| 1 2 3 | BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON |
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| 4 5 6 7 | In the Matter of the) DEFAULT ORDER OF Teaching License of) LICENSE REVOCATION AND BARBARA JEAN TROTTA) REVOCATION OF RIGHT TO APPLY) FOR LICENSURE |
| 8 | On August 21, 2008, the Teacher Standards and Practices Commission (Commission) issued |
| 10 | a Notice of Opportunity for Hearing to Barbara Jean Trotta (Trotta) in which the Commission charged |
| 11 | her with conviction of a crime listed in ORS 342.143(3). The Notice was sent via U.S. First Class Mai |
| 12 | and U.S. Certified Mail Receipt 7006 2760 0000 1638 5599 to the address on file with the |
| 13 | Commission. The Certified Mail receipt was returned to the Commission signed by Shannon Trotta |
| 14 | on September 10, 2008. The Notice of Opportunity of Hearing, dated August 21, 2008, and signed by |
| 15 | Victoria Chamberlain, Executive Director, stated: |
| 16 17 18 19 20 | "You, Barbara Trotta, 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 | Ms. Trotta did not request a hearing. The Commission, therefore, finds |
| 23 | Ms. Trotta to be in default and enters the following findings of fact, conclusions of law and |
| 24 | order, based on the files and records of the Commission concerning this matter. |
| 25 | FINDINGS OF FACT |
| 26 | 1. Ms. Trotta has been licensed by the Commission since August 31, 2006. The |
| 27 | Commission issued Ms. Trotta an Initial 1 Teaching License on August 31, 2006, valid until January |
| 28 | 27, 2010, with a Special Education endorsement |
| 29 | 2. On July 21, 2008, in the Circuit Court of the State of Oregon for Klamath County, Ms. Trotta |
| 30 | was convicted of Delivery of a Controlled Substance to a Minor. This conviction constitutes gross |
| 31 | neglect of duty in violation of OAR 584-020-0040(1)(ss) and ORS 475.995, Distribution of Controlled |
| 32 | Substances to Minors |

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| 1 | 3. On July 21, 2008, in the Circuit Court of the State of Oregon for Klamath County, Ms. Trotta |
|----------|---|
| 2 | was convicted of two counts of using a minor in the distribution of a control substance. This |
| 3 | conviction constitutes gross neglect of duty in violation of OAR 584-020-0040(5)(c) and ORS 167.262, |
| 4 | Adult using minor in commission of controlled substance offense. |
| 5 | 4. On July 21, 2008, in the Circuit Court of the State of Oregon for Klamath County, Ms. Trotta |
| 6 | was convicted of Official Misconduct 1. This conviction constitutes gross neglect of duty in violation of |
| 7 | OAR 584-020-0040(5)(c) and ORS 162.415, Official misconduct in the first degree. |
| 8 | CONCLUSIONS OF LAW |
| 9 | Ms. Trotta's conviction of Distribution of a Controlled Substance to Minors ORS 475.995 is |
| 10 | listed in ORS 342.143(3). The Commission is required to revoke the Initial Teaching License issued to |
| 11 | Ms. Trotta and revoke her right to apply for a license pursuant to ORS 342.175(2). Ms. Trotta's |
| 12 | conviction for Adult using minor in commission of controlled substance offense ORS 167.262, and |
| 13 | Official misconduct in the first degree ORS 162.415, constitutes gross neglect of duty in violation of |
| 14 | OAR 584-020-0040(1)(ss) and OAR 584-020-0040(5)(c). The Commission's authority to impose |
| 15 | discipline in this matter is based upon ORS 342.175. |
| 16 | ORDER |
| 17 | The Commission hereby revokes Barbara Jean Trotta's Initial 1 Teaching License and revokes |
| 18 | her right to apply for a teaching license. |
| 19 | IT IS SO ORDERED this 24th day of October, 2008. |
| 20 | TEACHER STANDARDS AND PRACTICES COMMISSION |
| 21 | Millio (handerlain) |
| 22 23 | By:Victoria Chamberlain, Executive Director |
| 24 | |
| 25 | NOTICE OF APPEAL OR RIGHTS |
| 26 | |
| 27 | YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE |
| 28 | OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF |
| 29 | THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE |

OREGON COURT OF APPEALS.

30 31

| 1 | CERTIFICATE OF MAILING |
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| 2 | |
| 3 | |
| 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: |
| 7 | |
| 8 | Barbara Jean Trotta |
| 9 | PO Box 7723 |
| 10 | Klamath Falls OR 97602 |
| 11 | 27th |
| 12 | Dated this 📿 🖊day of October, 2008. |
| 13 | |
| 14 | \mathcal{M} |
| 15 | |
| 16 | By: / / llotty / lmw |
| 17 | Melody Hanson, Executive Assistant |
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