1 2 3		BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4 5 6 7	Те	the Matter of the) DEFAULT ORDER OF suspension of SUSPENSION OF RIGHT TO APPLY FOR LICENSE
8		On December 14, 2010, the Teacher Standards and Practices Commission
9	(C	ommission) issued a Notice of Opportunity for Hearing to Adrian Leone Mashia (Mashia) in
10	wh	nich the Commission charged him with Gross Unfitness pursuant to OAR 584-020-0040(5)(c)
11	an	d OAR 584-050-0006(3)(d). The Notice was sent via U.S. First Class Mail and U.S. Certified
12	Ma	ail Receipt 7010 0290 0001 6831 4923 to the address on file with the Commission. The
13	Сє	ertified Mail was returned to the Commission, as unclaimed. The regular mail was not
14	ret	curned to the Commission. The Notice of Opportunity of Hearing, dated December 14, 2010,
15	an	d signed by Victoria Chamberlain, Executive Director, stated:
16 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	Ma	ashia did not request a hearing. The Commission, therefore, finds Mashia to be in default and
25	en	ters the following findings of fact, conclusions of law and order, based on the files and records
26	of	the Commission concerning this matter.
27		
28		FINDINGS OF FACT
29	1.	Adrian Leone Mashia has never been licensed as a teacher in Oregon. Mashia was
30		enrolled in an education program at the University of Portland until his dismissal from that
31		program on March 3, 2010.
32	2.	On November 3, 2009, Mashia pled guilty and was convicted of one count of Assault IV.
33		This conviction arose from an altercation with his female roommate. Mashia did not
34		complete all of the requirements of the court by violating a restraining order prohibiting
35		contact with the female that was the subject of the Assault conviction. This led to the
36		issuance of a warrant for Mashia's arrest. When Mashia was arrested he was in possession

1 2	of marijuana, and on April 27, 2010, was subsequently convicted of violating a restraining order (RCW 26.50.110).
3	CONCLUSIONS OF LAW
4 5	Adrian Leone Mashia's above described conduct constitutes gross unfitness in violation
6	of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (Conviction of violating any federal, state, or
7	local law. A conviction includes any final judgment of conviction by a court whether as the result
8	of guilty plea, no contest plea or any other means), and constitutes a basis for the Executive
9	Director to deny a license based on OAR 584-050-0006(3)(d) (The Executive Director has
10	evidence that the applicant may lack fitness to serve as an educator).
11	The Commission's authority to impose discipline in this matter is based upon ORS
12	342.175.
13	FINAL ORDER
14	The Commission hereby suspends Adrian Leone Mashia's right to apply for licensure for
15	one year.
16	IT IS SO ORDERED THIS day of February, 2011.
17	TEACHER STANDARDS AND PRACTICES COMMISSION
18 19 20 21 22 23	By: <u>(Mamberlain)</u> Victoria Chamberlain, Executive Director
24	NOTICE OF APPEAL OR RIGHTS
25 26 27 28 29 30	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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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:

> Adrian Leone Mashia 9633 N. Fiske Avenue Portland OR 97203

Dated this _____day of April, 2011.

Executive Assistant