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**In the Matter of the
Teaching License of
JASON DEAN POOL**

On March 3, 2009, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Jason Dean Pool (Pool) in which the Commission denied reinstatement of his teaching license. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7006 2760 0000 1638 5780 to the address on file with the Commission. The certified mail receipt was signed by Pool on March 9, 2009. The Notice of Opportunity of Hearing, dated March 3, 2009, and signed by Victoria Chamberlain, Executive Director, stated:

"You, Jason Pool, 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. Attached to this notice is a copy of the procedures, right of representation and other rights of parties relating to the conduct of a hearing as required under ORS 183.413(2)"

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

FINDINGS OF FACT

1. On January 15, 2004, the Commission revoked Jason Pool's right to apply for a teaching license by entry of a Stipulation of Facts and Order of Revocation of Right to Apply in connection with his teaching license. Mr. Pool's license had previously expired on June 25, 2002. Revocation of Pool's right to apply was based on gross neglect of duty and gross unfitness in connection with sexual misconduct with a student; a criminal conviction for harassment in connection with sexual misconduct with a student; and failure to maintain proper student-teacher relationships with female students.
2. Pursuant to ORS 342.175(3); a person whose privilege to apply for a license has been revoked may apply to the commission for reinstatement of the license or registration after one year from the date of the revocation.
3. The Commission considered Pool's request for reinstatement of his right to apply on February 13, 2009. After considering the information Pool provided, along with the Commission's materials leading to revocation of his right to apply, the Commission denies Pool's request for reinstatement because he failed to furnish satisfactory evidence of good moral character, mental and physical health, trustworthiness, and general fitness to hold an educator license. The facts and circumstances considered by the Commission include the following:
 - a. Pool engaged in sexual misconduct with one student in 1998 while working at Mark Twain Middle School in Silverton, Oregon.
 - b. Pool's sexual misconduct with the student led to a conviction for harassment in Marion County Circuit Court in 2003.

- 1 c. Pool was in a position of trust as the student's teacher when the sexual misconduct
2 occurred.
- 3 d. The Commission asked Pool to address the sexual misconduct, including whether
4 there were other instances of inappropriate behavior with students. Pool's responses
5 were incomplete and inconsistent with the information contained in the Commission's
6 files that resulted in the revocation of his right to apply. Pool's failure to honestly
7 answer the Commission's questions demonstrates that he lacks good moral character
8 and trustworthiness to hold an educator license.
- 9 e. The information in the Commission's file indicates that Pool's conduct was not isolated
10 to one student. The investigation leading to Pool's dismissal from the school district
11 indicated multiple instances kissing or trying to kiss female students; engaging in oral
12 sex with one student; and engaging in multiple boundary violations with students,
13 including playing truth or dare in his motel room during a school function; telling
14 stories in class from his personal life of a sexual nature; allowing female students to
15 visit his home; exchanging emails with female students from his school and home
16 computer; discussing his dating with students or allowing students/parents to arrange
17 dates for him.
- 18 f. Educators must possess good moral character, and must be trustworthy to have
19 unsupervised contact with children of any age. Pool's prior sexual misconduct,
20 incomplete and inconsistent responses to the Commission's questions, and the
21 conduct contained in the Commission's file, independently or together, demonstrates
22 that Pool does not possess good moral character or trustworthiness to hold an
23 educator's license.
24

25 III. CONCLUSIONS OF LAW

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27 The information submitted by Mr. Pool in support of his license renewal failed to establish his
28 fitness to serve as an educator as required by ORS 342.143(2) and OAR 584-050-0018(3).
29

30 IV. REASONING

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32 Mr. Pool requests reinstatement of his teaching license following revocation of his license as
33 the result of an inappropriate relationship with one of his female students. The Commission has
34 reviewed the information, and finds that Mr. Pool has failed to meet the requirements to establish
35 fitness, and has specifically failed to establish one of the conditions set by the Commission.
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V. ORDER

The application for reinstatement of the revoked teaching license of Jason Dean Pool is
DENIED.

DATED this 4th day of May, 2009.

TEACHER STANDARDS AND PRACTICES COMMISSION

By:



Victoria Chamberlain, Executive Director

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.