1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON				
4 5 6 7 8	In the Matter of the Educator License of ANA MARTINEZ RAMIREZ  DEFAULT ORDER OF THIRTY DAY SUSPENSION OF EDUCATOR LICENSE				
9	On September 5, 2014, the Teacher Standards and Practices Commission (Commission)				
10	issued a Notice of Opportunity for Hearing to Ana Martinez Ramirez (Ramirez) in which the				
11	Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail				
12	and U.S. Certified Mail Receipt 7012 1010 0003 2804 4708 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 receipt was returned signed to the Commission on September				
15	15, 2014. The regular, first class mail was not returned to the Commission, and is assumed to have				
16	been delivered. The Notice of Opportunity of Hearing, dated September 5, 2014, and signed by				
17	Victoria Chamberlain, Executive Director, stated:				
18 19 20 21 22 23 24	"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."				
25	Ramirez did not request a hearing. The Commission, therefore, finds Ramirez to be in default and				
26	enters the following findings of fact, conclusions of law, and final order, based on the files and				
27	records of the Commission concerning this matter.				
28	FINDINGS OF FACT				
29	1. Ana Martinez Ramirez has been licensed by the Commission since November 1, 2002. Ramirez				
30	holds an Initial II Teaching License, issued September 6, 2012, with an endorsement in Multiple				
31	Subjects (ECE,ELE), which expires on September 5, 2015. Ramirez also holds a Conditional				
32	Assignment Permit with an endorsement in Family and Consumer Science (HS) that was issued				
33	September 18, 2012, and expires on September 18, 2015. During all relevant times, Ramirez was				
34	employed by the Douglas County School District 4.				
35	2. On December 12, 2012, the Commission was notified by the Douglas County School District that				
36	Ramirez may have violated professional standards by failing to provide 60 days' notice of				
37	resignation as required by contract and state law ORS 342.553(1).				

3. Subsequent investigation determined the following: 1 2 a) On October 4, 2012, Ramirez signed a Temporary Licensed Employee Contract with the Douglas County School District for the 2012 - 2013 school year. Under the Conditions of the 4 contract, item 9 provides the contract is binding unless the teacher gives 60 days written 5 notice of termination to the district superintendent or be subject to possible discipline as set 6 7 forth under ORS 342.553(1). b) On November 15, 2012, the Human Resources Office of Roseburg High School received 8 Ramirez's written resignation dated November 14, 2012, and stating Ramirez's last day 9 would be December 7, 2012. Principal Goirigolzarri reminded Ramirez of her contractual 10 requirement to provide 60 days' notice. On November 26, 2012, Ramirez sent an email to 11 Goirigolzarri advising her that Ramirez's last day at work would now be November 30, 2012. 12 Ramirez's resignation only provided 10 working days of notice to the school district, causing 13 significant difficulties and requiring the district to hire a substitute teacher to fill the vacancy 14 15 until a qualified replacement could be found. CONCLUSIONS OF LAW 16 Ramirez's conduct described above, constitutes gross neglect of duty in violation of ORS 17 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional 18 judgment), OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations); 19 and OAR 584-020-0040(4)(j) (Resignation from a contract in violation of ORS 342.553). 20 21 The Commission's authority to impose discipline in this matter is based upon ORS 342.175. 22 23 FINAL ORDER 24 25 The Commission hereby suspends Ana Martinez Ramirez's licensure for a period of thirty 26 (30) days, to begin upon the date this order is signed and in effect. 27 IT IS SO ORDERED THIS \_\_\_\_\_\_\_ day of October, 2014. 28 TEACHER STANDARDS AND PRACTICES COMMISSION 29 worda Hamberlain 30 Victoria Chamberlain, Executive Director 31

MOTICE	OF	<b>ADDEAI</b>	$\Omega$ R	RICHTS

I	
2	

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

## **CERTIFICATE OF MAILING**

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Ana Martinez Ramirez 1600 NW Avery Street Roseburg, OR 97471-6047

Dated this

\_day of October, 2014.

Patty Viddell

Investigative Assistant