

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

4 In the Matter of the) DEFAULT ORDER OF
5 Teaching License of) REVOCATION OF
6 PENNY CONLIN) RIGHT TO APPLY FOR LICENSURE
7

8 On May 15, 2008 the Teacher Standards and Practices Commission (Commission) issued a
9 Notice of Opportunity for Hearing to Penny Conlin in which the Commission charged her with gross
10 neglect of duty under ORS 342.143. The Notice was sent via U.S. First Class Mail and U.S. Certified
11 Mail Receipt 7006 2760 0000 1638 6527 to the address Ms. Conlin provided to the Commission. The
12 U.S. First Class Mail was returned to the Commission on May 19, 2008 signed by Ms. Conlin. The
13 Notice of Opportunity of Hearing, dated May 15, 2008 and signed by Victoria Chamberlain, Executive
14 Director, stated:

15 You, Penny Conlin, are entitled to a hearing on the proposed action of the
16 Commission. If you want a hearing, you must file a written request for a hearing with
17 the Commission within 21 days of the date of this notice. Attached to this notice is a
18 copy of the procedures, right of representation and other rights of parties relating to the
19 conduct of a hearing as required under ORS 183.413(2).
20

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

24 **FINDINGS OF FACT**

- 25 1. On or about February 23, 2008, you signed and submitted an Application for Educator License
26 Form C-1 upon which you responded "no" to all character questions. Specifically you
27 answered "no" to Character question 8, "Have you ever been convicted or been granted
28 conditional discharge by any court for; (a) any felony; (b) misdemeanor; or (c) any major
29 traffic violation, such as: driving under the influence of intoxicants or drugs; reckless driving;
30 fleeing from or attempting to elude a police officer; driving while your license was suspended,
31 revoked or used in violation of any license restriction; or failure to perform that duties of a
32 driver or witness at an accident?" Your answer was false. On or about November 22, 1977

1 you were convicted, in Mexico, of possession of marijuana and for importing cocaine. You
2 were sentenced to seven years in prison. You served four years in prison in Mexico and were
3 placed on probation in California. You failed to report these convictions on your Oregon
4 application for licensure.

- 5 2. Your response violated OAR 584-020-0040(4)(c) which provides as follows "Knowing
6 falsification of any documents or knowing misrepresentation directly related to licensure,
7 employment, or professional duties," constitutes gross neglect of duty and is a basis for denial
8 of licensure, as it is incorporated in ORS 342.143, "good moral character."

9 **CONCLUSIONS OF LAW**

10 Failure to respond to requests for information and to participate in interviews with a
11 Commission representative relating to a Commission investigation constitutes Gross Neglect of Duty
12 in violation of OAR 584-020-0040(4)(c). Ms. Conlin's "Knowing falsification of any documents or
13 knowing misrepresentation directly related to licensure, employment or professional duties"
14 constitutes gross neglect of duty in violation of OAR 584-020-0040(4)(c). The Commission's authority
15 to impose discipline in this matter is based upon ORS 342.175.

16 **ORDER**

17 The Commission hereby revokes Penny Conlin's right to apply for a teaching license.

18 IT IS SO ORDERED this 3rd day of July, 2008.

19 TEACHER STANDARDS AND PRACTICES COMMISSION

20 By: 
21 Victoria Chamberlain, Executive Director
22

23 **NOTICE OF APPEAL OR RIGHTS**

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