

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
3

4 In the Matter of the) DEFAULT ORDER OF DENIAL OF
5 Educator License of) APPLICATION AND REVOCATION
6) OF RIGHT TO APPLY FOR
7 JONATHAN R. SPENCER) LICENSURE
8

9 On July 22, 2020, the Teacher Standards and Practices Commission
10 (Commission) issued a Notice of Opportunity for Hearing to Jonathan R. Spencer
11 (Spencer) in which the Commission charged him with Gross Neglect of Duty and / or
12 Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail
13 Receipt 7019 0700 0002 0914 4949 to the address on file with the Commission. The
14 Notice designated the Commission file as the record for purposes of proving a prima
15 facie case. The Certified Mail was signed for on July 30, 2020, and receipt returned to
16 the Commission. The regular first class mail was not returned to the Commission, and is
17 assumed delivered. The Notice of Opportunity of Hearing, dated July 22, 2020, and
18 signed by Anthony Rosilez, Executive Director, stated:

19 “IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 60-DAY
20 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
21 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
22 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING,
23 WITHDRAW YOUR REQUEST FOR HEARING, OR IF YOU FAIL TO APPEAR
24 AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT
25 APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF
26 DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF
27 YOUR LICENSE OR OTHER DISCIPLINE.”
28

29 Spencer did not request a hearing. The Commission, therefore, finds Spencer to be in
30 default and enters the following findings of fact, conclusions of law, and final order,
31 based on the files and records of the Commission concerning this matter.
32

33 **FINDINGS OF FACT**

- 34 1. Jonathan R. Spencer applied for licensure with TSPC. Spencer digitally signed and
35 submitted an application for a Reciprocal Teaching License on April 30, 2019.
36 Spencer’s application was on hold pending resolution of this matter.
37 2. As part of the application process, TSPC staff conducted a routine background check.
38 On October 11, 2019, TSPC staff conducted a criminal background check and noted

1 several arrest and convictions which were not included in Spencer's written response
2 to his application's character questions. The arrests and convictions noted on the
3 criminal check were as follows:

4 a. On March 4, 2014, Spencer was arrested in North Carolina for Failing to Report a
5 Vehicle Accident; Hit and Run Vehicle Accident with Property Damage; Reckless
6 Driving to Endanger Persons/Property; Resisting/Delaying/Obstructing Public
7 Officer while Discharging Duties. Spencer was found guilty and convicted on two
8 counts of reckless driving and sentenced to one (1) year probation and fined.

9 b. On December 4, 2014, Spencer was arrested in New York for Assault with Intent
10 to Cause Serious Injury with a Weapon; Assault with Intent to Cause Physical
11 Injury with a Weapon/Instrument; and Criminal Possession of a Weapon. The
12 matter was dismissed.

13 c. On March 19, 2015, Spencer was arrested in North Carolina for Assault on a
14 Female; Disorderly Conduct/Violent Conduct; and Simple Assault. The matter
15 was dismissed.

16 d. On August 13, 2016, Spencer was arrested in Kentucky for Operating a Motor
17 Vehicle While Under the Influence of Alcohol/Drugs/Etc. Spencer was found
18 guilty and convicted of being a Fugitive and his license suspended for one (1)
19 year.

20 e. On August 7, 2019, Spencer was arrested in Albany, Oregon, for Driving Under
21 the Influence of Intoxicants; Reckless Driving; and Criminal Driving While
22 Suspended. The matter was dismissed.

23
24 3. Investigation determined that Spencer wrote on his application he was arrested in
25 North Dakota for Driving Under the Influence and later charged with driving with a
26 suspended license. Additional information obtained in Spencer's investigation
27 showed the arrest in North Dakota occurred on December 2, 2018, for Driving Under
28 the Influence. Spencer plead guilty and was convicted. Spencer was sentenced to ten
29 (10) days in jail, one (1) year probation, fined \$750, and his license was suspended
30 for one (1) year.

31