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 OF REVOCATION AND REVOCATION OF RIGHT TO APPLY GABRIEL DICKINSON OF RIGHT TO APPLY FOR LICENSURE
10	On August 30, 2019, the Teacher Standards and Practices Commission
11	(Commission) issued a Notice of Opportunity for Hearing to Gabriel Dickinson
12	(Dickinson) 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 6407 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 was not returned to the Commission, and assumed
17	delivered. The regular first class mail was not returned to the Commission, and assumed
18	delivered. The Notice of Opportunity of Hearing, dated August 30, 2019, and signed by
19	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."
30	Dickinson did not request a hearing. The Commission, therefore, finds Dickinson to be
31	in 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.
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34	FINDINGS OF FACT
35	1. Gabriel Dickinson has been licensed by the Commission since February 25, 2010.
36	Dickinson's Professional Teaching License, with endorsements in Legacy Middle
37	Level (PK-12) and Music (PK-12), is valid from September 6, 2016 through

1 September 5, 2021. During all relevant times, Dickinson was employed by the South

2 Lane School District (SLSD).

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2. On November 27, 2018, the Commission received a report from Oregon's

Department of Human Services (DHS), alleging that Dickinson was possibly

involved in a sexual relationship with female student. SLSD was notified, and

multiple investigations were conducted, including local law enforcement.

7 Investigation determined that over a period of several years, Dickinson engaged in

sexual conduct with a minor aged student. Dickinson's sexual conduct with the

minor student included acts of oral sex. On November 30, 2018, Dickinson was

charged with three felony counts of Sodomy in the Third Degree for oral intercourse

with the student, a child under the age of sixteen. On February 14, 2019, the DA filed

an Amended Information accusing Dickinson of four misdemeanor counts of Sexual

Abuse in the Third Degree for sexual contact of a child under the age of eighteen and

/ or causing a child under the age of eighteen to sexually contact Dickinson.

3. On February 14, 2019, Dickinson plead guilty to, and was convicted of, four counts of ORS 163.415, Sexual Abuse in the Third Degree, a Class A misdemeanor. The remaining criminal charges were dismissed by plea agreement. Dickinson was sentenced to 30 days in jail, followed by 36 months of probation, required to register as a sex offender, and surrender his teaching license. On March 8, 2019, the Commission received a letter from Dickinson, surrendering his teaching license.

CONCLUSIONS OF LAW

Gabriel Dickinson'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 163.415 –Sexual Abuse in the Third 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 1 2 local law. A conviction includes any final judgment of conviction by a court whether as the result of quilty plea, no contest plea or any other means); OAR 584-020-3 4 0040(5)(d) (Commission of an act listed in OAR 584-020-0040(1); and OAR 584-020-0040(5)(e) (Admission of or engaging in acts constituting criminal conduct, even in 5 6 the absence of a conviction). 7 8 Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards 9 and Practices Commission must revoke Dickinson's license and / or Dickinson's right to apply for a license based on Dickinson's conviction of any of the crimes listed in ORS 10 11 342.143(3)(a), or the substantial equivalent of any of those crimes, or convicted of 12 attempt to commit such crimes as defined in ORS 161.405. 13 14 Furthermore, the conduct underlying Dickinson's convictions as described in 15 section two (2) above, 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) (Use 16 professional judgment); OAR 584-020-0040(4)(f) (Any sexual conduct with a student) 17 as defined by OAR 584-020-0005(5); OAR 584-020-0040(4)(0) as it incorporates OAR 18 19 584-020-0035(1)(c)(D) (Honoring appropriate adult boundaries with students in 20 conduct and conversations at all times); and OAR 584-020-0035(3)(a)(Maintain the 21 dignity of the profession by respecting and obeying the law, exemplifying personal 22 integrity and honesty). Additionally, Dickinson's criminal convictions and conduct 23 related to his convictions constitute "gross unfitness" in violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(c) and (d) as defined by OAR 584-020-0040 (5) (Gross 24 25 unfitness is any conduct which renders an educator unqualified to perform his or her 26 professional responsibilities). 27

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

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1	FINAL ORDER
2	The Commission hereby revokes Gabriel Dickinson's Oregon educator license
3	and his right to apply for an Oregon educator license.
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5	IT IS SO ORDERED THIS 7 ⁴ day of October, 2019.
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7	TEACHER STANDARDS AND PRACTICES COMMISSION
	By:
8	By:
9	Dr. Anthony Rosilez, Executive Director
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3	NOTICE OF APPEAL OR RIGHTS
1 2 3 4	NOTICE OF THE EMBORING
5	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
6	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
7	SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
8	ORS 183.482 TO THE OREGON COURT OF APPEALS.