1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
3 4 5 6 7	In the Matter of the) DEFAULT ORDER OF Educator License of) REVOCATION IAN WILLIAM MANDIS) OF LICENSURE
8	On March 23, 2017, the Teacher Standards and Practices Commission
9	(Commission) issued a Notice of Opportunity for Hearing to Ian William Mandis
10	(Mandis) in which the Commission charged him with Gross Neglect of Duty and Gross
11	Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt
12	7016 0750 0000 2419 1072 to the address on file with the Commission. The Notice
13	designated the Commission file as the record for purposes of proving a prima facie case
14	The Certified Mail was returned signed to the Commission on March 27, 2017. The
15	regular first class mail was not returned to the Commission. The Notice of Opportunity
16	of Hearing, dated March 23, 2017, and signed by Monica Beane, Executive Director,
17	stated:
18 19 20 21 22 23 24 25	"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."
26 26	Mandis did not request a hearing. The Commission, therefore, finds Mandis to be in
27	default and enters the following findings of fact, conclusions of law, and final order,
28	based on the files and records of the Commission concerning this matter.
29	FINDINGS OF FACT
30	1. Ian William Mandis has been licensed by the Commission since May 23, 2011.
31	Mandis' Initial I Teaching License, with endorsements in Advanced Mathematics
32	(HS, ML); Middle School Language Arts (ML); Multiple Subjects (MIDLVL); and
33	Social Studies (HS, ML), is valid from March 20, 2015, through March 19, 2018.
34	During all relevant times, Mandis was employed by the Portland Public School
35	District.
36	2. On August 24, 2015, the Commission received a report from the Portland Public
37	School District indicating Mandis had been investigated for possible violations of

professional standards. On June 4, 2015, district officials determined there was reasonable suspicion that Mandis had been under the influence of drugs or alcohol while on duty and on district property. Mandis was escorted to a testing facility for a drug/alcohol screening. The onsite results were inconclusive and a sample was sent to an offsite lab for further testing. Results from the offsite lab indicated the test results were "Refusal to test because substituted". Follow up with the lab indicated the sample Mandis provided was not consistent with human urine.

School officials who observed Mandis described him as appearing intoxicated, disoriented, falling asleep, mumbled speech, incoherent speech, nodding off during meetings and an assembly, and having lack of coordination.

Upon receiving Mandis' test results, the district contended that Mandis had tampered with the testing process and as a result was insubordinate. The district also learned that on July 4, 2015, Mandis had been arrested for Driving Under the Influence of Intoxicants (DUII) and Reckless Driving. The district recommended Mandis' dismissal, and Mandis resigned his employment on August 19, 2015.

3. On November 7, 2016, Mandis pled guilty to, and was convicted of, Robbery in the Second Degree, ORS 164.405, a class "B" Felony. Mandis was sentenced, in part, to 36 months of probation supervision and required to participate in a substance abuse program. Mandis' criminal charges and subsequent conviction were the result of the following conduct: On May 29, 2016, Mandis robbed a convenience store clerk at gunpoint (BB gun), taking approximately \$50 in cash. Store employees recognized Mandis as a regular customer and reported Mandis to the police when he returned to the store later that same day. Mandis was matched to video surveillance and later confessed to the earlier crime, stating that he had recently relapsed into his heroin addiction and needed the money to buy more drugs.

4. On November 16, 2016, the Commission Investigator sent Mandis a certified letter requesting he participate in an official interview. In the letter, Mandis was informed that failing to respond to the request would be considered a refusal to cooperate and could result in commission action against him. Mandis failed to contact the investigator or participate in an interview as requested.

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CONCLUSIONS OF LAW

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2 Ian William Mandis' conduct as described in section two (2) above constitutes 3 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), OAR 584-020-4 0025(2)(e) (Using district lawful and reasonable rules and regulations); OAR 584-5 6 020-0040(4)(0) as it incorporates OAR 584-020-0035(3)(a)(Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and 7 8 honesty); and OAR 584-020-0040(4)(g) (Appearing on duty or at any district-9 sponsored activity while under the influence of alcohol or any controlled substance). 10 Ian William Mandis' conduct and resulting convictions detailed in section three (3) above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-11 12 020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional judgment); 13 OAR 584-020-0040(3)(a) (The Commission may initiate proceedings to suspend or revoke the license or registration of an educator under ORS 342.175 or deny a license 14 or registration to an applicant under 342.143 who: Has been convicted of a crime not 15 listed in section (1) of this rule, if the Commission finds that the nature of the act or acts 16 17 constituting the crime for which the educator was convicted render the educator unfit to hold a license). Your conduct also constitutes gross unfitness in ORS 342.175(1)(c); 18 OAR 584-020-0040(5)(c) (Conviction of violating any federal, state, or local law. A 19 conviction includes any final judgment of conviction by a court whether as the result of 20 21 auilty plea, no contest plea or any other means); and OAR 584-020-0040(5)(e) (Admission of or engaging in acts constituting criminal conduct, even in the absence of 22 23 a conviction). 24 Ian William Mandis, failed to respond to the Commission's request for an interview as described in section four (4) above. Mandis' conduct constitutes gross 25 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it 26 incorporates OAR 584-020-0010(5) (Use professional judgment); and OAR 584-020-27 0040(4)(p) (Subject to the exercise of any legal right or privilege, failure or refusal by 28 an educator under investigation to respond to requests for information, to furnish 29 documents or to participate in interviews with a Commission representative relating 30 31 to a Commission investigation).

1	The Commission's authority to impose discipline in this matter is based upon ORS
2	342.175.
3	FINAL ORDER
4	The Commission hereby revokes Ian William Mandis' educator license.
5	IT IS SO ORDERED THIS day of June, 2017.
6	TEACHER STANDARDS AND PRACTICES COMMISSION
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8	Morica Gene By:
10	Dr. Monica Beane, Executive Director
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14	NOTICE OF APPEAL OR RIGHTS
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16	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
17	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
18	SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
19	ORS 183.482 TO THE OREGON COURT OF APPEALS.