

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

4 In the Matter of the Educator) DEFAULT ORDER OF
 5 License of) PUBLIC REPRIMAND
 6 JASON DEVOE MILLER)

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 9 On December 28, 2017, the Teacher Standards and Practices Commission
 10 (Commission) issued a Notice of Opportunity for Hearing to Jason Devoe Miller (Miller) in
 11 which the Commission charged him with Gross Neglect of Duty. The Notice was sent via
 12 U.S. First Class Mail and U.S. Certified Mail Receipt 7017 0190 0000 6246 7613 to the
 13 address on file with the Commission. The Notice designated the Commission file as the
 14 record for purposes of proving a prima facie case. The Certified Mail receipt was returned to
 15 the Commission signed on December 28, 2017. The first class mail was not returned to the
 16 Commission. The Notice of Opportunity of Hearing, dated December 28, 2017, and signed
 17 by Trent Danowski, Co-Interim Executive 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 YOU
 22 FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER
 23 OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF
 24 YOUR LICENSE OR OTHER DISCIPLINE.”
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26 Miller did not request a hearing. The Commission, therefore, finds Miller to be in default
 27 and enters the following findings of fact, conclusions of law, and final order, based on the
 28 files and records of the Commission concerning this matter.
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30 **FINDINGS OF FACT**

- 31 1. Miller has been licensed by the Commission since October 5, 1995. Miller holds a
 32 Professional Teaching License, with an endorsement in Agriculture Science and
 33 Technology (CTE) PK-12, valid from September 14, 2017, through September 13,
 34 2022. During all relevant times, Miller was employed by the Mitchell School
 35 District (MSD).
- 36 2. On September 15, 2016, the Commission was notified by the Mitchell School
 37 District that Miller may have violated professional standards by failing to provide

1 60 days' notice of resignation as required by contract and state law ORS
2 342.553(1). Subsequent investigation determined the following:

- 3 a. On April 13, 2016, Miller signed a letter of intent, accepting his teaching
4 contract for the 2016-2017- and 2017-2018 school years. Miller began
5 working the 2016-2017 contract on August 18, 2016. On August 31, 2016,
6 Miller delivered a letter of resignation to district officials indicating that
7 Miller was resigning his employment effective immediately, August 31,
8 2016. Miller was advised of the requirement to provide 60 days' notice as
9 detailed in the contract and state law. Miller informed MSD that because
10 the district had reduced his teaching contract to less than full time, Miller
11 had sought and received other employment that required him to begin
12 work immediately, and Miller was unable or refused to provide the
13 requested 60 day notice.
14

15 **CONCLUSIONS OF LAW**

16 Jason Devoe Miller engaged in unprofessional conduct as described above, failing to
17 complete his contract and failing to provide the required 60 day notice of resignation. This
18 conduct constitutes Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-
19 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR
20 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); and
21 OAR 584-020-0040(4)(j) (*Resignation from a contract in violation of ORS 342.553*).
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23 The Commission's authority to impose discipline in this matter is based upon ORS
24 342.175.


25 **FINAL ORDER**

26 The Commission hereby issues a Public Reprimand upon Jason Devoe Miller's
27 Educator licensure.

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29 IT IS SO ORDERED THIS 23rd day of March, 2018.
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TEACHER STANDARDS AND PRACTICES COMMISSION

By: 
Dr. Anthony Rosilez, Executive Director

NOTICE OF APPEAL OR RIGHTS

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.