

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

In the Matter of the Educator)
License of)
LESTER WRIGHT MCCORMICK)

On January 3, 2017, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Lester Wright McCormick (McCormick) in which the Commission charged him with Gross Neglect of Duty and Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7016 0750 0000 2419 0709 to the address on file with the Commission. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Certified Mail receipt was returned signed to the Commission on January 23, 2017. The first class mail was not returned to the Commission and presumed delivered. The Notice of Opportunity for Hearing, dated January 3, 2017, and signed by Monica Beane, Executive Director, stated:

"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."

McCormick did not request a hearing. On January 18, 2017, the Commission received a fax from McCormick's attorney, David Leroy, advising that McCormick elected not to have a hearing and was permitting the revocation of his right to apply for licensure without admitting to Gross Neglect of Duty or Goss Unfitness. The Commission, therefore, finds McCormick to be in default and enters the following findings of fact, conclusions of law, and final order, based on the files and records of the Commission concerning this matter.

FINDINGS OF FACT

1. McCormick has been licensed by the Commission since June 23, 1999. McCormick held an Initial Administrator License, with an endorsement in Administrator (ALL LVL), valid from June 30, 2013, through June 29, 2016. McCormick did not make application for renewal. During all relevant times, McCormick was employed by the Council School District in Idaho.
2. On November 23, 2015, the Commission received a complaint indicating McCormick may have committed acts which constitute gross neglect of duty, specifically, the use of falsified credentials in his application to the Montana Office of Public Instruction (OPI) for a “Class

5" administrator license. McCormick's application for a Montana Class 5 license was denied. On May 13, 2016, the State of Montana OPI revoked McCormick's Class 1 (Teaching) and Class 3 (Principal) licenses for Immoral Conduct based on McCormick's fraudulent application. Investigation determined that McCormick had presented, as part of his application for the Montana Class 5 licensure, a forged recommendation letter purporting to have come from Lewis and Clark College.

CONCLUSIONS OF LAW

Lester Wright McCormick engaged in unprofessional conduct as described in section two (2) above. McCormick's conduct constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty*); and OAR 584-020-0040(4)(c) (*Falsification of any document or knowing misrepresentation directly related to licensure, employment, or professional duties*). The above conduct also constitutes gross unfitness in violation of ORS 342-175(1)(c); OAR 584-020-0040(5)(a) (*Revocation, suspension or denial of a license by another state for reasons and through procedures that are the same as, or substantially equivalent to, those permitting similar action in Oregon*), and OAR 584-020-0040(5)(b) (*Fraud or misrepresentation*).

The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

FINAL ORDER

The Commission hereby revokes Lester Wright McCormick's right to apply for licensure in Oregon.

IT IS SO ORDERED THIS 27th day of February, 2017.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: Monica Beane
Dr. Monica Beane, Executive Director

1 NOTICE OF APPEAL OR RIGHTS
2

3 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
4 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
5 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
6 THE OREGON COURT OF APPEALS.