1 2 3 4	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
5 6 7 8 9	In the Matter of the Educator License of LARRY D. BOST DEFAULT ORDER TO DENY APPLICATION AND REVOKE RIGHT TO APPLY FOR AN EDUCATOR LICENSE
10	On July 22, 2020, the Teacher Standards and Practices Commission (Commission) issued a
11	Notice of Opportunity for Hearing to Larry D. Bost (Bost) in which the Commission charged him
12	with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail
13	Receipt 7019 0700 0002 0914 4888 to the address on file with the Commission. The Notice
14	designated the Commission file as the record for purposes of proving a prima facie case. The
15	Certified Mail receipt was returned signed to the Commission on July 27, 2020. The regular, first
16	class mail was not returned to the Commission, and is assumed to have been delivered. The Notice of
17	Opportunity for Hearing, dated July 22, 2020, and signed by Anthony Rosilez, Executive Director,
18	stated:
19 20 21 22 23 24 25	"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."
26	On August 25, 2020, Bost requested a hearing. The hearing was scheduled for February 18, 2021.
27	On February 18, 2021, the Commission representatives appeared on a videoconference before
28	Administrative Law Judge Joe Allen of the Office of Administrative Hearings on time and prepared
29	to participate in the scheduled hearing. Bost failed to appear for the hearing as scheduled. Judge
30	Allen entered all Commission offered exhibits and pleadings into the record and declared the
31	hearing a default. The Commission, therefore, finds Bost to be in default and enters the following
32	findings of fact, conclusions of law, and final order, based on the files and records of the Commission
33	concerning this matter.
34 35	FINDINGS OF FACT
36 37	1 Root applied for licensure with TCDC Post submitted on application for a Post-inter-
38	Bost applied for licensure with TSPC. Bost submitted an application for a Restricted Substitute Teaching License on February 7, 2000. Bost's application was on hold pending.
39	Substitute Teaching License on February 7, 2020. Bost's application was on hold pending resolution of this matter.
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- 2. In late February 2020, TSPC staff conducted a routine background investigation which was initiated by Bost's application. On February 28, 2020, TSPC staff conducted a criminal background check and noted several arrest and convictions, which were not disclosed in Bost's response to his application's character questions. The following arrests and convictions were found as part of the Commission's investigation:
 - a. On September 19, 1987, Bost was arrested in Florida under the misdemeanor law prohibiting prostitution and related acts and on October 27, 1987, Bost plead guilty and was convicted. Bost was fined \$250.
 - b. On March 11, 2006, Bost was arrested for burglary in California. Bost plead guilty to a lesser crime and was convicted of a criminal threat with intent to terrorize. Bost was given a three year suspended sentence, five (5) years of probation.
 - c. On September 26, 2015, Bost was arrested for violation of a protective order to prevent domestic violence in California. Bost plead nolo contender and was convicted and sentenced to four (4) days in jail and three (3) years of probation.

Subsequent investigation found Bost failed to list on his application the arrests and convictions in California. Bost provided a TSPC investigator an account of the arrest in Florida, and Bost said he did not believe he was found guilty in court or convicted. Bost failed to provide any documentation of the outcome of the matter in Florida.

CONCLUSIONS OF LAW

Bost's conduct and criminal convictions/arrests described in sections two (2) above, and his failure to disclose criminal history in response to character questions, are grounds to deny his license application under ORS 343.143(2) because he has failed to provide evidence satisfactory to the commission of good moral character, and general fitness to hold a teaching license. Additionally, the allegations described in section two (2) above constitute 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 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty.* The conduct and criminal convictions/arrests as described above also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any federal, state, or local law. A conviction includes any final judgment of conviction by a court whether as the result of guilty plea, no contest plea or any other means*); and OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the absence of a conviction*).

1	The Commission's authority to impose discipline in this matter is based upon ORS 342.175.
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3	FINAL ORDER
4	
5	The Commission hereby denies Larry D. Bost's application for an Oregon educator license
6	and revokes his right to apply for an Oregon educator license.
7	
8	IT IS SO ORDERED THIS day of March, 2021.
9	TEACHER STANDARDS AND PRACTICES COMMISSION
10	By: Anthony J. Rosiles
10	
11	Dr. Anthony Rosilez, Executive Director
12	
13 14	
15 16	NOTICE OF APPEAL OR RIGHTS
17	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
18	OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
19	THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
20	THE OREGON COURT OF APPEALS.