

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 NYIKA B. LONG) FOR AN EDUCATOR LICENSE
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10 On March 29, 2018, the Teacher Standards and Practices Commission (Commission)
11 issued a Notice of Opportunity for Hearing to Nyika B. Long (Long) in which the
12 Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First
13 Class Mail and U.S. Certified Mail Receipt 7017 0190 0000 6246 9044 to the address on file
14 with the Commission. The Notice designated the Commission file as the record for purposes
15 of proving a prima facie case. The Certified Mail was returned to the Commission
16 “Unclaimed”. The first class mail was not returned to the Commission and assumed
17 delivered. The Notice of Opportunity of Hearing, dated March 29, 2018, and signed by
18 Anthony Rosilez, 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.”
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27 Long did not request a hearing. The Commission, therefore, finds Long to be in
28 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 7, 2017, Long made application to the Commission for a Reciprocal
32 Oregon Teaching License. On June 12, 2017, Long’s application was deemed
33 incomplete as Long did not, at the time, hold an unrestricted Washington State
34 license. Long’s application was scheduled to be closed as incomplete on September
35 11, 2017. Additionally, Long’s application was referred to investigations on May 22,
36 2017, due to affirmative answers to application character questions. The closure of
37 Long’s application was stayed pending the outcome of this investigation. Long has

1 never been licensed by the Commission, but by statute, the Commission has
2 jurisdiction over applicants for licensure and student teaching.

- 3 2. On Long's May 7, 2017, application for an Oregon Teaching License, Long answered
4 "Yes" to questions 1, 3, 4, 6, 7, and 8 in the Character Questions section. These
5 questions address leaving school-related employment while the subject of an
6 investigation, being placed on leave for alleged misconduct, adverse action on a
7 professional certificate or license, past disciplinary action, and criminal history. As
8 part of Long's application, Long provided written explanations of his "yes" answers
9 to the character questions. Long explained that, *"In 2006, I resigned from my
10 position at Tyee Educational Complex after being put under investigation for
11 misconduct. I used stipend coaches funds to pay volunteers who did the stipend
12 coaches job. I deposited the checks of two coaches who stopped coming to work."*
13 Long also explained that he had plead guilty to a misdemeanor forgery charge
14 related to the conduct that occurred in 2006. Long further mentioned that the State
15 of Washington had revoked his Washington Teaching Certificate as a result of the
16 conduct occurring in 2006; however, his certificate had been re-attained.

17
18 The Commission conducted an investigation to determine the facts surrounding
19 Long's background and character question answers. According to documents from
20 the Washington office of Professional Practices (OPP), Long's Washington state
21 credentials were revoked on November 5, 2007. This action was taken in part due to
22 Long forging the signatures of two assistant coaches and cashing checks made out to
23 them, placing the funds into his own bank accounts. Long plead guilty to amended
24 charges of attempted forgery, a gross misdemeanor. As part of Long's plea
25 agreement, Long agreed to the revocation of his Washington state teaching
26 certificate. On February 24, 2009, Long successfully reinstated his Washington state
27 teaching certificate. On April 28, 2014 Washington state suspended Long's
28 Washington state teaching certificate for a period of three months. The suspension
29 was based on a variety of conduct on Long's part including the following: failing to
30 answer pre-employment questions accurately on multiple occasions, falsely
31 answering questions related to an unemployment application, inappropriate conduct

1 as a school basketball coach resulting in Long's ejection from a school basketball
2 game, leaving students unattended, and failing to follow administrative direction, to
3 name a few.

4 **CONCLUSIONS OF LAW**

5 Nyika B. Long's conduct described above is grounds for denial of his application under
6 ORS 342.143(2). The above conduct also constitutes gross neglect of duty in violation of
7 ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5)
8 (Use professional judgment), OAR 584-020-0025(2)(d) (Using district and school business
9 and financial procedures), OAR 584-020-0025(2)(e) (Using district lawful and reasonable
10 rules and regulations), OAR 584-020-0030(2)(b) (Skill in communicating with
11 administrators, students, staff, parents, and other patrons); OAR 584-020-0040(4)(c)
12 (Falsification of any document or knowing misrepresentation directly related to licensure,
13 employment, or professional duties); and OAR 584-020-0040(4)(o) as it incorporates OAR
14 584-020-0035(3)(a) (Maintain the dignity of the profession by respecting and obeying the
15 law, exemplifying personal integrity and honesty).

16 Nyika B. Long's conduct described above also constitutes gross unfitness in violation of
17 ORS 342-175(1)(c); OAR 584-020-0040(5)(a) (*Revocation, suspension or denial of a*
18 *license by another state for reasons and through procedures that are the same as, or*
19 *substantially equivalent to, those permitting similar action in Oregon*), OAR 584-020-
20 0040(5)(b) (*Fraud or misrepresentation*), and OAR 584-020-0040(5)(c) (*Conviction of*
21 *violating any federal, state, or local law. A conviction includes any final judgment of*
22 *conviction by a court whether as the result of guilty plea, no contest plea or any other*
23 *means*).

24
25 The Commission's authority to impose discipline in this matter is based upon ORS
26 342.175.

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1 **FINAL ORDER**

2 The Commission hereby denies Nyika B. Long’s application for an Oregon educator
3 license and revokes Nyika B. Long’s Right to Apply for an Oregon educator license.

4 IT IS SO ORDERED THIS 1st day of June, 2018.

5 TEACHER STANDARDS AND PRACTICES COMMISSION
6

7 By: 
8 Dr. Anthony Rosilez, Executive Director
9

10 **NOTICE OF APPEAL OR RIGHTS**

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12 **YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW**
13 **MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM**
14 **THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE**
15 **PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.**