

1 Modarelli has held other Oregon teaching licenses that have expired. During all
2 relevant times, Modarelli was employed by Boardman Local Schools in Ohio.

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4 2. On October 11, 2018, the Commission received information from the National
5 Association of State Directors of Teacher Education and Certification (NASDTEC)
6 clearinghouse indicating Modarelli may have committed acts which constitute gross
7 neglect of duty. NASDTEC records indicate that on or about September 18, 2018, the
8 Ohio Department of Education accepted Modarelli's surrender (July 19, 2018) and
9 revocation of his Ohio teaching credentials. The Ohio order stated the surrender and
10 revocation were in lieu of formal disciplinary proceedings. A review of Modarelli's
11 Commission records also indicated possible fraudulent answers made on Modarelli's
12 licensure applications in Oregon.

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14 3. Investigation determined the following timeline of events relevant to the
15 Commission's investigation:

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17 • On June 13, 2016, Modarelli was informed by his Ohio school district that
18 Modarelli was under investigation and placed on Administrative Leave.
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20 • On July 14, 2016, the Ohio Department of Education sent a letter
21 indicating that Modarelli was officially under investigation for allegations
22 of conduct unbecoming to the teaching profession.
- 23
24 • On November 9, 2016, Modarelli made application to the Commission for
25 an Oregon Educator License. Modarelli falsely answered three of the
26 Commission's character questions regarding being under investigation
27 and being placed on administrative leave.
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29 • On October 13, 2017, Modarelli submitted another application with the
30 Commission and again falsely answered "No" to these same character
31 questions.
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• On December 9, 2019, Modarelli admitted to lying on his character
questions to a Commission investigator. Modarelli explained that he
knowingly lied on the questions in an effort to get away from the situation
in Ohio and secure a license in Oregon.

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2 4. Commission investigators reviewed the Ohio allegations and related investigation
3 that lead to the surrender and revocation of Modarelli's Ohio licensure. Investigation
4 determined it was alleged that Modarelli engaged in inappropriate teacher / student
5 boundaries while teaching at Boardman High School. It was learned that on several
6 occasions Modarelli was disciplined and directed to discontinue the practice of
7 calling or texting students, writing passes for students to "hang out" in his
8 classroom, allowing students to access Modarelli via social media platforms, and to
9 cease socializing with students or in places where students were present. The Ohio
10 investigation determined that Modarelli had a pattern of concerning behaviors with
11 female students, and Modarelli continued to engage in boundary violations despite
12 being directed to stop. On July 19, 2018, Modarelli entered into a Permanent
13 Voluntary Surrender and/or Denial of Licenses in lieu of formal disciplinary
14 proceedings.

15 16 **CONCLUSIONS OF LAW**

17 Mark Modarelli's conduct described in sections two (2) and three (3) above
18 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-
19 020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional*
20 *judgment*), OAR 584-020-0040(4)(c) (*Falsification of any document or*
21 *knowing misrepresentation directly related to licensure, employment, or*
22 *professional duties*), and OAR 584-020-0040(4)(o) as it incorporates OAR 584-
23 020-0035(3)(a) (*Maintain the dignity of the profession by respecting and*
24 *obeying the law, exemplifying personal integrity and honesty*).

25 Mark Modatrelli's conduct described in section two (2) and four (4) above
26 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-
27 020-0040(4)(n) as it incorporates OAR 584-020-0025 (2)(e) (*Using district*
28 *lawful and reasonable rules and regulations*), and OAR 584-020-0040 (4)(o) as

1 it incorporates OAR 584-020-0035 (1)(C)(D) (*Honoring appropriate adult*
2 *boundaries with students in conduct and conversations at all times*).

3 Additionally, Modatrelli's conduct described in sections two (2) and four (4)
4 above (Ohio License Surrender and revocation) constitutes "gross unfitness" in
5 violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(c) and (d) as defined by
6 OAR 584-020-0040 (5)(a) (*Revocation, suspension or denial of a license by*
7 *another state for reasons and through procedures that are the same as, or*
8 *substantially equivalent to, those permitting similar action in Oregon*).

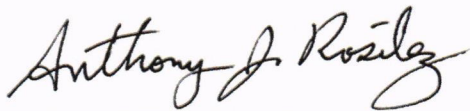
9 The Commission's authority to impose discipline in this matter is based
10 upon ORS 342.175.

11 **FINAL ORDER**

12 The Commission hereby revokes Mark Modarelli's Oregon educator license.

13 IT IS SO ORDERED THIS 14th day of May, 2020.

14 TEACHER STANDARDS AND PRACTICES COMMISSION

15 By: 
16 Dr. Anthony Rosilez, Executive Director
17

18 **NOTICE OF APPEAL OR RIGHTS**

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