

**BEFORE THE  
COMMISSION ON TEACHER CREDENTIALING  
STATE OF CALIFORNIA**

**In the Matter of the Accusation and Statement of Issues  
Against:**

**BLANCA MARIE QUINTANA, Respondent**

**Agency Case No. 2-115848793**

**OAH No. 2023080219**

**PROPOSED DECISION**

Administrative Law Judge Coren D. Wong, Office of Administrative Hearings, State of California, heard this matter by videoconference on December 11, 2023, from Sacramento, California.

Phillip L. Arthur, Deputy Attorney General, represented complainant Mary Vixie Sandy, Ed.D., Executive Director of the California Commission on Teacher Credentialing (Commission).

Respondent Blanca Marie Quintana represented herself.

Evidence was received, the record closed, and the matter submitted for decision on December 11, 2023.

## **FACTUAL FINDINGS**

### **Jurisdictional Matters**

1. The Commission issued respondent a child development assistant permit on December 20, 2010. The permit expired six years later and has not been renewed.

2. The Commission issued respondent a child development teacher permit on August 17, 2012. The permit expired five years later and has not been renewed.

3. The Commission issued respondent a child development site supervisor permit on the February 10, 2016. The permit expired five years later and has not been renewed.

4. The Commission issued respondent a 30-day substitute teaching permit on October 20, 2016. The permit expired four years later and has not been renewed.

5. Respondent signed and submitted to the Commission an application for a 30-day substitute teaching permit on May 23, 2022. The Commission's Committee of Credentials (Committee) reviewed the application and determined probable cause existed to recommend that the Commission deny the application.

6. The term "credential" includes "any credential, certificate, life document, life diploma, permit, certificate of clearance, or waiver, or other document which authorizes the holder to perform services which require certification and was issued by the Commission." (Cal. Code Regs., tit. 5, § 80300, subd. (g).) The expiration of a credential does not deprive the Commission of jurisdiction to discipline the credential. (Ed. Code, § 44440, subd. (b)(1)–(3).) Therefore, the Committee also determined

probable cause existed for it to recommend that the Commission revoke respondent's "teaching credential(s) and all certification documents."

7. Respondent requested an administrative hearing challenging the Committee's recommendations. Complainant authorized a combined Accusation and Statement of Issues solely in her official capacity on June 22, 2023.

8. The pleading seeks to: (1) revoke all permits and other certification documents the Commission issued respondent; and (2) deny her application for a 30-day substitute teaching permit. The gravamen of the pleading is respondent's involvement in domestic violence on April 4, 2020.

### **April 4, 2020 Incident**

9. Numerous officers from the Tulare Police Department responded to a residence for a report of a fall victim who was bleeding on April 4, 2020. The first officer to arrive entered the home and found respondent attending to a man lying on the ground and bleeding profusely from the chest. The officer asked respondent what had happened, and she said she did not know.

10. Another officer arrived at about the same time as an ambulance. He found the victim on the ground immediately inside the front door to the home. Respondent was kneeling next to him holding his arms. The victim's T-shirt had a large amount of blood near the upper chest area. The ambulance crew lifted the T-shirt and revealed at least one puncture wound to the upper left chest area that was bleeding profusely. The victim refused to explain what had happened.

11. Due to the severity of the victim's injury, he was immediately loaded into the ambulance and transported to the hospital. An officer followed the ambulance to

the hospital. After triage, hospital personnel told the officer the victim had sustained two stab wounds: one on the left side of the chest directly above his heart, and another on the right side of his chest near his sternum. The wounds were severe and life threatening. The victim was taken into surgery. Before that, the officer repeatedly asked the victim how he was stabbed. The victim ignored the officer's inquiries.

12. After the victim was loaded into the ambulance and driven to the hospital, an officer interviewed respondent outside the home. Respondent explained she lived at the home with her 11-year-old son. He was not home because she had brought him to his father's earlier that afternoon to spend the night. No one else lived in the home. Respondent identified the victim as her boyfriend, and explained he sometimes stayed with her.

