1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
5 6 7 8	In the Matter of the Educator License of WILLIAM DANIEL VANDETTA ) DEFAULT ORDER OF THIRTY DAY SUSPENSION OF RIGHT TO APPLY FOR EDUCATOR LICENSE
9	On December 13, 2013, the Teacher Standards and Practices Commission (Commission)
10	issued a Notice of Opportunity for Hearing to William Daniel VanDetta (VanDetta) in which the
11	Commission charged him 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 2353 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 December
15	31, 2013. The regular mail was not returned to the Commission. The Notice of Opportunity of
16	Hearing, dated December 13, 2013, and signed by Victoria Chamberlain, Executive Director, stated:
17 18 19 20 21 22 23	"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."
24	VanDetta did not request a hearing. The Commission, therefore, finds VanDetta to be in default and
25	enters the following findings of fact, conclusions of law, and final order, based on the files and
26	records of the Commission concerning this matter.
27	FINDINGS OF FACT
28	1. William Daniel VanDetta has been licensed by the Commission since September 29, 2009.
29	VanDetta held an Initial Teaching License, issued September 29, 2009, with endorsements in
30	Multiple Subjects Self-Contained (ECE/ELE), and Multiple Subjects (MIDLVL), which expired
31	on March 29, 2011. VanDetta did not apply for renewal.
32	1. On June 22, 2012, The Commission received information from the National Association of State
33	Directors of Teacher Education and Certification (NASDTEC) indicating that the California
34	Commission on Teacher Credentialing (CCTC) had taken action to suspend VanDetta's California
35	teaching credentials for a period of fourteen days. Related reports from CCTC indicated
36	VanDetta was suspended due to an incident in the classroom and a resulting criminal conviction
37	for "Disturbing the Peace". The NASDTEC and CCTC reports triggered a referral investigation
38	with the Commission.

2. A review of VanDetta's original, August 25, 2009, C-1 application to the Commission for Oregon licensure indicated VanDetta answered "yes" to character question 8, which asked if VanDetta had ever been convicted of or been granted a conditional discharge for any misdemeanor, felony or major traffic violation. VanDetta also answered "yes" to character question 10, which asks if VanDetta had ever pled guilty or no contest to any charge for an offense listed in question 8. As part of VanDetta's application, VanDetta provided court records but failed to provide a written explanation of the events resulting in the "Disturbing the Peace" conviction. The Commission requested VanDetta's explanation, which VanDetta provided on September 4, 2009. VanDetta's written explanation described a July 2008, domestic event where VanDetta pushed his 14 year old stepson. This event, as described by VanDetta, did not occur in the classroom or otherwise relate to teaching, but VanDetta was sentenced to take a classroom management course. On follow up, VanDetta advised that the courts wanted him to take the class to ensure VanDetta's "anger issues" did not carry over to the classroom. On November 15, 2012, investigators received the investigation reports related to the court documents VanDetta had provided as part of his 2009 application, case BAM036840. Review of these documents indicated that the conviction VanDetta reported, "Disturbing the Peace", was a result of a classroom incident occurring on July 9, 2008. This incident involved a female first grade student in VanDetta's California classroom who complained that while VanDetta recovered an eraser from under her desk, VanDetta twice pinched her leg/thigh area. Investigators have been unable to locate any documents or reports regarding the domestic incident VanDetta described in his written explanation. Investigators have made requests to VanDetta to provide official documents related to VanDetta's domestic incident explanation, and VanDetta advised that he has been unable to locate any records of the event. Investigation has determined that VanDetta's original explanation for his criminal conviction as related to VanDetta's "Yes" answers on his 2009 application are not consistent with the facts of the event in question, making this part of VanDetta's application a falsification and misrepresentation of the facts.

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## CONCLUSIONS OF LAW

VanDetta's conduct described above, constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(4)(c) (*Knowing falsification of any document or knowing misrepresentation directly related to licensure, employment, or professional duties*).

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2	The Commission's authority to impose discipline in this matter is based upon ORS 342.175.
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4	FINAL ORDER
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6	The Commission hereby suspends William Daniel VanDetta's right to apply for licensure for
7	a period of thirty (30) days, to begin upon the date this order is signed and in effect.
8	IT IS SO ORDERED THISZoth day of February, 2014.
9	TEACHER STANDARDS AND PRACTICES COMMISSION
	By: Victoria Chamberlain, Executive Director
10 11	By:
12	victoria Chambertani, Executive Director
13 14	
15	NOTICE OF APPEAL OR RIGHTS
16 17	VOLUMBE ENTERED TO HUDIOLAL DEVIEW OF THIS ODDER. HUDIOLAL DEVIEW MAY DE
18	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
19	THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
20	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:

William Daniel VanDetta 3737 SW 87<sup>th</sup> Ave, Apt 18 Portland, OR 97225-2864

Dated this \_\_\_\_\_\_day of February, 2014.

Patty Liddell

**Investigative Assistant**