

OF THE STATE OF OREGON

In the Matter of the)
Teaching License of)
JEROME ARTHUR ANDERSON)

On December 9, 2005, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Jerome Arthur Anderson (Anderson) in which the Commission denied licensure based on ORS 342.175(2). The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7005 0390 0005 5794 8927 to the address obtained by the Commission. The certified mail receipt was signed by the educator and returned to the Commission on December 13, 2005. The Notice of Opportunity of Hearing, dated December 9, 2005, and signed by Victoria Chamberlain, Executive Director, stated:

"You, Jerome Arthur Anderson, 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. Anderson did not request a hearing. The Commission, therefore, finds Mr. Anderson 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 September 13, 2005, Mr. Anderson submitted an Application for Educator License Form C-1 together with a written statement as detailed explanation of his affirmative responses to character question 8, "Have you ever been convicted or been granted conditional discharge by any court...?" and character question 10, "Have you ever entered a plea of guilty or No Contest relative to any charge for an offense listed in Question #8 (above)?"

2. Mr. Anderson reported and provided documents indicating that on August 21, 2002, he was arrested for Driving Under the Influence of Intoxicants in Washington. The court granted Mr. Anderson a Deferred Prosecution and placed him on two years probation. Mr. Anderson provided documents indicating that the Deferred Prosecution was revoked (when he was arrested for DUUI on October 28, 2003, in Oregon) and a conviction was entered by the East District Court of the State of Washington in and for the County of Klickitat.

3. Mr. Anderson also reported that on November 14, 2003, he pled guilty and was convicted of Driving Under the Influence of Intoxicants, in the Circuit Court of the State of Oregon for the County of Sherman. The court placed Mr. Anderson on supervised probation for 12 months with special conditions including “no alcohol”. Mr. Anderson provided documents.

4. Mr. Anderson failed to report to the Commission that on January 29, 2004, he was convicted for violating his probation with Sherman County Circuit Court. A police report indicates that on January 27, 2004, Mr. Anderson bought a bottle of gin in a liquor store in Wasco, Oregon. Later that day, when Mr. Anderson was arrested at his residence he was intoxicated and uncooperative. When Mr. Anderson arrived at the corrections facility his blood alcohol content (BAC) was .25 by Intoxilyzer.

CONCLUSIONS OF LAW

Pursuant to OAR 584-020-0040(5)(f), violation of a term of probation imposed by a court is grounds for discipline and denial of licensure. Mr. Anderson's failure to report the January 29, 2005, conviction for Probation Violation constitutes knowing misrepresentation directly related to licensure in violation of OAR 584-020-0040(4)(c) and is a basis for denial of licensure. Mr. Anderson's criminal convictions for DUI in Oregon and Washington constitute gross unfitness in violation of OAR 584-020-0040(5)(c). Pursuant to OAR 584-050-0006(5) and ORS 342.143(2) the Executive Director may deny issuance of a license based upon evidence that the applicant

1 may lack fitness to serve as an educator. The Commission's authority to impose discipline in
2 this matter is based upon ORS 342.175.

3 **ORDER**

4 The Commission hereby denies the application of Jerome Arthur Anderson for an
5 Oregon Teaching License.

6 IT IS SO ORDERED this 30 day of January, 2006.

7 TEACHER STANDARDS AND PRACTICES COMMISSION

8
9 By 
10 Victoria Chamberlain, Executive Director

11
12 NOTICE OF APPEAL OR RIGHTS

13
14 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
15 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS
16 ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE
17 OREGON COURT OF APPEALS.