

1 **FINDINGS OF FACT**

- 2 1. Cynthia Viola Harris has been licensed as a teacher in Oregon since October 24, 2006.
3 Harris’s Emergency Administrator Teaching License, with an endorsement in
4 Administrator (ALL LVL), was issued on October 24, 2009, and expired on July 31,
5 2010. Harris made application for renewal on August 9, 2010 and her application was
6 deemed incomplete. During all relevant times, Harris was employed by the Portland
7 Public School District.
8
- 9 2. On May 21, 2010, the Commission received a report from the Portland Public School
10 District indicating reason to believe Harris was in violation of professional standards and
11 practices related to the mismanagement of school funds. The notice indicated that on
12 May 18, 2010, Harris was placed on administrative leave while the school district
13 investigation was conducted. On August 9, 2010, Harris signed and submitted a C-1
14 application to the Commission for licensure. Harris answered “No” to all the character
15 questions as part of the application. Harris made a false statement on the character
16 question section of her application, specifically question number two (#2), “*Are you*
17 *currently the subject of an inquiry, review or investigation for alleged misconduct or*
18 *alleged violation of professional standards of conduct?*” Harris also made a false
19 statement on character question number three (#3), “*(...for any alleged misconduct or*
20 *alleged violation of professional standards of conduct been placed on leave by your*
21 *employer...)*”.
- 22
- 23 3. The Commission conducted an investigation regarding additional allegations reported by
24 Portland Public Schools. The resulting investigation determined the following:
- 25
- 26 a. In February 2008, Harris was investigated by the Portland Public School
27 District for failing to follow School District Policies and Regulations related to
28 authorized spending, spending of grant funds, and the use of district issued
29 procurement cards. The investigation spanned years 2006 – 2008, and
30 determined that despite the district providing Harris with repeated training
31 and holding meetings with Harris regarding the related rules and policies,
32 Harris continually used her issued procurement card and spent grant funds in

1 violation of district policies. The misuse of Harris' procurement card and
2 unauthorized spending resulted in the district inactivating Harris'
3 procurement card and entering into an agreement with Harris to repay the
4 district for unauthorized expenditures for an amount in excess of \$12,000.
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6 b. In 2010, Portland School District conducted another investigation, spanning
7 from 2008 thru 2010, regarding Harris' continued mismanagement of school
8 funds, unauthorized expenses, mismanaged personal service contracts, and
9 questionable reimbursement practices. District and Commission
10 investigations found Harris failed to follow related School District Policies and
11 Regulations. Investigative findings determined Harris issued and managed
12 questionable personal service contracts; including contracting with Harris'
13 personal friends and family members who were determined unqualified and
14 overpaid for services. Harris failed to provide adequate documentation of
15 services claimed rendered by contractors. Harris made and received
16 unauthorized and inappropriate claims for reimbursement of expenses
17 including personal purchases and expenses for Harris' personal benefit. Harris
18 spent student body funds in violation of policy for personal purposes;
19 including Harris' own professional development and memberships, charitable
20 donations, and other inappropriate purchases. Harris' actions resulted in her
21 resignation by separation agreement with the district on September 29, 2011.
22

23 CONCLUSIONS OF LAW

24 Harris' conduct described in section two (2) constitutes gross neglect of duty in
25 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
26 0010(5) (*Use professional judgment*), and OAR 584-020-0040(4)(c) (*Knowing*
27 *falsification of any document or knowing misrepresentation directly related to licensure,*
28 *employment, or professional duties*). This conduct also constitute gross unfitness in
29 violation of ORS 342.175(1)(c); OAR 584-020-0040 (5)(b) (*Fraud or misrepresentation*).
30
31

1 Harris' conduct in section three "a" (3)(a), constitutes gross neglect of duty in
2 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
3 0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(d) (*Using district and school*
4 *business and financial procedures*), OAR 584-020-0025(2)(e) (*Using district lawful and*
5 *reasonable rules and regulations*), OAR 584-020-0025(3)(a) (*Leadership skills in*
6 *managing the school, its students, staff, and programs as required by lawful and*
7 *reasonable district policies, rules, and regulations, state and federal laws and regulations,*
8 *and other programs as assigned, and assures that staff is informed of these requirements*),
9 OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(2)(e) (*Not use the*
10 *district's or school's name, property, or resources for non-educational benefit or purposes*
11 *without approval of the educator's supervisor or the appointing authority*), OAR 584-020-
12 0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law,*
13 *exemplifying personal integrity and honesty*); OAR 584-020-0040 (4)(a) (*Knowing and*
14 *substantial unauthorized use of: school name or financial credit; school materials or*
15 *equipment for personal purposes; or school personnel to provide personal services*
16 *unrelated to school business*); and OAR 584-020-0040 (4)(b) (*Knowing and substantial*
17 *unauthorized use of employment time or school resources for private purposes*). This
18 conduct also constitute gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-
19 0040 (5)(b) (*Fraud or misrepresentation*).

20
21 Harris' conduct described in section three "b" (3)(b), constitutes gross neglect of duty
22 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-
23 020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(d) (*Using district and*
24 *school business and financial procedures*), OAR 584-020-0025(2)(e) (*Using district lawful*
25 *and reasonable rules and regulations*), OAR 584-020-0025(3)(a) (*Leadership skills in*
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6 conduct also constitute gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-
7 0040 (5)(b) (*Fraud or misrepresentation*).

8

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

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FINAL ORDER

12 The Commission hereby revokes Cynthia Viola Harris' Right to Apply for an Educator
13 license.

14 IT IS SO ORDERED THIS 11th day of November, 2013.

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TEACHER STANDARDS AND PRACTICES COMMISSION



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By: _____
Victoria Chamberlain, 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.

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