

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
5 License of) SUSPENSION AND
6 RAINA T. SILVA) PROBATION
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9 On June 3, 2020, the Teacher Standards and Practices Commission (Commission)
10 issued a Notice of Opportunity for Hearing to Raina T. Silva (Silva) in which the
11 Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First
12 Class Mail and U.S. Certified Mail Receipt 7018 1830 0001 6178 7503 to the address on file
13 with the Commission. The Notice designated the Commission file as the record for purposes
14 of proving a prima facie case. The Certified Mail receipt was returned to the Commission
15 signed. The first class mail was not returned to the Commission and assumed delivered. The
16 Notice of Opportunity of Hearing, dated June 22, 2020, and signed by Anthony Rosilez,
17 Executive Director, stated:

18 “IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
19 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
20 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
21 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW
22 YOUR REQUEST FOR HEARING, IF YOU FAIL TO APPEAR AT A HEARING, OR
23 NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE
24 COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE
25 THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER
26 DISCIPLINE.”
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28 Silva did not request a hearing. The Commission, therefore, finds Silva to be in default and
29 enters the following findings of fact, conclusions of law, and final order, based on the files
30 and records of the Commission concerning this matter.
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32 **FINDINGS OF FACT**
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- 34 1) The Commission has licensed Silva since June 22, 2017. Silva holds a
35 Preliminary Teaching License, with an endorsement in Advanced Mathematics
36 (PK-12), valid from June 22, 2017, through December 9, 2020. During all
37 relevant times, Silva was employed by the Eugene School District (ESD).
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1 2) On April 29, 2019, TSPC was contacted by Pacific University College of Education
2 staff. They reported to TSPC that Silva, a former Pacific University student,
3 provided the university a falsified Pearson Nation Evaluation Series (NES) Score
4 Report showing a passing score for a mathematics examination. Pearson reported
5 to Pacific that they had no record of Silva taking the examination on the supposed
6 examination date and had no record of ever sending her a copy of a Score Report.

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8 3) On February 14, 2020, Silva interviewed with TSPC Investigative staff. During
9 that interview, Silva admitted to falsifying a Pearson Score Report and faxing it to
10 Pacific University. Silva indicated that she had altered a document to show a
11 passing score and then submitted it to Pacific University and TSPC.

12 13 **CONCLUSIONS OF LAW**

14 The conduct described above, constitutes gross neglect of duty in violation of ORS
15 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*
16 *professional judgment*), and OAR 584-040-0040(4)(o) as it incorporates OAR 584-020-
17 0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law,*
18 *exemplifying personal integrity and honesty*).

19
20 The Commission's authority to impose discipline in this matter is based upon ORS
21 342.175.


22 **FINAL ORDER**

23 The Commission hereby issues a ninety (90) day suspension upon Raina T. Silva's
24 Oregon educator license. Prior to reinstatement of Silva's Oregon educator license, Silva
25 must pass the Pearson NES Mathematics examination. The Commission will only accept a
26 score report directly from Pearson for verification of a passing score. Upon successful
27 reinstatement, Silva will be placed on probation for a period of two (2) years.

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29 IT IS SO ORDERED THIS 22nd day of September, 2020.

1 TEACHER STANDARDS AND PRACTICES COMMISSION

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3 By: 
4 Dr. Anthony Rosilez, Executive Director

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NOTICE OF APPEAL OR RIGHTS

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