1 2	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON	
3 4 5 6 7 8	In the Matter of the Teaching License of DAVID ARTHUR SMITH DEFAULT ORDER REVOKING TEACHING LICENSE	
9 10 11 12 13 14 15 16 17 18	On or about October 5, 1999, the Teacher Standards and Practices Commission received information that David Arthur Smith had been found guilty by a jury of Attempted Murder, Burglary in the First Degree, Assault with a Stun Gun-Tazer, and Possesison of Stolen Propertin Superior Court of California, County of Santa Clara. On December 10, 1999 Smith was sentenced to seven years at San Quentin Prison. The Executive Director took action to notify Smith of intent to revoke his Oregon Teaching License, and to inform him of his opportunity for hearing. The notice, dated February 10, 2000, and signed by David V. Myton, Executive Director, notified Smith that he had 21 days to request a hearing from the date of the notice. The notice of opportunity for hearing was sent by U.S. Certified Mail, Return Receipt Requested.	
20	FINDINGS OF FACT	
21 22 23	 On September 29, 1999, David Arthur Smith was convicted of Attempted Murder in Superior Court of California, County of Santa Clara. 	
24 25 26 27 28	2. On September 29, 1999, David Arthur Smith was convicted of First Degree Burglary, Assault with a Stun Gun-Tazer and Possession of Stolen Property in Superior Court of California, County of Santa Clara.	
29 30 31	3. On December 10, 1999, David Arthur Smith was sentenced to seven years in California State Prison for conviction of the above crimes.	ì
32 33	ULTIMATE FINDINGS OF FACT	
34 35 36	On September 29, 1999, David Arthur Smith was found guilty by a jury and convicted of the crimes of Attempted Murder, First Degree Burglary, Assault with a Stun Gun-Tazer and Possession of Stolen Property in Superior Court of California, County of Santa Clara.	
37 38	CONCLUSIONS OF LAW	
39 40 41 42 43 44 45	Under ORS 342.175 conviction for the crime of Attempted Murder constitutes gross unfitness and requires the Commission to revoke the license of an educator. Additionally, conviction of the crimes of First Degree Burglary, Assault with a Stun Gun and Possession of Stolen Proper constitutes gross neglect of duty and authorizes the Commission to revoke an educator's license.	ty

$\frac{1}{2}$	ORDER
2 3 4 5	The Commission revokes the Oregon Basic Teaching License #288529 of David Arthur Smith for conviction of the crimes of Attempted Murder, First Degree Burglary, Assault with a Stun Gun-Tazer and Possession of Stolen Property.
6	
7	Dated this/3 day of
8	/
9	TEACHER STANDARDS AND PRACTICES COMMISSION
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11	$\langle \cdot \rangle \cdot O(h, d) =$
12	Land Why
13	By:
14	David V. Myton, Executive Director
15	NOTICE OF APPEAL OR RIGHTS
16 17	NOTICE OF AFFEAL OR RIGHTS
18	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
19	OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
20	THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
21	THE OREGON COURT OF APPEALS.
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23	DVM/cs
24	
25	
26	CERTIFICATE OF MAILING
27	
28	I hereby certify that I served the foregoing order by mailing a true copy thereof certified by m
29	as such by U.S. Certified Mail with Return Receipt Requested to:
30	David Arthur Smith
31 32	San Quentin State Prison
33	P O Box P67914
34	San Quentin, CA 94974
35	
36	12/2
37	Dated this 1311 day of March, 2000.
38	
39	
40	That a Cal Amira
41	Ry: Marline M. Atmoo

Charlene A. Smith

Executive Assistant to the Commission

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43 44 45