13. Respondent told the officer she left her home earlier that afternoon to go to the hair salon. The victim stayed at respondent's home while she was gone. Initially, she said "Petra and them" were also in the home when she left. She later changed her story and said the victim was home alone. Respondent explained she was not home when the victim was injured, and he did not tell her what had happened when she returned.

14. Officers obtained a search warrant for respondent's home. A search of a trashcan in the kitchen revealed a glass pipe with a bulb on one end. There was white residue and burnt residue in the bulb. The pipe resembled one commonly used for smoking methamphetamine, and the residue was consistent with the aftermath of smoking methamphetamine. A further search revealed a bloody knife wrapped in a washcloth.

15. Respondent was arrested and brought to the police station for further questioning. During questioning by detectives, respondent reiterated that only she and her son lived in her home. However, the victim visited almost daily, and he stayed overnight frequently the previous month. Respondent and the victim partied together by drinking alcohol and sometimes using methamphetamine. They would do a "couple of hits here and there." When asked if they used methamphetamine daily, respondent refused to discuss the issue any further.

16. Respondent described the day of the incident as a good day and explained the victim had spent the night. They went to bed early the night before. She described being in a dating relationship with the victim for the last few weeks. She said they got along well, and he treated her okay. However, they had misunderstandings as any couple does.

17. Respondent said she scheduled an appointment at a hair salon in Visalia, but she could not recall its name or the street on which it was located. Her appointment was with an unknown woman. Respondent did not know what time she returned home, but she found the door open when she arrived. She walked inside, and "everything was happening." When detectives asked for clarification of what she meant, respondent did not elaborate.

18. A detective returned to the hospital the day after the incident to interview the victim. After the detective identified himself and explained the purpose of his visit, the victim told him there was nothing to investigate and nothing had happened. He did not cooperate when the detective took photographs of his injuries, and instead attempted to cover his face with a pillow.

19. The detective used a ruse to try to get the victim to talk and said respondent told him what had happened and said the victim beat her. The victim responded that he never touched respondent but did not elaborate. After the detective told the victim someone had gone to jail, the victim stated he hoped it was not respondent.

20. The detective explained he needed to know the truth to make sure the correct person was in jail. The victim finally explained he and respondent had an argument because respondent kicked him in the buttocks while they were in bed the night before. He got mad and told her to stop. Respondent got out of bed, stood up, and told the victim to "get the fuck out of here." The victim got out of bed and stood up, and respondent stabbed him once with a knife.

21. Respondent backed up after stabbing the victim. The victim chased respondent out of the bedroom, and she ran outside to her car. The victim stopped at the front door, where the police found him, before losing consciousness. Respondent never told anyone with the Tulare Police Department that she stabbed the victim in self-defense.

## **Criminal Conviction**

22. Criminal charges were filed against respondent for the April 4, 2020 stabbing. On August 24, 2021, in the Tulare County Superior Court, Case Number PCF395256, respondent pled no contest to, and was convicted of, a felony violation of Penal Code section 273.5, subdivision (a), corporal injury to a spouse, cohabitant, or child's parent. Respondent was denied formal probation and sentenced to state prison for four years, with credit for 1,076 days for days spent in custody awaiting sentence,

good conduct credit, and work time credit. She was ordered to pay restitution, fines, assessments, and fees.

## **Respondent's Evidence**

23. Respondent did not produce documents or call witnesses at hearing. She testified on her own behalf.

24. Respondent was raised in a "rough area" of Tulare, California. She graduated from Tech Prep High School in 2000. She earned a Bachelor of Arts in liberal studies from Fresno Pacific University in 2015. She completed Fresno Pacific University's teacher credentialing program four years later.

25. Respondent has worked as a youth development coach for the Boys and Girls Club in Farmersville, California, since April 2023. She is responsible for implementing programs and building rapport with the children served. She said her employer is aware of her felony conviction because she disclosed it during her interview and her employer ran a criminal background check during the hiring process.

26. Respondent is interested in returning to school to earn a master's degree in special education with the goal of becoming a special education teacher. She believes her difficult childhood would make her a good role model for students because she would be able to relate to them. Respondent estimated she last worked in a classroom as a substitute teacher in March 2020.

