

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

4 In the Matter of the Educator                    )        DEFAULT ORDER OF DENIAL OF  
5 License of    )        APPLICATION AND REVOCATION OF  
6 JOLEEN A FAVORITE                                )        RIGHT TO APPLY FOR LICENSURE  
7  
8

9           On May 29, 2015, the Teacher Standards and Practices Commission (Commission)  
10 issued a Notice of Opportunity for Hearing to Joleen A Favorite (Favorite) in which the  
11 Commission denied Favorite’s application for reinstatement of her suspended licensure. The  
12 Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7014 0150 0000  
13 1046 6311 to the address on file with the Commission. The Notice designated the  
14 Commission file as the record for purposes of proving a prima facie case. The Certified Mail  
15 receipt was returned to the Commission “signed” on June 8, 2015. The first class mail was  
16 not returned to the Commission. The Notice of Opportunity of Hearing, dated May 29, 2015,  
17 and signed by Victoria Chamberlain, Executive Director, stated:

18           “IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 60-DAY  
19 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED  
20 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR  
21 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU  
22 FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER  
23 OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF  
24 YOUR LICENSE OR OTHER DISCIPLINE.”  
25

26 Favorite did not request a hearing. The Commission, therefore, finds Favorite 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. The Commission has licensed Favorite since August 1, 2003. Favorite previously  
31 held an Initial I Teaching License issued November 21, 2006, with endorsements in  
32 Physical Education (ML/HS, ECE/ELE L) and Health Education (HS) that would  
33 have expired on March 31, 2010. On August 10, 2009, the Commission adopted a  
34 final order suspending Favorite’s license and/or Favorite’s right to apply for a license  
35 for a period of 45 days.
- 36 2. On December 22, 2014, Favorite made application for the reinstatement of her

1 teaching license. Favorite's application was referred to Professional Standards to  
2 investigate Favorite's background history. Investigation determined Favorite had  
3 been arrested in July 2013, and charged with Criminal Trespass (Class A  
4 Misdemeanor), Unlawful Entry of a Motor Vehicle (Class A Misdemeanor), and Theft  
5 3 (Class C Misdemeanor). Favorite's conduct resulting in her arrest included  
6 entering a private recreational vehicle and a pickup truck and rearranging the  
7 contents of the vehicles. Favorite removed some items and took them with her when  
8 she left; Favorite took some items from one vehicle and placed them into another in  
9 what police described as "odd" behavior; Favorite also opened the property owner's  
10 chicken coop and fed the chickens. Favorite was confronted by the victim at a nearby  
11 park. When confronted, Favorite told the victim that Favorite had "taken her stuff  
12 and hid it in a special spot". Favorite was described as acting odd and giggling when  
13 confronted. Favorite had to be restrained until the police arrived. When arrested, the  
14 police found stolen property on Favorite's person from the victim's vehicles.

- 15 3. Law enforcement learned Favorite had been suffering from a mental illness, later  
16 diagnosed as Bipolar Disorder. Upon agreeing to seek treatment, the victims agreed  
17 not to press criminal charges. On or about October 2013, Favorite was admitted to a  
18 mental health facility and began treatment. The criminal charges were dismissed.
- 19 4. On December 22, 2014, the Commission received Favorite's application for  
20 reinstatement of her license. On April 10, 2015, the Commission considered  
21 Favorite's application for reinstatement of her licensure.  
22

### 23 CONCLUSIONS OF LAW

24 Based upon the conduct as described above;

- 25 1. The Commission denies Favorite's reinstatement application and revokes Favorite's  
26 right to apply for a license for the following reasons:
- 27 a. The information Favorite submitted, along with her reinstatement documents,  
28 do not establish that Favorite possess good moral character, trustworthiness, or  
29 physical and mental health to hold an educator's license; and  
30 b. Based on the above conduct, Favorite failed to provide the Commission

1 satisfactory evidence of good moral character or mental and physical fitness as  
2 required to hold a license under ORS 342,143(2). Favorite's conduct also  
3 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-  
4 020-0040(2) (*An applicant fails to meet the requirement of ORS 342.143*  
5 *"good moral character" if the applicant engages in gross neglect of duty,*  
6 *gross unfitness, in violation of section (4) of this rule or other acts which are*  
7 *in violation of sections (1) and (3) of this rule); OAR 584-020-0040(4)(n) as it*  
8 *incorporates OAR 584-020-0010(5) (Use professional judgment). This*  
9 *conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c);*  
10 *OAR 584-020-0040(5)(e) (Admission of or engaging in acts constituting*  
11 *criminal conduct, even in the absence of a conviction).*

12  
13 The Commission's authority to impose discipline in this matter is based upon ORS  
14 342.175.

15 **FINAL ORDER**

16 The Commission hereby denies Joleen A Favorite's application for reinstatement and  
17 revokes her right to apply for licensure.

18 IT IS SO ORDERED THIS 21<sup>st</sup> day of October 2015.

19 TEACHER STANDARDS AND PRACTICES COMMISSION



20 By: \_\_\_\_\_  
21 Victoria Chamberlain, Executive Director

22  
23 **NOTICE OF APPEAL OR RIGHTS**

24  
25 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW  
26 MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM  
27 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE  
28 PROVISIONS OF 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:

Joleen A Favorite  
80578 Craig Rd  
Hermiston, OR 97838-7354

Dated this 21<sup>st</sup> day of October, 2015.

By: Patty Liddell  
Patty Liddell  
Investigative Assistant