## BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON

4 - 5	In the Matter of the ) DEFAULT ORDER OF DENIAL OF LICENSURE AND SUSPENSION OF
6 7	BRENDĂ WALDEN PINE ) RIGHT TO APPLY FOR LICENSURE
8	On August 14, 2003, the Teacher Standards and Practices Commission (Commission)
9	issued a Notice of Opportunity for Hearing to Brenda Walden Pine (Pine) in which the
10	Commission charged her with misconduct under ORS 342.175. The Notice was sent via U.S.
11	First Class Mail and U.S. Certified Mail Receipt 7002 3150 0004 3439 2414 to the address
12	Ms. Pine provided to the Commission. The certified mail receipt was signed by Ms. Pine and
13	returned to the Commission on August 18, 2003. Brenda Walden Pine did not request a
14	hearing. The Notice of Opportunity of Hearing, dated August 14, 2003, and signed by Victoria
15	Chamberlain, Executive Director, stated:
16 17 19 20 21	"You, Brenda Walden Pine, are entitled to a hearing on the proposed action of the Commission. If you want a hearing, you must file a written request for a hearing with the Commission within 21 days of the date of this notice. Attached to this notice is a copy of the procedures, right of representation and other rights of parties relating to the conduct of a hearing as required under ORS 183.413(2)."
22 23	Ms. Pine did not request a hearing. The Commission, therefore, finds
24	Ms. Pine to be in default and enters the following findings of fact, conclusions of law and
25	order, based on the files and records of the Commission concerning this matter.
26	FINDINGS OF FACT
27	1. On May 15, 2003, Ms. Pine signed and submitted an Application for Educator License
28	Form C-1 requesting reinstatement of an expired Basic Teaching License.
29	2. Ms. Pine served as a substitute teacher in the Butte Falls School District on 59
30	separate days beginning September 12, 2002, and ending May 21, 2003, without proper
31	licensure.

1 3. The Commission issued Ms. Pine a Basic Teaching License valid July 27, 1994, that license expired on August 31, 1997. **CONCLUSIONS OF LAW** 3 Serving in a public school without a teaching license is a basis of denial of license 5 pursuant to OAR 584-050-0030(1) and constitutes Gross Neglect of Duty in violation of OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(2)(a). The Commission's authority to 6 7 impose discipline in this matter is based upon ORS 342.175. **ORDER** 9 The Commission hereby denies Ms. Pine's application for a teaching license and 10 suspends Ms. Pine's right to apply for an Oregon teaching license through May 21, 2004. IT IS SO ORDERED this day of October 2003. 11 12 TEACHER STANDARDS AND PRACTICES COMMISSION 13 16 Victoria Chamberlain, Executive Director 17 18 NOTICE OF APPEAL OR RIGHTS 19 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE 20 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE 21

OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS

183.482 TO THE OREGON COURT OF APPEALS.

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## **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:

Brenda Walden Pine
PO Box 337
Butte Falls, OR 97522

Dated this  $\frac{1000}{100}$  day of October 2003.

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Melody Hanson, Executive Assistant