27. Respondent initially explained that the victim came to her home on the day of the incident looking for a place to sleep. She told him she was about to leave for an appointment and he could stay while she was gone, but he had to leave when

she returned because she did not want people around her anymore. When respondent returned later that afternoon, she tried to get the victim to leave, but he would not.

28. During questioning, respondent said she asked the victim to help her unlock her son's bedroom door so she could retrieve her son's laptop. She then explained she was trying to wake the victim to ask him for help and tell him he needed to leave. He became upset, got out of bed, and pinned her against the bedroom door. She tried calling for help from her cousin who was in another part of the house, but she could not speak because of the way the victim was holding her.

29. Respondent described being unable to breathe while pinned against the door. She thought she was going to die. She remembered she had a knife she used to try to open her son's bedroom door in her back pocket. She pulled out the knife to try to scare the victim into releasing her. Instead of releasing respondent, the victim "just went crazy" and "flipped out." Respondent claimed she stabbed the victim in self-defense. He released her, she ran away, and he chased after her.

30. Respondent was arrested on the day of the incident and remained incarcerated until she completed her state prison sentence in April 2022. She was initially told she could be released from prison on parole for up to three years, but she ultimately served only one year.

31. Respondent conceded at hearing that she never told the police she stabbed the victim in self-defense. She initially said she was not sure why she did not tell them. She then said she was confused when police were questioning her. Later, she explained she did not know if her words would be twisted and used against her.

32. Respondent also said she lost memory of the incident while talking to the police. She did not regain her memory until a few weeks prior to hearing. She insisted



she acted in self-defense because the victim was “physically attacking” her.

Respondent explained she pled no contest to domestic violence because she missed her son and he had a medical issue. She did not specify the medical issue or whether it resolved.

33. Respondent explained she just wants to move forward with her life. She has worked hard to change her life by attending therapy and going to church. She takes medication for memory, posttraumatic stress disorder, depression, and anxiety. She initially started taking medication when released from prison. Respondent’s testimony was not clear as to whether she has been on medication continuously or if she started, stopped, and then restarted. She said she “recently” has been taking medication “daily.”

34. Respondent’s testimony about therapy was also difficult to understand. She estimated she began therapy in 2010 and continued “off and on.” But she also said she attended regular appointments. She then stated she has not had regular appointments for two months.

35. Respondent has visited her psychiatrist monthly since being released from prison. The visits usually last no more than 30 minutes and are for medication management. She sometimes engages in talk therapy.

36. Respondent also participates in “case management” services, which consist of one-on-one meetings with a social worker. She said she started when released from prison and she does not attend often. She then explained she began attending monthly in approximately September 2023.

## Analysis

### DOMESTIC VIOLENCE

37. Respondent willfully inflicted severe, life-threatening injuries to the victim when she stabbed him twice in the chest in April 2020. Her conduct constituted domestic violence. (See *Banuelos-Ayon v. Holder* (9 Cir. 2010) 611 Fed.3d 1080, 1083–1085 [the conduct prohibited by Pen. Code, § 273.5 constitutes domestic violence].) Her conduct involved moral turpitude. (*People v. Burton* (2015) 243 Cal.App.4th 129, 136 [“violation of [Penal Code] section 273.5 is a crime of moral turpitude as a matter of law”].)

38. Respondent’s claim that she stabbed the victim in self-defense was not credible. She admitted otherwise when she pled no contest to a felony violation of Penal Code section 273.5. (Pen. Code, § 1016, subd. (3) [“The legal effect of [a plea of nolo contendere] . . . shall be the same as that of a plea of guilty for all purposes”]; *Adams v. County of Sacramento* (1991) 235 Cal.App.3d 872, 881–882 [a guilty plea “constitutes an admission of every element of the offense charged”].) Respondent cannot collaterally attack her conviction. (*Arneson v. Fox* (1980) 28 Cal.3d 440, 449 [evidence of a licensee’s criminal conviction is “conclusive evidence of [her] guilt of the offense charged” which cannot be impeached in subsequent administrative proceedings].)

