BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 1 2 OF THE STATE OF OREGON 3 DEFAULT ORDER OF 4 In the Matter of the Teaching License of LICENSE REVOCATION 5 **HEATHER DIANA DESANTO** 6 7 On June 19, 2008, the Teacher Standards and Practices Commission (Commission) issued a 8 Notice of Opportunity for Hearing to Heather Diana DeSanto (DeSanto) in which the Commission 9 charged her with misconduct under ORS 342.175. The Notice was sent via U.S. First Class Mail and 10 U.S. Certified Mail Receipt 7006 2760 0000 1638 6671 to the address Ms. DeSanto provided to the 11 Commission. The Certified Mail was returned on July 14, 2008 as "unclaimed." The Notice of 12 Opportunity of Hearing, dated June 19, 2008, and signed by Victoria Chamberlain, Executive Director, 13 14 stated: "You, Heather Diana DeSanto, are entitled to a hearing on the proposed action of the 15 Commission. If you want a hearing, you must file a written request for a hearing with 16 the Commission within 21 days of the date of this notice. Attached to this notice is a 17 copy of the procedures, right of representation and other rights of parties relating to the 18 conduct of a hearing as required under ORS 183.413(2)." 19 20 Ms. DeSanto did not request a hearing. The Commission, therefore, finds 21 Ms. DeSanto to be in default and enters the following findings of fact, conclusions of law and 22 order, based on the files and records of the Commission concerning this matter. 23 **FINDINGS OF FACT** 24 1. On March 1, 2006, you submitted a "Certificated Paid And/Or Unpaid Leave Application" 25 for emergency leave ostensibly for a medical procedure to occur on April 4 and 5, 2006. Your actual 26 reason for submitting the leave request was to extend your honeymoon. This conduct violates OAR 27 584-020-0040(3)(c), (4)(c) and (4)(o) ("Knowing falsification of any document or knowing 28 misrepresentation directly related to licensure, employment, or professional duties," and "Substantial 29 deviation from professional standards of ethics set forth in OAR 584-020-0035," respectively). Your 30 alleged substantial deviation from professional standards regarding ethics is further defined in OAR 31 584-020-0035(3)(a) (requiring that ethical educators "Maintain the dignity of the profession by 32

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- respecting and obeying the law, exemplifying personal integrity and honesty"). Your conduct establishes grounds for discipline under ORS 342.175(1)(b) (gross neglect of duty).
- 2. Your request on March 1, 2006, and subsequent neglected teaching duties including 3 arranging for other teachers to cover classes, abusing the substitute teacher request policy and not 4 5 accounting for attendance of students violated OAR 584-020-0040(3)(c) and (4)(n) ("Substantial deviation from professional standards of competency set forth in OAR 584-020-0010 through 584-6 020-0030"). Your alleged substantial deviation from professional standards regarding competency is 7 further defined in OAR 584-020-0010(5), 584-020-0020(2)(d) and 584-020-0025(2)(c) and (e) ("use of 8 9 professional judgment," "skill in supervision of students," "using and maintaining student records as required by federal and state law and district policies and procedures," and "using district lawful and 10 reasonable rules and regulations," respectively). Your conduct establishes grounds for discipline 11 under ORS 342.175(1)(b) (gross neglect of duty). 12

## CONCLUSIONS OF LAW

Ms. DeSanto falsified an emergency leave request form. This conduct constitutes Gross

Neglect of Duty, in violation of OAR 584-020-0040(3)(c), OAR 584-020-0040(4)(c) and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a). Ms DeSanto neglected her teaching duties.

This conduct violates OAR 584-020-0040(3)(c) and OAR 584-020-0040(4)(n) as it incorporates OAR 584-0020-0010(5), 584-020-0020(2)(d) and 584-020-0025(2)(c) and (e). The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

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2 The Commission adopts and incorporates herein the above findings of facts and conclusions 3 of law, and based thereon, hereby revokes the Initial I Teaching License of Heather Diana DeSanto. 4 IT IS SO ORDERED this \_ \_day of August, 2008. 5 TEACHER STANDARDS AND PRACTICES COMMISSION 6 7 8 Victoria Chamberlain, Executive Director 9 10 **NOTICE OF APPEAL OR RIGHTS** 11 12 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE 13 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF 14 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE 15 OREGON COURT OF APPEALS. 16

**ORDER** 

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1	CERTIFICATE OF MAILING
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4	I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me
- 5	as such by U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed
6	to:
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8	Heather Diana DeSanto
9	6715 SW Pine St
10	/ Tigard, OR 97223
11	n ond
12	Dated this 🗹 👌day of December, 2008.
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15	
16	By: / / llody / Whan
17	Melody Hanson, Executive Assistant to the Commission