1 2 3		BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
5 6 7 8	Teachin	latter of the) DEFAULT ORDER OF g License of) LICENSE REVOCATION AND EN LEE FRAIN) REVOCATION OF RIGHT TO APPLY) FOR LICENSE
9	(On October 7, 2009, the Teacher Standards and Practices Commission (Commission) issued
10	a Notice	e of Opportunity for Hearing to Stephen Lee Frain (Frain) in which the Commission charged
11	him with	conviction of a crime listed in ORS 342.143(3). The Notice was sent via U.S. First Class Mail
12	and U.S	6. Certified Mail Receipt 7008 1140 0002 8580 8716, to the Northern Oregon Regional
13	Correcti	onal Facility. The U.S. Certified Mail was returned to the Commission on October 13, 2009,
14	as unde	liverable. The first class mail was not returned to the Commission. The Notice of Opportunity
15	of Heari	ng, dated October 7, 2009, and signed by Victoria Chamberlain, Executive Director, stated:
16 17 18 19	(You, Stephen Lee Frain, 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."
20	Mr. Frai	n did not request a hearing. The Commission, therefore, finds Mr. Frain to be in
21	default a	and enters the following findings of fact, conclusions of law and order, based on the
22	files and	d records of the Commission concerning this matter.
23		FINDINGS OF FACT
24	1. I	Mr. Frain has been licensed by the Commission since May 24, 2000. Most recently, he was
25	i	issued a Substitute Teaching License, effective from November 21, 2006 to November 20,
26	:	2009.
27	2.	On October 2, 2009, in the Circuit Court of the State of Oregon for Wasco County, Mr. Frain
28		pled "No Contest," and was convicted of Sexual Abuse 1.
29	3.	On October 2, 2009, in the Circuit Court of the State of Oregon for Wasco County, Mr. Frain
30	ı	pled "No Contest," and was convicted of Sodomy 2.

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1	4. On October 2, 2009, in the Circuit Court of the State of Oregon for Wasco County, Mr. Frain
2	pled "No Contest," and was convicted of Sexual Abuse 3.
3 4	CONCLUSIONS OF LAW
•	CONCECCIONO OF EAT
5	Mr. Frain's conviction of one (1) count of Sexual Abuse in the First Degree under ORS
6	163.427 constitutes gross neglect of duty in violation of OAR 584-020-0040(1)(o). Mr. Frain's
7	conviction of one (1) count of Sodomy in the Second Degree under ORS 163.395 constitutes gross
8	neglect of duty in violation of OAR 584-020-0040(1)(i). Mr. Frain's conviction of one (1) count of
9	Sexual Abuse in the Third Degree under ORS 163.415 constitutes gross neglect of duty in violation of
10	OAR 584-020-0040(1)(m). The Commission is required to revoke Mr. Frain's right to apply for a
11	license pursuant to ORS 342.175(2). The Commission's authority to impose discipline in this matter
12	is based upon ORS 342.175.
13	FINAL ORDER
14	The Commission hereby revokes the Substitute Teaching License issued to Stephen Lee
15	Frain and revokes his right to apply for a teaching license.
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17	Approved by the Commission on November 6, 2009, effective November 9, 2009.
18	IT IS SO ORDERED thisday of January, 2010.
19	TEACHER STANDARDS AND PRACTICES COMMISSION
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21	BV: //IMANIA Manker (aen)
22	Victoria Chamberlain, Executive Director
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24	NOTICE OF APPEAL OR RIGHTS
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26	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
27	OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
28	THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183,482 TO THE
29	OREGON COURT OF APPEALS.