39. Additionally, respondent repeatedly told criminal investigators she did not know how the victim was stabbed. She did not assert she stabbed him in self-defense until after she was convicted. At hearing, she provided inconsistent explanations for not doing so earlier.

## **UNLAWFUL USE OF METHAMPHETAMINE**

40. Health and Safety Code section 11550, subdivision (a), prohibits the use of certain controlled substances without a valid prescription. Methamphetamine is one such controlled substance. (Health & Saf. Code, § 11055, subd. (d)(2).) The person using the prohibited substance has the burden of proving she has a valid prescription. (Health & Saf. Code, § 11550, subd. (a).) Simple possession of methamphetamine does not involve moral turpitude. (*People v. Dossman* (1985) 171 Cal.App.3d 843, 848–849 [simple possession of a controlled substance, as opposed to possession with the intent to sell, does not involve moral turpitude].)

41. Respondent unlawfully used methamphetamine. She admitted to investigators that she and the victim sometimes partied together by using methamphetamine. She explained they would take a “couple of hits here and there.” A search of her home revealed a glass pipe with methamphetamine residue in the bulbous end. Respondent produced no evidence of a valid prescription for methamphetamine.

## **FITNESS TO TEACH**

42. The Commission may take adverse action against a credential only when the underlying conduct demonstrates an unfitness to teach. (See *Broney v. California Com. on Teacher Credentialing* (2010) 184 Cal.App.4th 462, 473.) “A teacher whose credential is being investigated for possible adverse action is per se unfit to teach only when the teacher has been convicted of a crime which the Legislature has declared requires the imposition of automatic sanctions on that teacher’s credentials. [Citations.] In all other circumstances, fitness to teach is a question of ultimate fact. [Citations.]” (*Id.*, at p. 475.)

43. The California Supreme Court has delineated factors for determining whether conduct demonstrates an unfitness to teach. (See *Morrison v. State Bd. of Education* (1969) 1 Cal.3d 214, 229-230 [analyzing former Ed. Code, § 13202, predecessor to Ed. Code, § 44421].) The Commission adopted the *Morrison* factors by enacting California Code of Regulations, title 5, section 80302. "Only the pertinent *Morrison* factors need to be analyzed." (*Broney v. California Com. On Teacher Credentialing, supra*, 184 Cal.App.4th at p. 476.)

### **Adverse Effect on Others**

44. Students are impressionable, and many try to emulate their teachers. Therefore, it is essential that an educator's behavior be beyond reproach, and she be capable of exercising sound judgment. Respondent engaged in dangerous and violent behavior when she stabbed the victim in the chest twice. She exercised poor judgment when she illegally used methamphetamine. Her behavior and conduct were inconsistent with that of a good role model and not the type society wants students to emulate. Additionally, respondent's actions had the potential of portraying other teachers and members of the educational community in a negative light.

### **Lapse of Time**

45. Nearly four years have elapsed since respondent stabbed the victim. However, she was released from prison less than two years ago, and she completed parole more recently than that.

### **Aggravating or Mitigating Factors**

46. An aggravating factor is one that demonstrates greater discipline is necessary to adequately protect the public, students, or the teaching profession. (Cal.

Code Regs., tit. 5, § 80300, subd. (b).) Relevant criteria include: (1) multiple acts of wrongdoing or a pattern of misconduct; (2) harm to one of respondent's students or the educational system; and (3) an indifference to the consequences of the misconduct. (*Id.*, subd. (b)(2), (4), (5).)

47. Although there was no evidence of the specific number of times respondent unlawfully used methamphetamine, she did so at least once. Additionally, she stabbed the victim twice in the chest. Therefore, respondent engaged in multiple acts of wrongdoing. However, there was insufficient evidence to establish a pattern of misconduct.

48. Contrary to complainant's argument, there was no evidence respondent's misconduct harmed her son. He was not home when the victim was stabbed, and there was no evidence he ever witnessed his mother using methamphetamine.

