| 1 | BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON | | |
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| 2 | OF THE STAT | LE OF OREGON | |
| 4 | In the Matter of the | | |
| 5 | Teaching License of | DEFAULT ORDER | |
| 6 7 | THAYNE CHARLES SMITH | OF REVOCATION | |
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| 9 | | a an a grant a la National | |
| 10 | On July 18, 2001, the Teacher Standards and Practices Commission issued a Notice | | |
| 11 | of Opportunity for Hearing to Thayne Charles Smith, in which the Commission proposed to | | |
| 12 | suspend or revoke the teaching license of Thayne Smith or otherwise impose discipline under | | |
| 13 | ORS 342.177. The notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt | | |
| 14 | #7000 0600 0023 8496 8023 at the address Mr. Smith provided to the Commission. The | | |
| 15 | certified mail receipt was signed and dated by Steven Smith on July 27, 2001, and returned to | | |
| 16 | the Commission on July 30, 2001. Thayne Smith did not request a hearing. | | |
| 17 | | | |
| 18 | The Notice of Opportunity for Hearing, signed by David V. Myton, Executive | | |
| 19 | Director, stated: | | |
| 20 | If a request for hearing is not received within this 21-day period, your right to | | |
| 21 | hearing shall be considered waived unless your failure to request a hearing was | | |
| 22 | beyond your reasonable control. If you do no request a hearing or if you fail to | | |
| 23 | appear at a hearing, the Commission will adopt an Order of Default which may | | |
| 24 | include the revocation or suspension of your license or other discipline. | | |
| 25 | | | |
| 26 | Based on the foregoing, the Commissi | on finds Thayne Charles Smith in default and | |
| 27 | such default is hereby entered. Based on the records and files of the Commission, the | | |
| 28 | Commission enters the following findings of fact and order. | | |
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| 30 | FINDING | S OF FACT | |
| 31 | | | |
| 32 | 1. Thayne Charles Smith holds a Standar | d Teaching License with endorsements in | |
| 33 | Basic Elementary and Standard Handicapped Learner I valid from April 7, 1997 through | | |

| 1 | March 17, 2002. The Commission has continually licensed Thayne Smith since July 1, | | |
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| 2 | 1971. | | |
| 3 | 2. Thayne Smith was employed by the Gresham-Barlow School District in a | | |
| 4 | temporary contract position at Gordon Russell Middle School from November 6, 2000 | | |
| 5 | until his resignation effective February 9, 2001. | | |
| | 3. On or about February 2, 2001, Thayne Smith reported to work at Gordon Russell | | |
| 6 | | | |
| 7 | Middle School while under the influence of alcohol. Mr. Smith had a blood alcohol | | |
| 8 | content of .026 percent. | | |
| 9 | | | |
| 10 | CONCLUSIONS OF LAW | | |
| 11 | | | |
| 12 | Thayne Smith's actions constitute gross neglect of duty in violation of OAR 584-020- | | |
| 13 | 0040(4)(g). | | |
| 14 | | | |
| 15 | ORDER | | |
| 16 | | | |
| 17 | The Commission revokes the Oregon Standard Teaching License #215561, issued to | | |
| | Thayne Charles Smith, DOB 03-17-41, SSN 541-44-9541, for gross neglect of duty. | | |
| 18 | Thayne Charles Simin, DOB 03-17-41, SSN 341-44-9341, for gloss neglect of duty. | | |
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| 21 | $ \frac{1}{2}$ | | |
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| 23 | TEACHER STANDARDS AND PRACTICES COMMISSION | | |
| 24 25 | TEACHER STANDARDS AND TRACTICES COMMISSION | | |
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| 27 | | | |
| 28 | By David V. Muton Eventive Director | | |
| 29 30 | David V. Myton, Executive Director | | |
| 31 | | | |
| 32 | NOTICE OF APPEAL OR RIGHTS | | |
| 33 | THE THE THE THE WIDIGE AT DRIVING OF THE OPPORT HEDICAL | | |
| 34 | YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 | | |
| 35 36 | DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW WITHIN 60 | | |
| 37 | TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS. | | |