

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

4 In the Matter of the) DEFAULT ORDER OF
5 Educator License of) SUSPENSIN OF RIGHT TO APPLY
6 NICHOLAS G. CHOREY) FOR AN EDUCATOR LICENSE
7

8 On July 15, 2022, the Teacher Standards and Practices Commission (Commission)
9 issued a Notice of Opportunity for Hearing to Nicholas G. Chorey (Chorey) in which the
10 Commission charged him with Gross Neglect of Duty. On July 15, 2022, the Notice was sent
11 via U.S. First Class Mail and U.S. Certified Mail Receipt 7021 0350 0000 8184 0940 to the
12 address on file with the Commission. The Notice designated the Commission file as the
13 record for purposes of proving a prima facie case. The Certified Mail return receipt was
14 signed and returned to the Commission on July 25, 2022. The regular, First Class Mail was
15 not returned and assumed to have been delivered. The Notice of Opportunity of Hearing,
16 dated July 15, 2022, and signed by Anthony Rosilez, Executive Director, stated:

17
18 “IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
19 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
20 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
21 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW
22 YOUR REQUEST FOR A HEARING, FAIL TO APPEAR AT A HEARING, OR
23 NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT A HEARING, THE
24 COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE
25 THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER
26 DISCIPLINE.”
27

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

32 **FINDINGS OF FACT**

- 33 1. Nicholas G. Chorey has been licensed by the Commission since December 13, 2018.
34 Chorey held a Restricted Substitute Teaching License, with an endorsement in
35 Substitute (PK-12), valid from July 1, 2021, through June 30, 2022. During all
36 relevant times, Chorey was employed by ESS at Newport Middle School, Lincoln
37 Count School District (LCSD).

2. On May 28, 2021, the Commission received a report from ESS indicating you may have committed acts which constitute gross neglect of duty and/or gross unfitness. Specifically, the report alleged Chorey used inappropriate language in conversation with students.
3. Investigation determined that on May 25, 2021, Chorey was substitute teaching a language arts class at Newport Middle School. During the class, Chorey had a conversation with several students which was not related to the lesson plan. In this conversation, Chorey made comments which included racial and sexual epithets, slurs, and other derogatory terms.
4. On May 25, 2021, a student reported the information to school administrators who then investigated the incident. Administrators interviewed multiple students who confirmed Chorey's use of inappropriate language. During separate interviews with ESS and the Commission, Chorey admitted to using the language reported by the students.

CONCLUSIONS OF LAW

Nicholas G. Chorey's conduct described in section three (3) above 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 584-020-0020(2)(d) (*Skill in the supervision of students*), and OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); and OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and conversations at all times*).

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

FINAL ORDER

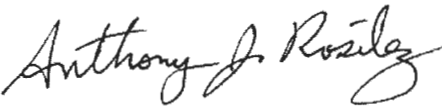
The Commission hereby suspends for thirty (30) days, Nicholas G. Chorey's right to apply for an Oregon educator license.

Furthermore, Chorey is subject to the following conditions:

- 1 1. Chorey shall comply with the Standards for Competent and Ethical Performance
2 of Oregon Educators under Oregon Administrative Rules Chapter 584, Division
3 020.
4 2. Prior to application, Chorey shall complete a Commission approved course on
5 communication skills and submit proof to the Commission of successful
6 completion of the training.
7

8 IT IS SO ORDERED THIS 2nd day of September, 2022.

9 TEACHER STANDARDS AND PRACTICES COMMISSION

10 By: 
11 _____
12 Dr. Anthony Rosilez, Executive Director
13
14

15 NOTICE OF APPEAL OR RIGHTS
16

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