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

3 4 5 6 7	In the Matter of the) DEFAULT ORDER OF DENIAL Teaching License of) OF LICENSURE JOHN CHARLES SPRENGER)
8	On September 25, 2003, the Teacher Standards and Practices Commission
9	(Commission) issued a Notice of Opportunity for Hearing to John Charles Sprenger (Sprenger)
10	in which the Commission charged him with misconduct under ORS 342.175. The Notice was
11	sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7002 2410 0001 9754 7252 to the
12	address Mr. Sprenger provided to the Commission. On October 21, 2003, the U.S. Certified
13	Mail was returned to the Commission as "unclaimed". The First Class Mail envelope was not
14	returned and is assumed delivered. John Charles Sprenger did not request a hearing. The
15	Notice of Opportunity of Hearing, dated September 25, 2003, and signed by Victoria
16	Chamberlain, Executive Director, stated:
17 18 19 20 21 22	"You, John Charles Sprenger, 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)."
23 24	Mr. Sprenger did not request a hearing. The Commission, therefore, finds
25	Mr. Sprenger to be in default and enters the following findings of fact, conclusions of law
26	and order, based on the files and records of the Commission concerning this matter.
27	FINDINGS OF FACT
28	1. On January 29, 2003, Mr. Sprenger signed and submitted an Application for Educator
29	License Form C-1 requesting renewal of a Standard Teaching License. Mr. Sprenger
30	responded affirmatively to character questions 8 and 10 and provided documentation of a
31	criminal conviction.

- 2. On October 2, 1994, Mr. Sprenger was arrested for Driving Under the Influence of Intoxicants in Marion County, Oregon. Mr. Sprenger was granted Diversion in the District Court of the State of Oregon for Marion County. He completed Diversion on November 8, 1995.
- 3. On October 25, 2001, Mr. Sprenger was convicted of Menacing in the Circuit Court of the State of Oregon for the County of Marion. The court sentenced Mr. Sprenger to 18 months probation; required him to complete an alcohol evaluation and counseling; have no contact with victims; to not possess or consume any alcohol, illegal drugs or weapons; and pay a money judgment of \$565.

CONCLUSIONS OF LAW

John Charles Sprenger's menacing conviction and criminal conduct constitute Gross Unfitness as defined in OAR 584-020-0040(5)(c) and OAR 584-020-0040(5)(e). Criminal convictions and criminal conduct, even in the absence of conviction, may be used as evidence to establish an applicant's lack of fitness to serve as an educator pursuant to OAR 584-050-0006. The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

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ORDER The Commission hereby denies Mr. Sprenger's application for a teaching license. IT IS SO ORDERED this day of January 2004. 3 TEACHER STANDARDS AND PRACTICES COMMISSION 5 8 Victoria Chambérlain, Executive Director NOTICE OF APPEAL OR RIGHTS 10 11 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE 12 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE 13 OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 14 183.482 TO THE OREGON COURT OF APPEALS. 15