

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

3 In the Matter of the Teaching License of:

4 TONY JAMES RAMOS

DEFAULT ORDER OF REVOCATION

Case No. 100027

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7 The Teacher Standards and Practices Commission (Commission) issued a Notice of  
8 Opportunity of Hearing on October 5, 2001, proposing to suspend or revoke the teaching license  
9 of Tony James Ramos. Mr. Ramos wrote letters to the Commission in response to the Notice of  
10 Opportunity for Hearing on October 25 and December 17, 2001 disputing the allegations in the  
11 Notice. The Commission treated Mr. Ramos' correspondence as a request for hearing and  
12 advised Mr. Ramos of this fact in a letter dated March 13, 2002.

13 On May 3, 2002, the Commission entered an Amended Notice of Hearing and assigned  
14 the case to the Hearing Officer Panel. The Panel assigned the case to Administrative Law Judge  
15 Ella Johnson and subsequently scheduled the case for hearing on September 27, 2002. The Panel  
16 also sent notice of the time, date and place of the hearing to Mr. Ramos at the mailing address  
17 Mr. Ramos had provided to the Commission.

18 Mr. Ramos failed to appear at the September 27 hearing. The Hearing Notices contained  
19 a statement that if Mr. Ramos failed to appear at the hearing, the Commission would adopt an  
20 order by default. The Notices further provided that the files and records of the Commission  
21 would automatically become part of the contested case record in the event of default.

22 The Commission finds Mr. Ramos to be in default and such default is hereby entered.  
23

1 Based on its file and records in this matter, the Commission makes the following findings of fact  
2 and adopts the following order:

3 FINDINGS OF FACT

- 4 1. Mr. Ramos holds a Standard Administrator License valid from January 30, 2001  
5 to December 26, 2005. He also holds a Basic Administrative License valid from  
6 January 30, 2001 to December 26, 2002.
- 7 2. Mr. Ramos was employed as Superintendent of the Douglas County School  
8 District #15 in Days Creek, Oregon, from July 1998 until May 2001 when he was  
9 placed on administrative leave. The school district allowed his employment  
10 contract to expire at the end of the 2000-2001 school year.
- 11 3. On January 12, 2001, Mr. Ramos entered into a Stipulation of Facts with the  
12 Commission and agreed to a suspension of his administrative licenses for a period  
13 of 60 days commencing on November 24, 2000, when he had entered into a  
14 residential alcohol treatment program. The January 12, 2001 order contained  
15 these findings: (a) Mr. Ramos completed a diversion program based on a charge  
16 of driving under the influence of intoxicants in April 2000. (b) Shortly before  
17 completion of diversion, Mr. Ramos was again arrested for driving under the  
18 influence and recklessly endangering. At that time his blood-alcohol content, as  
19 measured by an intoxilyzer, was 0.27 percent. He was subsequently convicted of  
20 the crime of driving under the influence. (c) Mr. Ramos appeared on duty and  
21 was visibly intoxicated in May 2000 and again in November 2000.
- 22 The Commission's January 12, 2001 order further provided that upon  
23 reinstatement of his suspended license, Mr. Ramos would be placed on probation

1 to the Commission for a period of four years. Conditions of probation included:  
2 (a) Obtain treatment for alcohol dependency, (b) provide the Commission with a  
3 copy of the alcohol treatment plan, (c) comply with all terms of the treatment  
4 plan, and (d) provide the Commission with a copy of the alcohol treatment plan  
5 and monthly reports during the first six months of probation and quarterly reports  
6 during the remainder of the probation.

7 4. Mr. Ramos has failed to provide periodic progress reports from his alcohol  
8 treatment plan as required under the terms of his probation.

9 5. During the winter and spring of 2001, Mr. Ramos appeared on at least two  
10 occasions at school functions after he had been consuming alcohol and while  
11 under the influence of alcohol.

12 6. During the 2000-2001 school year, Mr. Ramos' employing school district had  
13 placed him on a plan of assistance. The plan of assistance required Ramos to  
14 comply with his alcohol treatment plan, to provide monthly reports of his  
15 compliance with treatment and to submit to random urinalysis and breath testing.  
16 On May 9, 2001, Mr. Ramos was requested by members of the Days Creek  
17 School Board to submit to a random urinalysis and breath test. Mr. Ramos  
18 refused to submit to the tests. Mr. Ramos failed to provide reports from his  
19 treatment program to the district.

#### 20 CONCLUSIONS OF LAW

21 1. Mr. Ramos violated the terms of probation as contained in the Commission's  
22 order dated January 12, 2001 by failing to comply with his alcohol treatment

1 program, failing to abstain from consumption of alcohol and failing to provide  
2 periodic reports of his progress in the alcohol treatment plan.

3 2. Mr. Ramos violated OAR 584-020-0040(4)(g) by appearing on duty on at least  
4 two occasions while under the influence of alcohol.

5 3. Mr. Ramos violated OAR 584-020-0035(2)(a) and 584-020-0040(4)(o) by failing  
6 to comply with a plan of assistance with his employing school district when he  
7 did not provide the district with progress reports from his alcohol treatment plan,  
8 when he appeared for duty while under the influence of alcohol and when he  
9 refused to submit to urinalysis and breath tests.

10 DISCUSSION ORDER

11 In its January 2001 order, the Commission provided Mr. Ramos with a last  
12 opportunity to comply with Commission standards and to participate fully in alcohol  
13 treatment. Mr. Ramos failed to meet this challenge. The administrative licenses of Tony  
14 James Ramos are hereby revoked.

15 DATED this 11 day of October 2002.

16  
17 TEACHER STANDARDS AND PRACTICES COMMISSION

18  
19 By:   
20 Victoria Chamberlain, Executive Director

21 Notice: You are entitled to Judicial Review of this order. Judicial Review may be obtained by  
22 filing a petition for review within 60 days from the service of this order. Judicial Review is  
pursuant to the provision of ORS 183.482 to the Oregon Court of Appeals.