

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

In the Matter of the) DEFAULT ORDER OF
Educator License of) SUSPENSION OF RIGHT
DESMOND T. W. PATTZ) TO APPLY FOR LICENSURE

On December 23, 2021, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Desmond T. W. Pattz (Pattz) in which the Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7021 0350 0000 8183 8039 to the address on file with the Commission. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Notice sent Certified Mail was returned as unclaimed. The regular first-class mail was not returned to the Commission and assumed delivered. The Notice of Opportunity of Hearing, dated December 23, 2021, and signed by Anthony Rosilez, Executive Director, stated:

“IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW YOUR REQUEST FOR HEARING, IF YOU FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE.”

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

FINDINGS OF FACT

1. Desmond T. W. Pattz has been licensed by the Commission since August 18, 2019. Pattz held a Restricted Teaching License, with an endorsement in Special Education – Generalist (PK-12), valid from August 4, 2020, through June 30, 2021. During all relevant times, Pattz was employed by the South Umpqua School District (SUSD).
2. On March 16, 2021, the Commission received information from the SUSD indicating Pattz may have committed acts which constitute gross neglect of duty. Specifically, the SUSD

1 alleged Pattz failed to provide the required sixty (60) days' notice prior to leaving his
2 position with the SUSD.
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- 4 3. Investigation found that on February 22, 2021, Pattz told his supervisor that Pattz was
5 experiencing stress due to personal issues. On February 23, 2021, Pattz took the day off
6 to deal with his issues and by telephone call, Pattz informed his supervisor that Pattz
7 would not be returning to work. On February 24, 2021, the district contacted Pattz and
8 he informed the district he would not be returning to work. On February 26, 2021,
9 Pattz was advised by the district they would no longer sponsor his license and they
10 were reporting Pattz to the Commission for resigning without providing proper notice.
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- 12 4. On June 16, 2021, a Commission investigator attempted to contact Pattz by US First Class
13 and Certified Mail and then on July 8, 2021, attempted to contact Pattz by email to
14 arrange an interview. The interview was to cover the allegations of Pattz's failure to
15 provide proper notice to the district prior to leaving their employment. On July 8, 2021,
16 Pattz responded to the investigator's email by indicating Pattz resigned because of a toxic
17 environment. On July 9, 2021, the investigator sent another email requesting an
18 interview. Pattz did not respond to the email.
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20 **CONCLUSIONS OF LAW**

21 Desmond T.W. Pattz's conduct described above constitutes gross neglect of duty in violation
22 of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as incorporates OAR 584-020-0010(5) (*Use*
23 *professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and*
24 *regulations*); OAR 584-020-0040(4)(j) (*Resignation from a contract in violation of ORS 342.553*);
25 and OAR 584-020-0040(4)(p) (*Subject to the exercise of any legal right or privilege, failure or*
26 *refusal by an educator under investigation to respond to requests for information, to furnish*
27 *documents or to participate in interviews with a Commission representative relating to a*
28 *Commission investigation*).

29 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.
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31 **FINAL ORDER**

32 The Commission hereby suspends Desmond T.W. Pattz's right to apply for Oregon Educator
33 licensure for a period of one (1) year to begin upon the date this order is signed and in effect.
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1 IT IS SO ORDERED THIS 18th day of March, 2022.

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TEACHER STANDARDS AND PRACTICES COMMISSION

By: 
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.