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In the Matter of the )  
Teaching License of )  
MICHAEL JOSEPH MORRELL )

On July 19, 2012, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Michael Joseph Morrell (Morrell) in which the Commission charged him with Gross Neglect of Duty and Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7011 2000 0001 1292 1490 to the address on file with the Commission. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Certified Mail was signed for on July 24, 2012, and the return receipt was received by TSPC on July 25, 2012. The regular mail was not returned to the Commission. The Notice of Opportunity of Hearing, dated July 19, 2012, and signed by Victoria Chamberlain, Executive Director, stated:

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

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

## FINDINGS OF FACT

1. Michael Joseph Morrell has been licensed by the Commission since April 6, 2007. Morrell's Initial II Teaching License with an endorsement in General Business (HS) was issued September 9, 2010, and expires on September 8, 2013. During all relevant times, Morrell was employed by the Sweet Home School District.
2. On February 22, 2012, Morrell pled guilty and was subsequently convicted of two counts of Sexual Abuse in the Third Degree (ORS 163.415), a class A misdemeanor. Morrell was sentenced to 30 days incarceration, 36 months of supervised probation and required to register as a sex offender upon his release. This conviction arose from allegations that during July and August, 2011, Morrell subjected a student, under the age of 18, to sexual contact.

1 **CONCLUSIONS OF LAW**

2 Morrell's convictions constitutes gross neglect of duty in violation of ORS 342.175(1)(b);  
3 OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional*  
4 *judgment*); and OAR 584-020-0040(1)(m) (*ORS 163.415 – Sexual Abuse in the Third Degree*).  
5 This conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-  
6 0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the*  
7 *absence of a conviction*). Pursuant to ORS 342.175(2)(a) and OAR 584-020-0040(1) the  
8 Commission will deny, revoke or deny the right to apply for a license or charter school  
9 registration to any applicant or educator who, has been convicted of any of the crimes listed in  
10 ORS 342.143.

11 Furthermore, the conduct underlying Morrell's convictions constitutes gross neglect of  
12 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-  
13 020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(k) (*knowing violation of*  
14 *any rule or order of the Commission*); OAR 584-020-0040(4)(f) (*Any sexual conduct with a*  
15 *student*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the*  
16 *dignity of the profession by respecting and obeying the law, exemplifying personal integrity*  
17 *and honesty*). The conduct underlying Morrell's convictions also constitutes gross unfitness in  
18 violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(a) and (d) as defined by OAR 584-020-  
19 0040 (5) (*Gross unfitness is any conduct which renders an educator unqualified to perform his*  
20 *or her professional responsibilities*).


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

23 **FINAL ORDER**

24 The Commission hereby revokes the licensure of Michael Joseph Morrell and revokes  
25 Morrell's right to apply for licensure.

26 IT IS SO ORDERED THIS 23<sup>rd</sup> day of October, 2012.

27 **TEACHER STANDARDS AND PRACTICES COMMISSION**

28 By:   
29 Victoria Chamberlain, Executive Director  
30

31 **NOTICE OF APPEAL OR RIGHTS**

32  
33 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE  
34 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF  
35 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO  
36 THE OREGON COURT OF APPEALS.