1 2	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 AND REVOCATION STEPHANIE MICHELE RODAKOWSKI OF RIGHT TO APPLY
8	On February 5, 2016, the Teacher Standards and Practices Commission
9	(Commission) issued a Notice of Opportunity for Hearing to Stephanie Michele
10	Rodakowski (Rodakowski) in which the Commission charged her with Gross Neglect of
11	Duty and Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S.
12	Certified Mail Receipt 7015 0640 0004 7539 6878 to the address on file with the
13	Commission. The Notice designated the Commission file as the record for purposes of
14	proving a prima facie case. The Certified Mail receipt was returned signed to the
15	Commission on February 11, 2016. The regular mail was not returned to the
16	Commission. The Notice of Opportunity of Hearing, dated February 5, 2016, and signed
17	by Victoria Chamberlain, 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	Rodakowski did not request a hearing. The Commission, therefore, finds Rodakowski to
27	be in default and enters the following findings of fact, conclusions of law, and final
28	order, based on the files and records of the Commission concerning this matter.
29	
30	FINDINGS OF FACT
31	1. Stephanie Michele Rodakowski has been licensed by the Commission since January
32	4, 2008. Rodakowski's Initial II Teaching License, with endorsements in Language
33	Arts (HS, ML) and Multiple Subjects (MIDLVL), is valid from December 25, 2014,
34	through September 27, 2018. During all relevant times Rodakowski was employed by
35	the Springfield Public School District.
36	2. On November 4, 2015, in the Lane County Circuit Court, Rodakowski pled guilty to
37	and was convicted of Endangering the Welfare of a Minor ORS 163.575(2), a class A

1	Misdemeanor; and Tampering with Physical Evidence ORS 162.295, a class A
2	Misdemeanor. Rodakowski was sentenced to thirty (30) days in jail (each count),
3	followed by a period of probation, required to submit to a sex offender evaluation,
4	and ordered to surrender her teaching license. On November 20, 2015 the
5	Commission received written notification that Rodakowski was surrendering her
6	teaching license as required.
7	3. Rodakowski's convictions arose from allegations that on or about March 2015
8	through July 2015, Rodakowski engaged in the exchange of sexual conversations via
9	text messaging with AW, a 17 year old male student. Rodakowski's messages
0	included sending digital images of herself to AW in various states of nudity. On one
.1	occasion, Rodakowski kissed AW, and on more than one occasion, Rodakowski
2	asked AW to have sex with her. During the official investigation, Rodakowski
.3	attempted to delete all electronic records of her conduct and requested that AW do
4	the same to destroy any evidence.
15	CONCLUSIONS OF LAW
16	Rodakowski's convictions constitutes gross neglect of duty in violation of ORS
17	342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (<i>Use</i>
18	professional judgment); and OAR 584-020-0040(1)(x) (ORS 163.575 – Endangering
19	the Welfare of a Minor). This conduct also constitutes gross unfitness in violation of
20	ORS 342.175(1)(c); OAR 584-020-0040(5)(d) (Commission of an act listed in OAR 584
21	020-0040(1)), and OAR 584-020-0040(5)(e) (Admission of or engaging in acts
22	constituting criminal conduct, even in the absence of a conviction).
23	
24	Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards
25	and Practices Commission must revoke Rodakowski's license and Rodakowski's right to
26	apply for a license based on his conviction of any of the crimes listed in ORS
27	342.143(3)(a), or the substantial equivalent of any of those crimes.
28	
29	Furthermore, the conduct underlying Rodakowski's indictments and conviction
30	constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-

 $0040(4)(n) \ as \ it \ incorporates \ OAR \ 584-020-0010(5) \ (\textit{Use professional judgment}); \ OAR \ and \ output \ (\textit{OAR})$

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1	584-020-0040(4)(k) (Violation of any order or rule of the Commission); OAR 584-
2	020-0040(4)(0) as it incorporates OAR 584-020-0035(1)(c)(D)(Honoring appropriate
3	adult boundaries with students in conduct and conversations at all times), OAR 584-
4	020-0035(3)(a)(Maintain the dignity of the profession by respecting and obeying the
5	law, exemplifying personal integrity and honesty); and OAR 584-020-0040(4)(f) (Any
6	sexual conduct with a student). Additionally, your convictions and conduct constitute
7	"gross unfitness" in violation of ORS 342.175(1)(c), OAR 584-020-0040(3)(a) and (d) as
8	defined by OAR 584-020-0040 (5) ("Gross unfitness is any conduct which renders an
9	educator unqualified to perform his or her professional responsibilities").
10	
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 revokes Stephanie Michele Rodakowski's educator
15	license and revokes her right to apply for an educator license.
16	IT IS SO ORDERED THIS 23 day of May, 2016.
17	TEACHER STANDARDS AND PRACTICES COMMISSION
18	
19	
	By:
20	By:
21 22	Victoria Chamberlain, Executive Director
23	
24	NOTICE OF APPEAL OR RIGHTS
25 26	
27	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
28 29	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
30	ORS 183.482 TO 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:

Stephanie Michele Rodakowski 45461 Goodpasture Rd Vida, OR 97488-9727

Dated this 23 rd day of May, 2016

Patty Sheldon

Investigative Assistant