

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

4 In the Matter of the Educator)
5 License of)
6 TONYA MJELDE)

DEFAULT ORDER OF
PUBLIC REPRIMAND

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9 On March 20, 2020, the Teacher Standards and Practices Commission (Commission)
10 issued a Notice of Opportunity for Hearing to Tonya Mjelde (Mjelde) in which the
11 Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First
12 Class Mail and U.S. Certified Mail Receipt 7018 1830 0001 6178 7374 to the address on file
13 with the Commission. The Notice designated the Commission file as the record for purposes
14 of proving a prima facie case. The Certified Mail receipt was returned to the Commission
15 signed. The first class mail was not returned to the Commission and assumed delivered. The
16 Notice of Opportunity of Hearing, dated March 20, 2020, and signed by Anthony Rosilez,
17 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, WITHDRAW
22 YOUR REQUEST FOR HEARING, IF YOU FAIL TO APPEAR AT A HEARING, OR
23 NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE
24 COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE
25 THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER
26 DISCIPLINE.”
27

28 Mjelde did not request a hearing. The Commission, therefore, finds Mjelde to be in default
29 and enters the following findings of fact, conclusions of law, and final order, based on the
30 files and records of the Commission concerning this matter.

31 **FINDINGS OF FACT**

- 32 1. Mjelde has been licensed by the Commission since August 8, 2008. Mjelde holds
33 a Professional Teaching License, with endorsements in English to Speakers of
34 Other Languages (PK-12); Bilingual Specialization: Spanish (PK-12); and World
35 Language: Spanish (PK-12), valid from March 2, 2018, through August 4, 2023.
36 Mjelde also holds an Administrator License, with endorsements in Principal (PK-
37 12) and Administrator (ALL LVL), valid from July 15, 2019, through August 4,

1 2022. During all relevant times, Mjelde was employed by the Portland Public
2 School District (PPSD).

- 3 2. On July 12, 2019, Commission licensure staff referred Mjelde to Professional
4 Practices after determining Mjelde may have performed the duties of an
5 administrator without an appropriate, valid, license or registration. Investigation
6 determined that on March 2, 2018, Mjelde renewed her teaching license. Mjelde
7 did not make application to renew her administrative license, which expired on
8 August 4, 2018. Mjelde mistakenly assumed that in renewing her teaching
9 license, she had also renewed her administrative license. Mjelde acknowledged
10 that she had failed to review carefully the Commission email that detailed what
11 license had been renewed. Mjelde's Administrative license subsequently expired
12 on August 4, 2018.

13 On April 10, 2019, realizing that her administrator licensure had expired, Mjelde
14 contacted commission staff to address the issue. It was learned that Mjelde had
15 continued to perform duties that required administrative licensure for
16 approximately one year while her administrative license was expired. Mjelde
17 promptly made application for the renewal of her administrative license, which
18 was issued / renewed on July 15, 2019. Both Mjelde and her district supplied
19 correspondence explaining the lapse in licensure.

20 CONCLUSIONS OF LAW

21 Tonya Mjelde's conduct, as described above, constitutes Gross Neglect of Duty in
22 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
23 0010(5) (*Use professional judgment*), OAR 584-020-0040(4)(r) (*Working without a*
24 *license*); and OAR 584-050-0035 (1) (*Any person employed in a position in a school*
25 *district, education service district, or charter school for which a license or registration is*
26 *required pursuant to ORS Chapter 342, must hold a valid license or registration*
27 *appropriate for the assignment while working as a public school, education service district*
28 *or charter school employee*).

29
30 The Commission's authority to impose discipline in this matter is based upon ORS
31 342.175.