49. Respondent demonstrated an indifference to stabbing the victim. She was dishonest with investigators when she stated she did not know how the victim was stabbed, and she later claimed she stabbed him in self-defense. Respondent demonstrated a complete lack of insight into her criminal conduct.

50. A mitigating factor is one that demonstrates lesser discipline is necessary to adequately protect the public, students, or the teaching profession. (Cal. Code Regs., tit. 5, § 80300, subd. (m).) Relevant criteria include: (1) an absence of misconduct over an extended period of service; (2) a lack of harm to the victim; (3) evidence that emotional difficulties contributed to respondent's misconduct provided she demonstrates by clear and convincing evidence that she has overcome such difficulties; (4) evidence of good character provided by witnesses familiar with the nature of respondent's misconduct; (5) acknowledgment of wrongdoing; (6) lapse of

time relative to the seriousness of the misconduct; and (7) evidence of rehabilitation. (*Id.*, subd. (m)(1)–(7).)

51. Respondent presented insufficient evidence of mitigating factors. As previously discussed, she did not introduce any documents or call any witnesses. Although she testified, much of her testimony was disjointed, convoluted, and difficult to follow. She was allowed to testify in narrative form and frequently switched topics without providing the context necessary to understand what she was saying. On cross-examination, respondent repeatedly faced difficulty focusing on the question asked, often digressing to unrelated topics without answering the question asked. Respondent was not a credible witness.

52. Respondent testified to struggling with mental illness, but she did not demonstrate that her struggles led to her misconduct. Furthermore, she did not establish “through clear and convincing evidence that . . . she no longer has such difficulties.” (Cal. Code Regs., tit. 5, § 80300, subd. (m)(3).) Most significantly, respondent failed to acknowledge any wrongdoing. (*Seide v. Com. of Bar Examiners of the State Bar of Cal.* (1989) 49 Cal.3d 933, 940 [“Fully acknowledging the wrongfulness of [her] actions is an essential step towards rehabilitation”].)

### **Likelihood of Recurrence**

53. Respondent’s lack of insight into the impropriety of stabbing the victim twice evidences a strong likelihood of recurrence.

## LEGAL CONCLUSIONS

### Applicable Burden/Standard of Proof

#### ACCUSATION

1. Complainant has the burden of proving the grounds for discipline alleged in the Accusation by clear and convincing evidence to a reasonable certainty. (*Daniels v. Dept. of Motor Vehicles* (1983) 33 Cal.3d 532, 536 [an administrative agency seeking to discipline a license has the burden of proving the grounds for discipline alleged in the accusation]; see *Gardner v. Com. on Prof. Competence* (1985) 164 Cal.App.3d 1036, 1039-1040 [recognizing that the clear and convincing evidence standard applies to disciplining a teaching credential].) "The courts have defined clear and convincing evidence as evidence which is so clear as to leave no substantial doubt and as sufficiently strong to command the unhesitating assent of every reasonable mind [citations]. It has been said that a preponderance calls for probability, while clear and convincing proof demands a *high probability* [citations]." (*In re Terry D.* (1978) 83 Cal.App.3d 890, 899; italics original.)

#### STATEMENT OF ISSUES

2. Respondent has the burden of proving she qualifies for a 30-Day Substitute Teaching Permit by a preponderance of the evidence. (*Coffin v. Alcoholic Beverage Control Appeals Bd.* (2006) 139 Cal.App.4th 471, 476 [the party against whom a statement of issues is filed bears the burden of proof regarding the issues raised in the pleading]; see Evid. Code, § 115 ["Except as otherwise provided by law, the burden of proof requires proof by a preponderance of the evidence"].) This evidentiary standard requires respondent to produce evidence of such weight that,

when balanced against evidence to the contrary, is more persuasive. (*People ex rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.) In other words, respondent needs to prove it is more likely than not that she qualifies for a permit. (*Lillian F. v. Super. Ct.* (1984) 160 Cal.App.3d 314, 320.)

