

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the) DEFAULT ORDER OF
5 Teaching License of) REVOCATION OF RIGHT
6 ANDREA LYN DAVIS) TO APPLY FOR LICENSURE
7

8 On April 2, 2008, the Teacher Standards and Practices Commission (Commission)
9 issued a Notice of Opportunity for Hearing to Andrea Lyn Davis (Davis) in which the
10 Commission charged her with misconduct under ORS 342.177. The Notice was sent via U.S.
11 First Class Mail and U.S. Certified Mail Receipt 7006 0810 0001 4602 2449 to the address Ms.
12 Davis provided to the Commission. The certified mail receipt was returned to the Commission
13 on April 03, 2008, signed by Timothy Davis. The Notice of Opportunity of Hearing, dated April 2,
14 2008, and signed by Victoria Chamberlain, Executive Director, stated:

15 "You, Andrea Lyn Davis, are entitled to a hearing on the proposed action of the
16 Commission. If you want a hearing, you must file a written request for a hearing
17 with the Commission within 21 days of the date of this notice. Attached to this
18 notice is a copy of the procedures, right of representation and other rights of
19 parties relating to the conduct of a hearing as required under ORS 183.413(2)"
20

21 Ms. Davis did not request a hearing. The Commission, therefore, finds
22 Ms. Davis to be in default and enters the following findings of fact, conclusions of law
23 and order, based on the files and records of the Commission concerning this matter.

24 **FINDINGS OF FACT**

- 25 1. The Commission issued an Initial I Teaching License to Ms. Davis on October 9, 2003
26 valid until September 12, 2007 with a French Endorsement.
- 27 2. During the 2004-2005 school year, Davis gave a student a short story she had written.
28 This story depicted Davis and this student in a romantic manner. This conduct
29 constitutes gross neglect of duty in violation of OAR 584-020-0040(4)(o) as it
30 incorporates OAR 584-020-0035(1)(c)(B). (Exchanging romantic notes with a student.)
- 31 3. During the 2004-2005 school year Davis gave gifts of numerous CD's of music to the
32 same student. The student reported that he through this behavior was flirtatious. This

1 conduct constitutes gross neglect of duty in violation of OAR 584-020-0040(4)(o) as it
2 incorporates OAR 584-020-0035(1)(c)(B). (Giving overly personal gifts).

- 3 4. During the 2004-2005 school year Davis discussed her drug use with a 7th grade
4 student. This conduct constitutes gross neglect of duty in violation of OAR 584-020-
5 0040(4)(n) as it incorporates OAR 584-020-0010(5). (Use professional judgment).

6 **CONCLUSIONS OF LAW**
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9 Davis's exchange of romantic notes with a student constitutes gross neglect of duty in
10 violation of OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(B). Davis'
11 personal gift giving to a student constitutes gross neglect of duty in violation of OAR 584-020-
12 0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(B). The Commission's authority to
13 impose discipline in this matter is based upon ORS 342.175.

14 **FINAL ORDER**

15 The Commission adopts and incorporates herein the above findings of facts and conclusions
16 of law, and based thereon revokes Davis' right to apply for a license pursuant to ORS
17 342.175(2).

18 Issued and dated this 19 day of May, 2008.

19 **TEACHER STANDARDS AND PRACTICES COMMISSION**

20
21 By: 
22 Victoria Chamberlain, Executive Director

23 **NOTICE OF APPEAL OR RIGHTS**
24

25 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
26 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE
27 OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS
28 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Andrea Lyn Davis
2549 Rosebay St
Eugene, OR 97402

Dated this 3rd day of June, 2008

By: Melody Hanson
Melody Hanson, Executive Assistant