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

4 5 6 7 8	In the Matter of the ) DEFAULT ORDER OF Teaching License of ) LICENSE REVOCATION AND JOSEPH THOMAS BILLERA ) REVOCATION OF RIGHT TO APPLY FOR A LICENSE
9	On February 28, 2005, the Teacher Standards and Practices Commission (Commission)
10	issued a Notice of Opportunity for Hearing to Joseph Thomas Billera (Billera) in which the
11	Commission charged him with conviction of crimes listed in ORS 342.143(3). The Notice was sent via
12	U.S. First Class Mail and U.S. Certified Mail Receipt #7004 2510 0002 6790 9802 to the address
13	obtained by the Commission. The certified mail receipt was signed by Debra Bohm, agent for Coffee
14	Creek Correctional Facility, and returned to the Commission on March 2, 2005. The Notice of
15	Opportunity of Hearing, dated February 28, 2005, and signed by Victoria Chamberlain, Executive
16	Director, stated:
19 20 21 22	"You, Joseph Thomas Billera, 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	Mr. Billera did not request a hearing. The Commission, therefore, finds
24	Mr. Billera to be in default and enters the following findings of fact, conclusions of law and
25	order, based on the files and records of the Commission concerning this matter.
26	FINDINGS OF FACT
27	1. Mr. Billera currently holds a Standard Teaching License issued January 29, 2001,
28	valid until June 28, 2006, with a Standard Music endorsement.
29	2. Mr. Billera was employed by the Salem-Keizer Public Schools from August 1997 until
30	termination from employment on January 6, 2005.
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3. On February 14, 2005, in the Circuit Court of the State of Oregon for the County of Marion 1 Joseph Thomas Billera was convicted of: Sexual Abuse I, ORS 163,427: 3 4 Sexual Abuse II, ORS 163.425 (two counts); 5 Sodomy II, ORS 163.395 (three counts): Endangering the Welfare of a Minor, ORS 163,575; and 6 Rape II, ORS 163.365 (three counts) 7 8 9 4. The court sentenced Mr. Billera to 75 months in a corrections facility, 45 months Post 10 Prison Supervision, and ordered to him to pay Fines/Fees/Restitution as Ordered. 5. Mr. Billera's criminal convictions in this matter involved sexual activity with female students 11 12 attending Salem-Keizer Public Schools. **CONCLUSIONS OF LAW** 13 14 Mr. Billera's convictions for Sexual Abuse I, ORS 163.427, Sexual Abuse II, 15 ORS 163.425, Sodomy II, ORS 163.395 and Rape II, ORS 163.365 are listed in ORS 342.143(3). 16 The Commission is required to revoke the Oregon Standard Teaching License issued to Joseph Thomas Billera and revoke his right to apply for a license pursuant to ORS 342.175(2). 18 Mr. Billera's conviction for Endangering the Welfare of a Minor, ORS 163.575 constitutes 19 Gross Unfitness in violation of OAR 584-020-0040(5)(c). The Commission's authority to impose 20 discipline in this matter is based upon ORS 342.175. 111 21 111 22 111 23

ORDER

1 The Commission hereby revokes the Oregon Standard Teaching License issued to Joseph Thomas Billera and revokes his right to apply for a teaching license. 3 IT IS SO ORDERED this  $\frac{1}{\sqrt{3}}\frac{3}{\sqrt{3}}$  day of April, 2005. 4 5 TEACHER STANDARDS AND PRACTICES COMMISSION 6 10 NOTICE OF APPEAL OR RIGHTS 11 12 13 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF 14 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE 15

OREGON COURT OF APPEALS.