## **Applicable Law**

3. The California Supreme Court has recognized that the terms “immoral conduct” and “unprofessional conduct” substantially overlap one another and that conduct which constitutes one often includes the other. (See *Morrison v. State Bd. of Education* (1969) 1 Cal.3d 214, 221, fn. 9.) “Unprofessional conduct” includes “that which violates the rules or ethical code of a profession or such conduct which is unbecoming a member of a profession in good standing.” (*Bd. of Education of the City of Los Angeles v. Swan* (1953) 41 Cal.2d 546, 553; quoting 66 Corpus Juris, p. 55.) In describing what constitutes “immoral conduct” within the context of the Education Code, the court in *Board of Education of San Francisco Unified School District v. Weiland* (1960) 179 Cal.App.2d 808, said:

In *Orloff v. Los Angeles Turf Club*, 36 Cal.2d 734, at page 740 [227 P.2d 449], the Supreme Court quotes with approval the following statement from Words and Phrases, permanent edition, volume 20, pages 159-160: “The term ‘immoral’ has been defined generally as that which is hostile to the welfare of the general public and contrary to good morals. Immorality has not been confined to sexual matters, but includes conduct inconsistent with rectitude, or indicative of corruption, indecency, depravity, dissoluteness; or as willful, flagrant, or shameless conduct showing moral



indifference to the opinions of respectable members of the community, and as an inconsiderate attitude toward good order and the public welfare.”

(*Bd. of Education of San Francisco Unified School Dist. v. Weiland*, *supra*, 179 Cal.App.2d at p. 811.)

4. The court in *San Diego Unified School District v. Commission on Professional Competence* (2011) 194 Cal.App.4th 1454, said the following about the definition of immoral or unprofessional conduct:

Moreover, the definition of immoral or unprofessional conduct must be considered in conjunction with the unique position of public school teachers, upon whom are imposed “responsibilities and limitations on freedom of action which do not exist in regard to other callings.” [Citation.]

(*San Diego Unified School Dist. v. Com. on Prof. Competence*, *supra*, at p. 1466.)

5. And while “conduct constituting ‘evident unfitness for service’ will often constitute ‘unprofessional conduct[,]’ . . . the converse is not true.” (*Woodland Joint Unified School Dist. v. Com. on Prof. Competence* (1992) 2 Cal.App.4th 1429, 1445.) “‘Evident unfitness for service’ requires that unfitness for service be attributable to a defect in temperament — a requirement not necessary for a finding of ‘unprofessional conduct.’” (*Ibid.*)

6. The following has been said about the analysis for determining whether conduct constitutes sufficient cause for taking adverse action against a credential:

*Goldsmith v. Board of Education*, 66 Cal.App. 157, 168 [225 P. 783], quoted in *Board of Education v. Swan*, 41 Cal.2d 546, 553-554 [261 P.2d 261], found that the standards for judging the propriety of a teacher's conduct, and the extent to which that conduct may be the basis for the revocation of a credential, involves many aspects. ". . . the teacher is entrusted with the custody of children and their high preparation for useful life. His habits, his speech, his good name, his cleanliness, the wisdom and propriety of his unofficial utterances, his associations, all are involved. His ability to inspire children and to govern them, his power as a teacher, and the character for which he stands are matters of major concern in a teacher's selection and retention."

(*Moser v. State Bd. of Education* (1972) 22 Cal.App.3d 988, 991.)

## **Conclusion**

7. The Commission may discipline a credential "for immoral or unprofessional conduct, . . . or for any cause that would have warranted the denial of an application for a credential or the renewal thereof, or for evident unfitness for service." (Ed. Code, § 44421.) The Commission may deny an application for a credential submitted by one who "has committed any act involving moral turpitude." (Ed. Code, § 44345, subd. (e).)

### **CAUSE FOR DISCIPLINE – UNPROFESSIONAL CONDUCT**

8. Respondent engaged in unprofessional conduct when she stabbed the victim twice in the chest and unlawfully used methamphetamine. Such misconduct

demonstrated an unfitness to teach for the reasons discussed in Factual Findings 42 through 52. Therefore, cause exists to discipline respondent's child development assistant permit, child development teacher permit, child development site supervisor permit, and 30-day substitute teaching permit pursuant to Education Code section 44421.

