

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 DAVID FLOOD	)	RIGHT TO APPLY FOR LICENSURE

7

8           On March 5, 2008, the Teacher Standards and Practices Commission (Commission) issued a

9 Notice of Opportunity for Hearing to David Flood (Flood) in which the Commission charged Flood with

10 misconduct under ORS 342.175. The Notice was sent via U.S. First Class Mail and U.S. Certified

11 Mail Receipt 7006 0810 0001 4602 2272 to the address Mr. Flood provided to the Commission. The

12 U.S. First Class Mail was returned to the Commission on March 27, 2008 unsigned and unable to

13 forward, regular mail was assumed received as it was not returned. The Notice of Opportunity of

14 Hearing, dated March 5, 2008, and signed by Victoria Chamberlain, Executive Director, stated:

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

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21           Mr. Flood did not request a hearing. The Commission, therefore, finds

22 Mr. Flood to be in default and enters the following findings of fact, conclusions of law and

23 order, based on the files and records of the Commission concerning this matter.

24   **FINDINGS OF FACT**

- 25           1. Mr. Flood has been licensed by the Commission since July 15, 1986. On October 31, 2002 the  
26 Commission issued Mr. Flood a Substitute Teaching License valid until June 2, 2006, valid for  
27 substitute teaching in any specialty.
- 28           2. Mr. Flood failed to respond to requests for information from, or participate in an interview with,  
29 the Commission. This conduct constitutes gross neglect of duty in violation of OAR 584-020-  
30 0040(4)(p) (Subject to the exercise of any legal right or privilege, failure or refusal by an  
31 educator under investigation to respond to requests for information, to furnish documents or to  
32 participate in interviews with a Commission representative relating to a Commission

1 investigation).

2 **CONCLUSIONS OF LAW**

3 Failure to respond to requests for information and to participate in interviews with a  
4 Commission representative relating to a Commission investigation constitutes Gross Neglect of Duty  
5 in violation of OAR 584-020-0040(4)(p). The Commission's authority to impose discipline in this  
6 matter is based upon ORS 342.175.

7 **ORDER**

8 The Commission hereby revokes David Flood's right to apply for a teaching license.

9 IT IS SO ORDERED this 19 day of May, 2008.

10 TEACHER STANDARDS AND PRACTICES COMMISSION

11 By   
12 Victoria Chamberlain, Executive Director  
13

14 **NOTICE OF APPEAL OR RIGHTS**

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

CERTIFICATE OF MAILING

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

David Flood  
2724 Ingalls Drive  
White City OR 97503-1305

Dated this 5<sup>th</sup> day of June, 2008.

By: Melody Hanson  
Melody Hanson, Executive Assistant