1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON	
4 5 6 7 8	In the Matter of the Educator License of NOAH S. BERMAN	) DEFAULT ORDER OF ) REVOCATION )
9	On May 20, 2022, the Teacher Standards and Practices Commission	
10	(Commission) issued a Notice of Opportunity for Hearing to Noah S. Berman, (Berman)	
11	in which the Commission charged him with Gross Neglect of Duty and /or Gross	
12	Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt	
13	7021 0350 0000 8184 3156 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.	
15	The regular first-class mail was not returned to the Commission and assumed delivered.	
16	The Notice of Opportunity of Hearing, dated May 20, 2021, and signed by Anthony	
17	Rosilez, Executive Director, stated:	
18 19 20 21 22 23 24 25 26 27	PERIOD, YOUR RIGHT TO A UNLESS YOUR FAILURE TO REASONABLE CONTROL. I WITHDRAW YOUR REQUE AT A HEARING, OR NOTIFY APPEAR AT HEARING, THE DEFAULT WHICH MAY INC YOUR LICENSE OR OTHER	ING IS NOT RECEIVED WITHIN THIS 21-DAY A HEARING SHALL BE CONSIDERED WAIVED D REQUEST A HEARING WAS BEYOND YOUR IF YOU DO NOT REQUEST A HEARING, ST FOR HEARING, OR IF YOU FAIL TO APPEAR Y THE COMMISSION THAT YOU WILL NOT E COMMISSION WILL ADOPT AN ORDER OF CLUDE THE REVOCATION OR SUSPENSION OF DISCIPLINE."
28		SPC received no response from Berman. The
29	Commission, therefore, finds Berma	an to be in default and enters the following findings
30	of fact, conclusions of law, and final	order, based on the files and records of the
31	Commission concerning this matter	•
32	2	
33	B FI	NDING OF FACT
34	1. The Commission has licensed	l Berman since September 11, 2013. Berman
35	previously held a Professiona	d Teaching License, with endorsements in Health
36	6 (Pk-12) and Physical Educati	on (PK-12), valid from August 29, 2017, through
37	April 28, 2022. During all re	levant times, Berman was employed by the Medford
38	School District (MSD).	

- 2. On April 30, 2020, the Oregon Department of Human Services (DHS) took a report of sexual abuse of an unknown minor student by Berman, a South Medford High School (SMHS) Physical Education Teacher. DHS notified law enforcement and the Commission of the allegations, and a criminal investigation was initiated.
- 3. Investigation by the Oregon State Police (OSP) and Medford Police Department (MPD) determined the following:
  - Berman solicited nude photos and engaged in explicit sexual communication with KS, a minor female who was a student at MSD. This communication occurred between approximately June 2019 and April of 2020.
  - Berman engaged in sexual contact with KS at his home approximately 4 times between March 1, 2020, and March 13, 2020.
  - The sexual contact with KS included kissing, making out, digital penetration of KS's vagina and oral sex performed by Berman on KS.
  - Berman was arrested by MPD on May 14, 2020, on charges of Sexual Abuse 2 (two counts), Sexual Abuse 3 (3 counts), Tampering with a Witness and Luring a Minor.
  - On July 20, 2021, Berman plead guilty to charges of Sexual Abuse 2 (2 counts) and Tampering with a Witness.
  - On August 31, 2021, Berman was convicted of the same charges that he
    pled guilty to. As part of the sentence, Berman was ordered to surrender
    his teaching license and register as a sex offender.
- 4. The Commission and DHS attempted to contact you to arrange for an interview regarding this incident, however your attorney at the time, Jeni Feinberg, declined the interview.

1	CONCLUSIONS OF LAW	
2	Under ORS 342.175(2) and OAR 584, Division 020, the Commission will deny,	
3	revoke or deny the right to apply for a license or charter school registration to any	
4	applicant or educator who, has been convicted of any of the crimes listed in ORS	
5	342.143, or the substantial equivalent of any of those crimes if convicted in another	
6	jurisdiction or convicted of attempt to commit such crimes as defined in 161.405.	
7	The Commission's authority to impose discipline in this matter is based	
8	upon ORS 342.175.	
9	FINAL ORDER	
10	The Commission hereby permanently revokes Berman's teaching license.	
11		
12	IT IS SO ORDERED THIS 28th day of September, 2022.	
13		
14	TEACHER STANDARDS AND PRACTICES COMMISSION	
15 16	By:	
17 18	NOTICE OF APPEAL OR RIGHTS	
19 20 21 22 23	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.	

## CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Noah S. Berman 304 Talent Ave. Talent, OR 97540

Dated this \_\_\_\_day of September, 2022.

Selicity Idefire

**Investigative Assistant**