BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 2 OF THE STATE OF OREGON In the Matter of the 3 Licensure of **DEFAULT ORDER OF** 4 JOHN DOUGLAS ELDER **DENIAL OF LICENSURE** 5 6 7 8 On December 3, 2002, the Teacher Standards and Practices Commission 9 issued a Notice of Opportunity for Hearing to John Douglas Elder, in which the Commission proposed to deny issuance of a license under ORS 342.143(2) and its 10 11 administrative rules implementing that legal authority OAR 584-050-0006(1) and (5). The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt #7001 12 0320 0005 0740 5406 to the address Mr. Elder provided to the Commission. The 13 14 certified mail receipt was signed and dated by Mr. Elder on December 5, 2002, and returned to the Commission on December 6, 2002. John Douglas Elder did not request a hearing. 16 17 The Notice of Opportunity for Hearing, signed by Victoria Chamberlain, Executive Director, stated: 18 19 If a request for hearing is not received within this 21-day period, your right to hearing shall be considered waived unless your failure to request a hearing 20 was beyond your reasonable control. If you do not request a hearing or if 21 you fail to appear at a hearing, the Commission will uphold the denial of 22 your application for an Oregon teaching license. 23 24 25 Based on the foregoing, the Commission finds John Douglas Elder in default and such default is hereby entered. Based on the records and files of the Commission, the 26 Commission enters the following findings of fact, conclusions of law and order. 27 111 28 111

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FINDINGS OF FACT

1. In October of 1993 female students attending Paisley School r	eported to the
Superintendent of Paisley School District and CSD that Mr. Elder touche	ed them and
made inappropriate comments to them.	

- 2. On January 13, 2000, sixth grade female students attending Stearns
 Elementary School in Klamath County School District reported that Mr. Elder touched
 them inappropriately, made inappropriate comments to them and directed them to write
 letters to his girlfriend.
 - 3. On or about September 25, 2002, Mr. Elder signed and submitted an Application for Educator License Form C-1 requesting a Standard Teaching License. The Commission wrote to Mr. Elder indicating that he did not meet requirements for a Standard Teaching License. On October 18, 2002, Mr. Elder wrote to the Commission requesting that he application be treated as a renewal of his expired Substitute Teaching License.
 - 4. In the character question section of the application Mr. Elder failed to respond affirmatively to character question 1 disclosing that he left employment on January 13, 2000, involuntarily, while the subject of an investigation at Stearns Elementary School, Klamath Falls School District.
 - 5. In the character question section of the application Mr. Elder failed to respond affirmatively to character question 2 indicating that he is currently the subject of a State Police investigation regarding misconduct on January 13, 2000, at Stearns Elementary School, Klamath Falls School District.

CONCLUSIONS OF LAW The conduct described in Findings of Fact number

2	The conduct described in Findings of Fact numbers 1 and 2 above constitute
3	gross neglect of duty in violation of OAR 584-020-0040(4)(f) and are sufficient basis for
4	denial of licensure pursuant to OAR 584-020-0040(3)(c). The conduct described in
5	Findings of Fact numbers 3 and 4 above constitute gross neglect of duty in violation of
6	OAR 584-020-0040(4)(c) and are sufficient basis for denial of licensure pursuant to
7	OAR 584-020-0040(3)(c). The Commission's authority to deny licensure in this matter
8	is based upon ORS 342.143.
9	ORDER
10	The Commission denies issuance of licensure to John Douglas Elder.
11	IT IS SO ORDERED this/O_ day of January 2003.
12	TEACHER STANDARDS AND PRACTICES COMMISSION
13	
14 15	By Wictoria Chamberlain, Executive Director
16	
17	NOTICE OF APPEAL RIGHTS
18 19 20	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.

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CERTIFICATE OF MAILING

I hereby certify that I served the foregoing default order of denial of licensure, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail--Return Receipt Requested, addressed to:

John Douglas Elder PO Box 1205 Lakeview OR 97630

Dated this Way of January 2003.

By: _

Melody Hanson

Executive Assistant to the Commission