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

In the Matter of the)	DEFAULT ORDER OF
Teaching License of)	LICENSE REVOCATION AND
MICHAEL SEAN DOUGHERTY)	REVOCATION OF RIGHT TO
)	APPLY FOR A LICENSE

On November 9, 2004, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Michael Sean Dougherty (Dougherty) in which the Commission charged him with conviction of crimes listed in ORS 342.143(3). The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt #7003 2260 0000 8922 8852 to the address obtained by the Commission. The certified mail receipt was signed by Jake Dougherty and returned to the Commission on November 18, 2004. The Notice of Opportunity of Hearing, dated November 9, 2004, and signed by Victoria Chamberlain, Executive Director, stated:

"You, Michael Sean Dougherty, 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. Dougherty did not request a hearing. The Commission, therefore, finds Mr. Dougherty 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. Mr. Dougherty held a Transitional Teaching License issued March 18, 1999, with a Music endorsement. Said license expired on March 18, 2002.

2. On July 22, 2004, Michael Sean Dougherty was convicted of seven counts of Sexual Misconduct in the First Degree, RCW 9A.44.093(1)(b) in the Superior Court of Washington

County of Lewis, which is substantially equivalent to ORS 163.415 Sexual Abuse in the Third Degree; ORS 163.435 Contributing to the Sexual Delinquency of a Minor; and ORS 163.445 Sexual Misconduct. These crimes are all listed in ORS 342.143(3)(a)(A).

CONCLUSIONS OF LAW

The multiple convictions, in another jurisdiction, of Sexual Misconduct in the First Degree (seven counts) as defined in RCW 9A.44.093(1)(b) are crimes that are substantially equivalent to ORS 342.143(3). The Commission is required to revoke Michael Sean Dougherty's right to apply for a license pursuant to ORS 342.175(2).

ORDER

The Commission hereby revokes Michael Sean Dougherty's right to apply for a teaching license.

IT IS SO ORDERED this 13 day of January, 2005.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: Victoria Chamberlain
Victoria Chamberlain, Executive Director

NOTICE OF APPEAL OR RIGHTS

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 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.