

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 AND
6 AMY McDONALD VALDEZ) SUSPENSION OF RIGHT TO APPLY

7 On May 21, 2004, the Teacher Standards and Practices Commission (Commission)
8 issued a Notice of Opportunity for Hearing to Amy McDonald Valdez (Valdez) in which the
9 Commission charged her with misconduct under ORS 342.175. The Notice was sent via U.S.
10 First Class Mail and U.S. Certified Mail Receipt 7003 2260 0000 8804 6525 to the address
11 Ms. Valdez provided to the Commission on her application for licensure. The certified mail
12 receipt was signed and dated May 22, 2004. The Notice of Opportunity of Hearing, dated
13 May 21, 2004, and signed by Victoria Chamberlain, Executive Director, stated:

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

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

24 **FINDINGS OF FACT**

25 1. On January 27, 2004, Ms. Valdez signed and submitted an Application for Educator
26 License Form C-1 requesting a Restricted Substitute Teaching License. The application was
27 sponsored by the Clackamas Education Service District.

28 2. On the character question section of the application, Ms. Valdez responded
29 affirmatively to question 8, "Have you ever been convicted or been granted conditional
30 discharge by any court for: (a) any felony; (b) misdemeanor...?" and question 10, "Have you

1 ever entered a plea of guilty or No Contest relative to any charge for an offense listed in
2 question 8?" Ms. Valdez disclosed a single felony conviction for Identity Theft II, ORS 165.800,
3 in Clackamas County Circuit Court.

4 3. Ms. Valdez failed to disclose and provide court documents for additional criminal
5 convictions. FBI and the Oregon court records indicate that:

6 a. On March 23, 1993, Ms. Valdez was convicted of Fraud-Illeg use Credit Cards,
7 a felony, in Houston, Texas;

8 b. On October 30, 2000, Ms. Valdez was convicted of Theft III, a misdemeanor,
9 and Tampering with Drug Records, a felony, in the Circuit Court of the State of Oregon for the
10 County of Washington; and

11 c. On August 13, 2001, Ms Valdez was convicted of Theft II, a misdemeanor, in
12 Beaverton Municipal Court, Beaverton, Oregon.

13 **CONCLUSIONS OF LAW**

14 Ms. Valdez' knowing misrepresentation directly related to licensure constitutes Gross
15 Neglect of Duty in violation of OAR 584-020-0040(4)(c). These convictions, in addition to failure
16 to disclose them, are basis for denial of licensure pursuant to OAR 584-050-0006(1), (3) and
17 (5). The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

18 ///

19 ///

20 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

ORDER

The Commission hereby denies Amy McDonald Valdez' application for a teaching license and suspends her right to apply for licensure.

IT IS SO ORDERED this 29th day of July, 2004.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: *Victoria Chamberlain*
Victoria Chamberlain, 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.

CERTIFICATE OF MAILING

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

Amy McDonald Valdez
13500 SW Pacific Hwy
Portland OR 97223

Dated this 11th day of August 2004.

By: 

Melody Hanson, Executive Assistant