

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

4 In the Matter of the) DEFAULT ORDER SUSPENDING
5 Teaching License of) RIGHT TO APPLY FOR LICENSURE
6 ARMANDO ALEJANDRO MACIAS)

7 On May 6, 2005, the Teacher Standards and Practices Commission (Commission)
8 issued a Notice of Opportunity for Hearing to Armando Alejandro Macias (Macias) in which the
9 Commission charged him with misconduct under ORS 342.175. The Notice was sent via U.S.
10 First Class Mail and U.S. Certified Mail Receipt 7005 0390 0000 5019 1639 to the address that
11 Mr. Macias provided to the Commission. The U.S. Certified Mail was returned to the
12 Commission "unclaimed" on May 26, 2005. The U.S. First Class mail was not returned. The
13 Notice of Opportunity of Hearing, dated May 6, 2005, and signed by Victoria Chamberlain,
14 Executive Director, stated:

15 "You, Armando Alejandro Macias, are entitled to a hearing on the proposed
16 action of the Commission. If you want a hearing, you must file a written request
17 for a hearing with the Commission within 21 days of the date of this notice.
18 Attached to this notice is a copy of the procedures, right of representation and
19 other rights of parties relating to the conduct of a hearing as required under ORS
20 183.413(2)."
21

22 Mr. Macias did not request a hearing, nor did he respond to request for information
23 during the Commission's investigation of this matter. The Commission, therefore, finds Mr.
24 Macias to be in default and enters the following findings of fact, conclusions of law and order,
25 based on the files and records of the Commission concerning this matter.

26 **FINDINGS OF FACT**

- 27 1. Mr. Macias' Initial Three Year Professional Technical Teaching License endorsed in
28 Agriculture Science and Technology issued August 31, 2001, expired on August 31, 2004.
- 29 2. Mr. Macias began contract employment with Tillamook School District on August 24,
30 2001. Mr. Macias resigned his teaching position with the District effective December 13, 2004.
- 31 3. Mr. Macias served as a teacher in the classroom from September 2004 until
December 2004. Mr. Macias did not apply to renew his teaching license.

1 4. A District-owned computer with Internet access was present in Mr. Macias'
2 classroom for his use in connection with his assigned responsibilities. From August to
3 December of 2004, Mr. Macias used Tillamook School District equipment and employment time
4 to send approximately 1800 personal emails Tillamook High School.

5 **CONCLUSIONS OF LAW**

6 Armando Alejandro Macias' knowing and substantial unauthorized use of District
7 equipment for personal purposes; and knowing and substantial unauthorized use of
8 employment time and school resources constitute Gross Neglect of Duty as defined in violated
9 OAR 584-020-0040(4)(a) and OAR 584-020-0040(4)(b). The Commission's authority to impose
10 discipline in this matter is based upon ORS 342.175.

11 **ORDER**

12 The Commission hereby suspends Armando Alejandro Macias' right to apply for
13 licensure for a period of six (6) months effective August 5, 2005.

14 IT IS SO ORDERED this 9 day of August, 2005.

15 TEACHER STANDARDS AND PRACTICES COMMISSION

16 By: Victoria Chamberlain
17 Victoria Chamberlain, Executive Director
18
19

20 **NOTICE OF APPEAL OR RIGHTS**

21
22 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
23 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE
24 OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS
25 183.482 TO THE 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 regular U.S. mail and by U.S. Certified Mail—Return Receipt Requested, addressed
5 to:
6

7 Armando Alejandro Macias
8 980 Azalea Lane
9 PO Box 823
10 Tillamook OR 97141

11
12 Dated this 8th day of September, 2005.
13

14
15
16 By: 
17

Melody Hanson, Executive Assistant