BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 1 2 OF THE STATE OF OREGON 3 4 **DEFAULT ORDER OF** In the Matter of the 5 6 7 Teaching License of **REVOCATION OF** ) NICOLE DEANN PRICE RIGHT TO APPLY 8 On September 30, 2009, the Teacher Standards and Practices Commission 9 (Commission) issued a Notice of Opportunity for Hearing to Nicole Dean Price (Price) in which 10 the Commission charged her with Gross Neglect of Duty pursuant to OAR 584-020-0040(4)(c). 11 The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7008 1140 0002 8580 8686 to the address on file with the Commission. The U.S. Postal Service delivered the 12 notice to Price on October 7, 2009. The Notice of Opportunity of Hearing, dated August 14, 13 14 2009, and signed by Victoria Chamberlain, Executive Director, stated: "You, Nicole Deann Price, are entitled to a hearing on the proposed action of the 15 Commission. If you want a hearing, you must file a written request for a hearing with the 16 17 Commission within 21 days of the date of this notice. Attached to this notice is a copy of the procedures, right of representation and other rights of parties relating to the conduct 18 19 of a hearing as required under ORS 183.413(2)." 20 21 Ms. Price did not request a hearing. The Commission, therefore, finds Ms. Price to be in 22 default and enters the following findings of fact, conclusions of law and order, based on the files 23 and records of the Commission concerning this matter. 24 FINDINGS OF FACT 25 1. On June 16, 2008, Ms. Price signed and submitted an Application for Education License Form C-1 upon which she responded "no" to character questions 1, 3, 4, and 7. The 26 27 appropriate answer to each of these questions should have been "Yes" based on the following 28 information pertaining to each question: (1) When Ms. Price was a permanent certified employee of the Orange County Superintendent of Schools in California, she left educational 29 30 employment while the subject of an inquiry, review or investigation of alleged misconduct in June 2005. (3) On June 30, 2005, Ms. Price ended her employment contract while under 31 32 investigation for possible misappropriation of public funds and possible receipt of funds under

1 false pretenses. (4) On June 12, 2008, the California Commission on Teacher Credentialing

2 suspended all of her credentials, life diplomas or other certification documents for a period of

3 sixty days. (7) Ms. Price was disciplined by a public agency responsible for licensure when

4 she was suspended on June 12, 2008, by the California Commission on Teacher Credentialing.

Price's responses to each question constitutes gross neglect of duty under ORS 342.175(1)(b)

as it relates to OAR 584-020-0040(4)(c) (Knowing falsification of any document or knowing

7 misrepresentation directly related to licensure, employment, or professional duties.)

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2. On August 4, 2008, Ms. Price made false statements in her explanation for "yes" answers to questions 8 and 10 on the Application for Educator License Form C-1. In her explanation, she said that she was "grateful that she did not injury anyone" during an accident that occurred as a result of her DUII on June 16, 2006. However, a woman was hospitalized for blunt head trauma as a result of her actions. This conduct constitutes gross neglect of duty under ORS 342.175(1)(b) as it related to OAR 584-030-0040(4)(c) (Knowing falsification of any document or knowing misrepresentation directly related to licensure, employment, or professional duties.)

## **CONCLUSIONS OF LAW**

Nicole Deann Price's multiple false statements on her Application for Educator License Form C-1 constitutes gross neglect of duty in violation of ORS 342.175(1)(b) as it relates to OAR 584-020-0040(4)(c) (*Knowing falsification of any document or knowing misrepresentation directly related to licensure, employment, or professional duties.*) The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

**FINAL ORDER** The Commission hereby revokes the right of Nicole Deann Price to apply for an Oregon teaching license. Approved by the Commission on November 6, 2009, effective November 9, 2009. IT IS SO ORDERED THIS And day of July, 2010. TEACHER STANDARDS AND PRACTICES COMMISSION Victoria Chamberlain, Executive Director 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. 

## **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:

Nicole Deann Price 204 Maxwell St. Central Point OR 97502-3758

Dated this \_\_\_\_\_day of July, 2010.