

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

3
4 In the Matter of the Educator) DEFAULT ORDER OF DENIAL OF
5 License of) APPLICATION AND REVOCATION OF
6) RIGHT TO APPLY
7 DANIELA CHUHLANTSEFF) FOR AN EDUCATOR LICENSE
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10 On May 17, 2019, the Teacher Standards and Practices Commission (Commission)
11 issued a Notice of Opportunity for Hearing to Daniela Chuhlantseff (Chuhlantseff) in which
12 the Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First
13 Class Mail and U.S. Certified Mail Receipt 7018 1830 0001 6178 3666 to the address on file
14 with the Commission. The Notice designated the Commission file as the record for purposes
15 of proving a prima facie case. The Certified Mail receipt was returned to the Commission
16 signed, on May 21, 2019. The first class mail was not returned to the Commission and
17 assumed delivered. The Notice of Opportunity of Hearing, dated May 17, 2019, and signed
18 by Anthony Rosilez, Executive Director, stated:

19 “IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 60-DAY
20 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
21 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
22 REASONABLE CONTROL IF YOU DO NOT REQUEST A HEARING, WITHDRAW
23 YOUR REQUEST FOR HEARING, IF YOU FAIL TO APPEAR AT A HEARING, OR
24 NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE
25 COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE
26 THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER
27 DISCIPLINE.”
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29 Chuhlantseff did not request a hearing. The Commission, therefore, finds
30 Chuhlantseff to be in default and enters the following findings of fact, conclusions of law,
31 and final order, based on the files and records of the Commission concerning this matter.
32

FINDINGS OF FACT

- 33 1. On November 12, 2018, the Commission received Chuhlantseff’s application for
34 reinstatement of her Oregon educator license. The reinstatement investigation was
35 completed and presented before the Commission at the April 2019 meeting.
36 Chuhlantseff made a personal appearance and presentation to the Commission at
37 that meeting. The history of Chuhlantseff’s past case(s) and facts that support the
38 Commission’s actions, include the following:

- 1 a. On February 12, 2016, the Commission received a report from the Salem-
2 Keizer School District alleging that Chuhlantseff on or about December
3 2015, had engaged in sexual conduct with an 18 year old high school
4 student. Chuhlantseff was a fifth grade teacher at Morningside Elementary
5 School at the time this conduct occurred. An investigation was conducted
6 and later presented to the Commission.
- 7 b. On March 28, 2016, Chuhlantseff, through her attorney, contacted TSPC
8 staff, and communicated that Chuhlantseff would be declining to be
9 interviewed due to the emotional stress of the situation. Chuhlantseff
10 offered to surrender her Oregon educator license as part of a stipulated
11 agreement. On June 20, 2016, the Commission considered TSPC staff's
12 investigation report, accepted Chuhlantseff's surrender agreement, and
13 revoked Chuhlantseff's Oregon educator license. Chuhlantseff's revocation
14 was based on violations of the following Commission rules:
15 Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-
16 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional
17 judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and
18 reasonable rules and regulations*); OAR 584-020-0040(4)(o) as it
19 incorporates OAR 584-020-0035(1)(b) (*Refrain from exploiting
20 relationships with any student for personal gain, or in support of persons
21 or issues*), OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing
22 professionally inappropriate interest in a student's personal life*), OAR
23 584-020-0035(1)(c)(B) (*Not accepting or giving or exchanging romantic
24 or overly personal gifts or notes with a student*); OAR 584-020-
25 0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in
26 conduct and conversations at all times*); and OAR 584-020-0040(4)(f)
27 (*Any sexual conduct with a student*). The Commission may rely on the
28 definitions of sexual conduct in ORS 339.370(9) and OAR 584-020-
29 0005(5).
- 30
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1 **CONCLUSIONS OF LAW**

2 Daniela Chuhlantseff's conduct described above is grounds for denial of her application
3 under ORS 342.143(2). The Commission denies Chuhlantseff's reinstatement application
4 for the following reasons:

- 5 a) The information Chuhlantseff submitted, along with Chuhlantseff's
6 reinstatement documents, does not establish that Chuhlantseff possess good
7 moral character, trustworthiness, or physical and mental health to hold an
8 educator's license; and
9 b) The conduct Chuhlantseff engaged in that resulted in Chuhlantseff's revocation.

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11 The Commission's authority to impose discipline in this matter is based upon ORS
12 342.175.

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14 **FINAL ORDER**

15 The Commission hereby denies Daniela Chuhlantseff's application for an Oregon
16 educator license and revokes Daniela Chuhlantseff's Right to Apply for an Oregon educator
17 license.

18 IT IS SO ORDERED THIS 9th day of August, 2019.

19 TEACHER STANDARDS AND PRACTICES COMMISSION

20
21 By: Anthony J. Rosilez
22 Dr. Anthony Rosilez, Executive Director

23 **NOTICE OF APPEAL OR RIGHTS**

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