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

In the Matter of the) DEFAULT ORDER
Charter School) THIRTY (30) DAY
Registry of) SUSPENSION OF
SHANNON LEE POWELL) CHARTER SCHOOL REGISTRY

On June 26, 2012, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Shannon Lee Powell (Powell) in which the Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7010 2780 0000 2187 2579 to the address on file with the Commission. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Certified Mail was signed for on June 27, 2012. The regular mail was not returned to the Commission. The Notice of Opportunity of Hearing, dated June 26, 2012, and signed by Victoria Chamberlain, Executive Director, stated:

“IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE.”

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

FINDINGS OF FACT

1. Powell has been licensed as a teacher in Oregon since April 7, 2008. Her current Charter School Registration with an endorsement in Multiple Subjects Self-Contained (ECE, ELE) issued January 6, 2012, expires on January 6, 2015. During all relevant times, Powell was employed by the Eugene 4 J School District.
2. On December 19, 2011, Powell was referred to investigations for teaching without a license or registration. The Commission conducted an investigation and learned that Powell’s original Charter School Registration had been scheduled to expire on April 7, 2011. Powell submitted an application for renewal on January 28, 2011. The Commission evaluated Powell’s application and sent notice to Powell that her application was incomplete. Powell was informed that she needed to complete and pass the Civil Rights exam before August 5, 2011 (this included her standard grace period if needed). Powell failed to take and pass the test until the end of November 2011. As a result, Powell’s charter school registry expired on April 7, 2011; Powell’s grace period expired on or about August 5, 2011.

1 Powell failed to renew her registration until January 2012. Powell continued to teach without a valid
2 license or registration from August 2011 until January 2012, a period of over five months.

3 **CONCLUSIONS OF LAW**

4 Powell's conduct described above, constitutes gross neglect of duty in violation of ORS
5 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*
6 *professional judgment*); OAR 584-020-0040(4)(r) (Knowingly working without a license); and
7 OAR 584-050-0006(f) (The applicant has served in violation of OAR 584-050-0035 *Must be*
8 *Licensed, Registered or Certified at All Times While Employed*).

9 The Commission's authority to impose discipline in this matter is based upon ORS
10 342.175.

11 **FINAL ORDER**

12 The Commission hereby suspends Shannon Lee Powell's Charter School Registration for
13 a period of thirty (30) days, to begin upon the date this order is signed and in effect.

14 IT IS SO ORDERED THIS 1st day of November, 2012.

15 TEACHER STANDARDS AND PRACTICES COMMISSION

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18 By: _____
19 Victoria Chamberlain, Executive Director

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23 **NOTICE OF APPEAL OR RIGHTS**

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25 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
26 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
27 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
28 THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

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

Shannon Lee Powell
48 W 26th Ave
Eugene, OR 97405

Dated this 29th day of October, 2012.

By: 
Cristina Edgar
Investigator