1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON	
4 5 6 7 8 9	In the Matter of the Educator License of PHILLIP T LANCASTER DEFAULT ORDER OF REVOCATION AND REVOCATION OF RIGHT TO APPLY FOR LICENSURE	
10	On December 5, 2019, the Teacher Standards and Practices Commission	
11	(Commission) issued a Notice of Opportunity for Hearing to Phillip T. Lancaster	
12	(Lancaster) in which the Commission charged him with Gross Neglect of Duty and	
13	Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail	
14	Receipt 7018 1830 0001 6178 6919 to the address on file with the Commission. The	
15	Notice designated the Commission file as the record for purposes of proving a prima	
16	facie case. The Certified Mail receipt was returned to the Commission signed on	
17	December 7, 2019. The regular first class mail was not returned to the Commission, ar	ıd
18	assumed delivered. The Notice of Opportunity of Hearing, dated December 5, 2019, an	d
19	signed by Anthony Rosilez, Executive Director, stated:	
20 21 22 23 24 25 26 27 28 29	"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, WITHDRAW YOUR REQUEST FOR HEARING, IF YOU FAIL TO APPEAR AT HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."	A
30	Lancaster did not request a hearing. The Commission, therefore, finds Lancaster to be	in
31	default and enters the following findings of fact, conclusions of law, and final order,	
32	based on the files and records of the Commission concerning this matter.	
33		
34	FINDINGS OF FACT	
35	1. Phillip Lancaster has been licensed by the Commission since June 5, 2012.	
36	Lancaster's Initial I Teaching License, with endorsements in ESOL (ML/HS),	
37	Language Arts (HS, ML), and Japanese (HS, ML), was valid from June 5, 2012,	

through October 13, 2015. During all relevant times, Lancaster was employed by the
Portland Public School District (PPSD).

1 2

2. On October 19, 2014, the Commission received a report from Oregon's Department of Human Services (DHS), alleging that Lancaster had covertly photographed a minor aged student in the school bathroom. Local law enforcement and PPSSD were notified, and multiple investigations were conducted. In the course of investigating the report that Lancaster had attempted to photograph a male, minor aged student using the bathroom, authorities found thousands of pornographic photos on Lancaster's cell phone. Several of these images were later determined to be of known victims of child exploitation and child sexual abuse. On or about October 3, 2018, Lancaster was indicted on 13 counts of Encouraging Child Sexual Abuse in the First Degree (ORS 163.684).

3. On July 23, 2019, Lancaster pled guilty to and was convicted of two counts of Encouraging Child Sexual Abuse in the First Degree (ORS 163.684). Lancaster was sentenced to 42 months' incarceration on count 1, and 60 months supervised probation on count 2, along with standard sex offender requirements and treatment.

CONCLUSIONS OF LAW

Phillip Lancaster's criminal convictions as described in section three (3) above, constitute 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) (*Use professional judgment*); and OAR 584-020-0040(1) (*The Commission will deny, revoke or deny the right to apply for a license or charter school registration to any applicant or educator who, has been convicted of any of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if convicted in another jurisdiction, or convicted of attempt to commit such crimes as defined in ORS 161.405), including ORS 163.684 – Encouraging Child Sexual Abuse in the First Degree. This conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (Conviction of violating any federal, state, or local law. A conviction includes any final judgment of conviction by a court whether as the result of guilty plea, no contest plea or any other*

1	means); OAR 584-020-0040(5)(d) (Commission of an act listed in OAR 584-020-
2	0040(1); and OAR 584-020-0040(5)(e) (Admission of or engaging in acts constituting
3	criminal conduct, even in the absence of a conviction).
4	
5	Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards
6	and Practices Commission must revoke Lancaster's license and / or Lancaster's right to
7	apply for a license based on Lancaster's conviction of any of the crimes listed in ORS
8	342.143(3)(a), or the substantial equivalent of any of those crimes, or convicted of
9	attempt to commit such crimes as defined in ORS 161.405.
10	
11	Furthermore, the conduct underlying Lancaster's convictions as described in
12	section two (2) above, constitutes gross neglect of duty in violation of ORS
13	342.175(1)(b); OAR $584-020-0040(4)(n)$ as it incorporates OAR $584-020-0010(5)$ (Use
14	$professional\ judgment); OAR\ 584-020-0040(4)(f)\ (Any\ sexual\ conduct\ with\ a\ student)$
15	as defined by OAR 584-020-0005(5); OAR 584-020-0040(4)(0) as it incorporates OAR
16	584-020-0035(1)(c)(D) (Honoring appropriate adult boundaries with students in
17	conduct and conversations at all times); and OAR 584-020-0035(3)(a)(Maintain the
18	dignity of the profession by respecting and obeying the law, exemplifying personal
19	integrity and honesty). Additionally, Lancaster's criminal convictions and conduct
20	related to his convictions constitute "gross unfitness" in violation of ORS 342.175(1)(c);
21	OAR 584-020-0040(3)(c) and (d) as defined by OAR 584-020-0040 (5) (Gross
22	unfitness is any conduct which renders an educator unqualified to perform his or her
23	professional responsibilities).
24	
25	The Commission's authority to impose discipline in this matter is based upon
26	ORS 342.175.
27	
28	FINAL ORDER
29	The Commission hereby revokes Phillip Lancaster's Educator license and his
30	right to apply for licensure.

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IT IS SO ORDERED THIS31 day of January, 2020.
TEACHER STANDARDS AND PRACTICES COMMISSION
By: Anthony J. Rosiles
By:
Dr. Anthony Rosilez, Executive Director
NOTICE OF APPEAL OR RIGHTS
YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
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
ORS 182 482 TO THE OREGON COURT OF APPEALS