### **CAUSE FOR DISCIPLINE – IMMORAL CONDUCT**

9. Respondent engaged in immoral conduct when she stabbed the victim twice in the chest and unlawfully used methamphetamine. Such misconduct demonstrated an unfitness to teach for the reasons discussed in Factual Findings 42 through 52. Therefore, cause exists to discipline respondent's child development assistant permit, child development teacher permit, child development site supervisor permit, and 30-day substitute teaching permit pursuant to Education Code section 44421.

### **CAUSE FOR DISCIPLINE – EVIDENT UNFITNESS FOR SERVICE**

10. Respondent demonstrated evident unfitness for service when she stabbed the victim twice in the chest and unlawfully used methamphetamine. Such misconduct demonstrated an unfitness to teach for the reasons discussed in Factual Findings 42 through 52. Therefore, cause exists to discipline respondent's child development assistant permit, child development teacher permit, child development site supervisor permit, and 30-day substitute teaching permit pursuant to Education Code section 44421.

## **CAUSE FOR DISCIPLINE – ACTS INVOLVING MORAL TURPITUDE**

11. Respondent committed an act involving moral turpitude when she stabbed the victim twice in the chest. Such misconduct demonstrated an unfitness to teach for the reasons discussed in Factual Findings 42 through 52. Therefore, cause exists to discipline respondent's child development assistant permit, child development teacher permit, child development site supervisor permit, and 30-day substitute teaching permit pursuant to Education Code section 44421, as that statute relates to Education Code section 44345, subdivision (e), based on her stabbing the victim.

12. Respondent's unlawful use of methamphetamine did not constitute an act involving moral turpitude. Therefore, no cause exists to discipline her child development assistant permit, child development teacher permit, child development site supervisor permit, or 30-day substitute teaching permit pursuant to Education Code section 44421, as that statute relates to Education Code section 44345, subdivision (e), based on her unlawful use of methamphetamine.

## **CAUSE FOR DENIAL – ACTS INVOLVING MORAL TURPITUDE**

13. Respondent committed an act involving moral turpitude when she stabbed the victim twice in the chest. Such misconduct demonstrated an unfitness to teach for the reasons discussed in Factual Findings 42 through 52. Therefore, cause exists to deny respondent's application for a 30-day substitute teaching permit pursuant to Education Code section 44345, subdivision (e), based on her stabbing the victim.

14. Respondent's unlawful use of methamphetamine did not constitute an act involving moral turpitude. Therefore, no cause exists to deny her application for a

30-day substitute teaching permit pursuant to Education Code section 44345, subdivision (e), based on her unlawful use of methamphetamine.

### **APPROPRIATE DISCIPLINE**

15. Respondent did not produce sufficient evidence of her continued fitness to perform the duties authorized by her child development assistant permit, child development teacher permit, child development site supervisor permit, or 30-day substitute teaching permit. Nor did she provide any assurances of her ability to perform the duties authorized by a 30-day substitute teaching permit in a manner consistent with public health, safety, and welfare. Therefore, each of respondent's permits should be revoked. Additionally, her application for a 30-day substitute teaching permit should be denied.

### **ORDER**

1. The child development assistant permit issued to respondent Blanca Marie Quintana on December 20, 2010, is REVOKED.

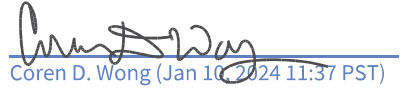
2. The child development teacher permit issued to respondent Blanca Marie Quintana on August 17, 2012, is REVOKED.

3. The child development site supervisor permit issued to respondent Blanca Marie Quintana on February 10, 2016, is REVOKED.

4. The 30-day substitute teaching permit issued to respondent Blanca Marie Quintana on October 20, 2016, is REVOKED.

5. Respondent Blanca Marie Quintana's application for a 30-day substitute teaching permit dated May 23, 2022, is DENIED.

DATE: January 10, 2024

  
Coren D. Wong (Jan 10, 2024 11:37 PST)

COREN D. WONG

Administrative Law Judge

Office of Administrative Hearings