1 2	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
3 4 5 6 7	In the Matter of the Teaching License of DANIEL JOE WEBER  CORRECTED DEFAULT ORDER OF REVOCATION OF RIGHT TO APPLY FOR AN EDUCATOR LICENSE
8 9	On September 12, 2012, the Teacher Standards and Practices Commission (Commission)
10	issued a Notice of Opportunity for Hearing to Daniel Joe Weber (Weber) in which the
11	Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First Class
12	Mail and U.S. Certified Mail Receipt 7011 2000 0001 1292 0349 to the address on file with the
13	Commission. The Notice designated the Commission file as the record for purposes of proving a
14	prima facie case. The Certified Mail was returned to the Commission "Unclaimed" on October
15	18, 2012. The regular mail was not returned to the Commission. The Notice of Opportunity of
16	Hearing, dated September 12, 2012, and signed by Victoria Chamberlain, Executive Director,
17	stated:
18 19 20 21 22 23 24 25	"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 OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
26	Weber did not request a hearing. The Commission, therefore, finds Weber to be in default and
27	enters the following findings of fact, conclusions of law, and final order, based on the files and
28	records of the Commission concerning this matter.
29	FINDINGS OF FACT
30	1. Daniel Joe Weber has been licensed by the Commission since January 28, 2002. Weber's
31	Initial II Teaching License, with endorsements in Basic Mathematics (HS) and Basic Social
32	Studies (HS), was issued December 8, 2009, and expired on December 7, 2012. Weber did
33	not make application for renewal. During all relevant times, Weber was employed by the
34	Bend-La Pine School District.
35	2. On October 28, 2011, TSPC received notice from the Bend-La Pine School District alleging that
36	Weber had engaged in an inappropriate, romantic, relationship with a female student who had
37	recently graduated High School. This former student had been Weber's teacher assistant during
38	both the 2009-2010 and 2010-2011 school years. The involved student turned 18 years of age in
39	December of 2010, and remained Weber's student until graduation in June 2011. According to
40	reports, Weber's romantic relationship with this student began before she graduated. Weber's

1	relationship with this student included sexual conduct. Weber told school administrators that he
2	was in love with this student, and that no sexual activities occurred until after her 18th birthday.
3	Weber admitted to spending a weekend with this student in Seattle for a "Mariners baseball
4	weekend".
5	3. On April 24, 2012, Weber (through his attorney) refused to cooperate with TSPC investigators when
6	requested to participate in an interview. Weber was informed of the consequences of such a refusal
7	and still declined to cooperate, rejecting the opportunity to participate in an interview.
8	CONCLUSIONS OF LAW
9	Weber's conduct described in section two (2) above, constitutes gross neglect of duty in
10	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
11	0010(5) (Use professional judgment); OAR 584-020-0040(4)(0) as is incorporates OAR 584-
12	020-0035(1)(b) (Refrain from exploiting professional relationships with any student for
13	personal gain, or in support of persons or issues), OAR 584-020-0035(1)(c)(A) (Not
14	demonstrating or expressing professionally inappropriate interest in a student's personal life),
15	OAR 584-020-0035(1)(c)(D) (Honoring appropriate adult boundaries with students in
16	conduct and conversation at all times); and OAR 584020-0040(4)(f) (Any sexual conduct with
17	a student).
18	Weber's conduct described in section three (3) above, constitutes gross neglect of duty in
19	violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(p) (Subject to the exercise of any legal
20	right or privilege, failure or refusal by an educator under investigation to respond to requests
21	for information, to furnish documents or to participate in interviews with a Commission
22	representative relating to a Commission investigation).
23	Furthermore, the conduct described above demonstrates that Weber lacks good moral
24	character, mental or physical fitness to hold a license as required under ORS 342.143(2).
25	The Commission's authority to impose discipline in this matter is based upon ORS
26	342.175.
27	FINAL ORDER
28	The Commission hereby revokes Daniel Joe Weber's Educator licensure.
29	IT IS SO ORDERED THIS day of February, 2013.
30	TEACHER STANDARDS AND PRACTICES COMMISSION



## NOTICE OF APPEAL OR RIGHTS

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.