

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the Educator) DEFAULT ORDER OF DENIAL OF
5 License of) APPLICATION AND REVOCATION OF
6) RIGHT TO APPLY
7 PORSHA DANIELLE ROBERSON) FOR AN EDUCATOR LICENSE
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10 On December 19, 2017, the Teacher Standards and Practices Commission
11 (Commission) issued a Notice of Opportunity for Hearing to Porsha Danielle Roberson
12 (Roberson) in which the Commission charged her with Gross Neglect of Duty. The Notice
13 was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7017 0190 0000 6246
14 5190 to the address on file with the Commission. The Notice designated the Commission file
15 as the record for purposes of proving a prima facie case. The Certified Mail receipt was not
16 returned to the Commission. The first class mail was not returned to the Commission and
17 assumed delivered. The Notice of Opportunity of Hearing, dated December 19, 2017, and
18 signed by Trent Danowski, Co-Interim Executive Director, stated:

19 “IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 60-DAY
20 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
21 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
22 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU
23 FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER
24 OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF
25 YOUR LICENSE OR OTHER DISCIPLINE.”
26

27 Roberson did not request a hearing. The Commission, therefore, finds Roberson to be
28 in default and enters the following findings of fact, conclusions of law, and final order, based
29 on the files and records of the Commission concerning this matter.

30 **FINDINGS OF FACT**

- 31 1. On or about May 6, 2017, Roberson made application to the Commission for Student
32 Teaching. Roberson has never been licensed by the Commission, but by statute, the
33 Commission has jurisdiction over applicants for licensure and student teaching.
34 2. On May 30, 2017, the Commission referred Roberson’s application for student
35 teaching to investigation based on her affirmative answer to character question
36 eight, which asks “Have you ever been convicted or been granted a diversion or
37 conditional discharge by any court for any: (a) Felony; or (b) Misdemeanor; or (c)

1 Major traffic violation...?” Roberson indicated in response to her “yes” answer, that
2 she had pled guilty to a misdemeanor for solicitation in 2007, in Los Angeles,
3 California. Roberson also indicated she had been charged in 2015 for failure to
4 appear as a witness.

- 5 3. According to Los Angeles Police Department’s report #9940541, on September 13,
6 2007, officers working Vice in Hollywood, California were monitoring Sunset
7 Boulevard for prostitution activity. Officers observed Roberson standing on the
8 corner of the street. A vehicle, driven by an undercover police officer, approached the
9 corner Roberson was standing on and pulled over. Roberson approached the vehicle
10 and engaged in conversation with the driver, which entailed Roberson negotiating
11 sex for money. Roberson entered the vehicle with the intent to receive money from
12 the officer and have sexual contact. Roberson was placed under arrest for
13 prostitution. On September 14, 2007, Roberson pled no contest to California Penal
14 Code 647(B), and was found guilty. Roberson was sentenced to 24 months’ probation
15 and fined.

16 California Penal Code 647(B), states, “*An individual who solicits anyone to engage*
17 *in, or who engages in, any act of prostitution with the intent to receive*
18 *compensation, money, or anything of value from another person....*” California
19 Penal Code 647(B) is a substantial equivalent to Oregon Revised Statute ORS
20 167.007 “Prostitution”, a class A misdemeanor.

21 CONCLUSIONS OF LAW

22 Porsha Danielle Roberson’s criminal conviction constitutes gross neglect of duty in
23 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
24 0010(5) (*Use professional judgment*); and OAR 584-020-0040(1) (*The Commission will*
25 *deny, revoke or deny the right to apply for a license or charter school registration to any*
26 *applicant or educator who, has been convicted of any of the crimes listed in ORS 342.143,*
27 *or the substantial equivalent of any of those crimes if convicted in another jurisdiction*),
28 including ORS 167.007 – *Prostitution*. This conduct also constitutes gross unfitness in
29 violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any*
30 *federal, state, or local law. A conviction includes any final judgment of conviction by a*
31 *court whether as the result of guilty plea, no contest plea or any other means*); OAR 584-

1 020-0040(5)(d) (*Commission of an act listed in OAR 584-020-0040(1)*); and OAR 584-
2 020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in*
3 *the absence of a conviction*).

4
5 Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards and
6 Practices Commission must deny your application and revoke your license and / or your
7 right to apply for a license based on your conviction of any of the crimes listed in ORS
8 342.143(3)(a), or the substantial equivalent of any of those crimes.

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10 Roberson's conduct underlying her convictions constitutes gross neglect of duty in
11 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
12 0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(k) (*Violation of any rule or*
13 *order of the Commission*); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-
14 0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law,*
15 *exemplifying personal integrity and honesty*). Additionally, Roberson's criminal
16 convictions and conduct related to her convictions constitute "gross unfitness" in violation
17 of ORS 342.175(1)(c); OAR 584-020-0040(5)(e) (*Admission of, or engaging in acts*
18 *constituting criminal conduct, even in the absence of a criminal conviction*). OAR 584-020-
19 0040(3)(c) and (d) as defined by OAR 584-020-0040 (5) (*Gross unfitness is any conduct*
20 *which renders an educator unqualified to perform his or her professional responsibilities*).

21
22 The Commission's authority to impose discipline in this matter is based upon ORS
23 342.175.

24 **FINAL ORDER**


25 The Commission hereby denies Porsha Danielle Roberson's application for an
26 Oregon educator license and revokes Porsha Danielle Roberson's Right to Apply for an
27 Oregon educator License.

28 IT IS SO ORDERED THIS 23rd day of March, 2018.

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1 TEACHER STANDARDS AND PRACTICES COMMISSION

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3 By: 
4 Dr. Anthony Rosilez, Executive Director

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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 183.482 TO THE OREGON COURT OF APPEALS.