1 2	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
3 4 5 6 7	In the Matter of the Educator) DEFAULT ORDER OF License of) PUBLIC REPRIMAND PETER A. BUTTACCIO)
8 9	On December 30, 2016, the Teacher Standards and Practices Commission
10	(Commission) issued a Notice of Opportunity for Hearing to Peter A. Buttaccio (Buttaccio)
11	in which the Commission charged him with Gross Neglect of Duty. The Notice was sent via
12	U.S. First Class Mail and U.S. Certified Mail Receipt 7016 0750 0000 2419 0655 to the
13	address on file with the Commission. The Notice designated the Commission file as the
14	record for purposes of proving a prima facie case. The Certified Mail receipt was returned to
15	the Commission as "Refused" unable to forward. The first class mail was returned to the
16	Commission "Return to Sender". The Notice of Opportunity of Hearing, dated December 30,
17	2016, and signed by Monica Beane, Executive Director, 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	Buttaccio did not request a hearing. The Commission, therefore, finds Buttaccio to be in
27	default and enters the following findings of fact, conclusions of law, and final order, based
28	on the files and records of the Commission concerning this matter.
29	FINDINGS OF FACT
30	1. Buttaccio has been licensed by the Commission since July 6, 1983. Buttaccio held
31	a Standard Teaching License, with endorsements in Basic Physical Education
32	(018) and Standard Exceptional Learner I (018), valid from October, 3, 2011,
33	through October 2, 2016. Buttaccio did not make application for renewal. During
34	all relevant times, Buttaccio was employed by the Hood River County School
35	District.
36	2. On December 21, 2015, the Commission received a district report indicating
37	Buttaccio may have committed acts which constitute gross neglect of duty;

1	specifically, the falsification of Individualized Education Program (IEP)
2	documentation. Investigation determined that on October 15, 2015, Buttaccio
3	facilitated an IEP meeting. The meeting failed to include the required
4	participants making the meeting invalid. Instead of rescheduling the meeting,
5	Buttaccio requested that other team members, who were not present for the
6	meeting, sign the official paperwork after the fact and backdate the documents.
7	Buttaccio's paperwork and process errors were determined by the school district
8	to be in violation of local policy and related law.
9	CONCLUSIONS OF LAW
10	Peter A. Buttaccio engaged in unprofessional conduct as described above. This
11	conduct constitutes Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-
12	0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional judgment), OAR
13	584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations); and
14	OAR 584-020-0040(4)(c) (Falsification of any document or knowing misrepresentation
15	directly related to licensure, employment, or professional duties).
16	
17	The Commission's authority to impose discipline in this matter is based upon ORS
18	342.175.
19	FINAL ORDER
20	The Commission hereby issues a Public Reprimand upon Peter A. Buttaccio's Oregon
21	educator license.
22 23 24	IT IS SO ORDERED THIS 27th day of February, 2017.
25	
26	TEACHER STANDARDS AND PRACTICES COMMISSION
27	mai Roma
28	By: Monica Geane
29	Dr. Monica Beane, Executive Director

1	NOTICE OF APPEAL OR RIGHTS
2	
3	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW
4	MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM
5	THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE
6	PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing Default Order of Public Reprimand, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Peter A. Buttaccio 725 Park Place Loop Hood River, OR 97031

Dated this <u>**27⁺**</u>day of February, 2017.

Patty Sheldon

Investigative Assistant