

BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
OF THE STATE OF OREGON

In the Matter of the)	DEFAULT ORDER DENYING
Teaching License of:)	LICENSE REINSTATEMENT
JAMES PATRICK VERITY)	OAH Case No.: 800672

On June 11, 2008, the Teacher Standards and Practices Commission ("Commission") issued a Notice of Denial of Reinstatement of Revoked License and Opportunity for Hearing alleging that James Patrick Verity failed to establish fitness to serve as an educator.

On July 1, 2008, Mr. Verity requested a hearing. The Commission referred the matter to the Office of Administrative Hearings ("OAH") for a contested case hearing which was held in Salem at the OAH on December 1, 2008. Mr. Verity was provided with notice of the time and place for hearing by first class and certified mail. Mr. Verity failed to appear at this hearing.

Based on Mr. Verity's failure to appear at the hearing, the Commission finds him in default and enters the following order based on the records and files of the Commission in this matter.

II. FINDINGS OF FACT

1. On August 4, 2006, the Commission revoked Mr. Verity's teaching license by entry of a Stipulated Order in connection with a sexual relationship with a student. Pursuant to ORS 342.175(3) a license or registration that has been revoked may apply to the Commission for reinstatement of the license or registration after one year from the date of the revocation.
2. On August 3, 2007, the Commission considered Mr. Verity's request for reinstatement. The Commission required as part of its consideration of Mr. Verity's reinstatement application that Mr. Verity submit an evaluation that included "the psychiatrist's professional opinion regarding the likelihood that Mr. Verity will engage in inappropriate physical relationships with students."
3. On February 8, 2008, the Commission considered information Mr. Verity submitted by Dr. James Hammer, MS and Dr. Michelle Whitehead, M.H.N.P., Ph.D.
4. Dr. Whitehead's evaluation included the Minnesota Multiphasic Personality Inventory-2 (MMPI-2) and the Personality Assessment Inventory (PAI). These tests are commonly used to measure a variety of factors including "whether the respondent is answering in a truthful and reliable manner." "Mr. Verity's responses on the MMPI-2 suggested that he was not forthcoming in his responses and had a high level of defensiveness to admitting even minor faults."

5. Dr. Whitehead opined that because of certain vulnerabilities and his teaching style that he not coach female high school students; that he not be alone with any female student over the age of 12 in order to protect Mr. Verity and the student.
6. Mr. Verity's personality profile is consistent with persons who act in an arrogant, supercilious, and disdainful manner, who flaunt conventional rules of shared social living and who have a sense of entitlement.

III. CONCLUSIONS OF LAW

1. The information submitted by Mr. Verity in support of his license renewal failed to establish his fitness to serve as an educator as required by ORS 342.143(2) and OAR 584-050-0018(3).
2. A prima facie case for license denial has been made on the record in this case, and the evidence in the record persuades the Commission of the facts necessary to deny Mr. Verity's request to reinstate his license. ORS 183.415; OAR 137-003-0670.

IV. REASONING

Mr. Verity requests reinstatement of his teaching license following revocation of his license as the result of an inappropriate relationship with one of his female students. The Commission has reviewed the information, and finds that Mr. Verity has failed to meet the requirements to establish fitness, and has specifically failed to establish one of the conditions set by the Commission: that a psychological evaluation address the likelihood that he will repeat past behavior.

Dr. Whitehead concludes, in conjunction with Mr. Hamer's evaluation that Mr. Verity does not appear to be a sexual deviant. But that opinion does not answer the question whether Mr. Verity will repeat his conduct. The information does show, however, that Dr. Whitehead has reservations about Mr. Verity's trustworthiness to teach female students. Dr. Whitehead opines that Mr. Verity should not coach high school aged girls or be left alone with female students over 12. She states these opinions to explain that Mr. Verity could teach if certain protections are in place. The Commission finds that these restrictions disqualify Mr. Verity from being fit and trustworthy to hold a license. Educators must be individuals who can be entrusted with children of all ages, including instances when the educator could be alone with a student. Similarly, educators must be individuals who can be trusted to lead a group of students, regardless of gender.

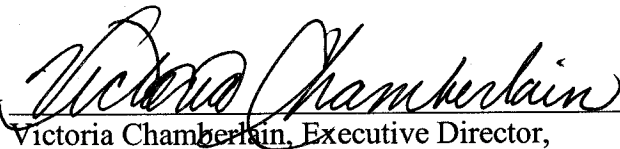
The Commission also finds that Mr. Verity has not fully acknowledged the extent of his misconduct. Dr. Whitehead notes in her report that Mr. Verity was unwilling to acknowledge even minor faults. When addressing the reasons for his misconduct with Dr. Whitehead and Mr. Hamer, he seemed to blame the incident on having a lot on his plate and stress about the relationship with his wife. He also appeared to blame the misconduct on his belief that the student sought him out, and he did not resist. Mr.

Verity's statements show that he has not acknowledged that he alone was responsible for the misconduct. Dr. Whitehead noted he was unwilling to acknowledge even minor faults. Mr. Hamer noted that Mr. Verity's personality profile is consistent with a person who is arrogant, supercilious, who flaunts conventional rules, and who engages in acts of self denial, among others. Dr. Whitehead also noted that Mr. Verity has not properly addressed the personality traits that led to his misconduct. Instead, Mr. Verity has only addressed surface issues about the impact of his conduct on his family and community reaction.

V. ORDER

The application for reinstatement of the revoked teaching license of James Patrick Verity is DENIED.

DATED this 23rd day of February, 2009.


Victoria Chamberlain, Executive Director,
Teacher Standards and Practices Commission

Notice: You are entitled to judicial review of this order. Filing a Petition for Reconsideration or Rehearing shall be a condition of judicial review of any Final Order of the Commission pursuant to OAR 584-019-0045. If the Commission does not act on your petition for reconsideration or rehearing, the petition shall be deemed denied the 60th day following the date the petition was filed. ORS 183.482. In such case, a petition for judicial review shall be filed within 60 days only following this date. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals