORS
14 342.175.

15 **ORDER**

16 The Commission hereby denies the application of Stephanie L. Ficker for an Oregon
17 Teaching License.

18 IT IS SO ORDERED this 30 day of January, 2006.

19 TEACHER STANDARDS AND PRACTICES COMMISSION

20 By: *Victoria Chamberlain*
21
22 Victoria Chamberlain, Executive Director

23 NOTICE OF APPEAL OR RIGHTS

24
25
26 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
27 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS
28 ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE
29 OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

1
2
3 I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me
4 as such by U.S. First Class Mail to the Attorney of record for Stephanie L. Ficker:
5

6 Dirk L. Pierson
7 Attorney at Law
8 The Salem Legal Group
9 PO Box 2780
10 Salem OR 97308

11
12 Dated this 14th day of February, 2006.
13
14

15
16 By: Melody Hanson
17
18 Melody Hanson, Executive Assistant