1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4 5 6 7 8	In the Matter of the) Teaching License of) DEFAULT ORDER MICHAEL OWEN NEWBY) OF REVOCATION)
9 10 11 12 13 14	On or about October 9, 1998, the Teacher Standards and Practices Commission received information from the Washington Office of Professional Practices, indicating that Michel Owen Newby had voluntarily surrendered his Washington Teaching Certificate. The Executive Director took action to notify Newby of intent to revoke his right to reinstate his Oregon Teaching license, and to inform himopportunity for hearing. The notice, dated October 16, 1998, and signed by David V. Myton, Executive Director, stated:
16 17 18	"You, Michael Allen Newby, are entitled to a hearing on the proposed action of the Commission. If you want a hearing you must file a written request for a hearing with the Commission within 21 days of the date of this notice."
19 20 21 22	The notice of opportunity for hearing was sent by U.S. Certified Mail, Return Receipt Requested #P 412 422 543. The receipt was signed by Newby on October 21, 1998 and returned to TSPC. Newby did not request a hearing.
23 24	FINDINGS OF FACT
25 26 27	 Michael Owen Newby held an Oregon Basic Teaching License valid from October 13, 1994 until December 20, 1997.
28 29 30	2. In December 1997, Michael O. Newby was charged in Skamania County, Washington State, with incest and sexual misconduct with a minor.
31 32 33	3. On January 5, 1998, Mr. Newby resigned from a contracted teaching position in Mill A School District, Cook, Washington, as a result of the above indictment.
34 35 36	4. On February 24, 1998, Mr. Newby voluntarily surrendered his Washington Teaching Certificate #340377A to the Superintendent of Public Instruction.
37 38 39	5. On July 2, 1998, Mr. Newby pled guilty to Child Molestation in the Third Degree in Skamania County, Washington State.
40 41	ULTIMATE FINDINGS OF FACT
42 43 44	On July 2, 1998, Mr. Newby pled guilty to Child Molestation in the Third Degree in Skamania County Superior Court, Washington State.
45 46 47	CONCLUSIONS OF LAW
48 49 50	Under Oregon Law (ORS 342.143 and 342.175-190) the Commission is required to revoke the license of an educator convicted of Sexual Abuse in the Third Degree or the substantial equivalent of such a crime in another state (OAR 584-020-0040).

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2	ORDER
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4 5	The Commission revokes Michael Allen Newby's right to reinstate his Oregon Teaching License for conviction of the crime of Child Molestation in the Third Degree in Skamania County,
6	Washington State.
7 8	Dated this 24 day of Well 1998.
9	Dated this, 1998.
10	TEACHER STANDARDS AND PRACTICES COMMISSION
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12 13	
14	By: Harm My
15	David V. Myton, Executive Director
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17	NOTICE OF APPEAL OR RIGHTS
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19	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
20	OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
21	THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
22	THE OREGON COURT OF APPEALS.
23	
24	DVM/cs
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27	CERTIFICATE OF MAILING
28 29	I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me
30	as such by regular U.S. mail and by U.S. Certified Mail with Return Receipt Requested to:
31	as said by regular o.s. man and by o.s. contined man with notarif resource requestion to
32	Michael Allen Newby
33	2345 Richardson Road
34	Bend, QR 97701
35	4
36	Dated this 26 day of Wembel, 1998.
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40	Br. Alllene J. Xmal
41	Charlene A. Smith
42	Secretary to the Commission
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