

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

4 In the Matter of the Teaching License of) DEFAULT ORDER OF
5 MARK PATRICK WARREN) REVOCATION OF RIGHT TO APPLY
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8 On November 8, 2012, the Teacher Standards and Practices Commission (Commission)
9 issued a Notice of Opportunity for Hearing to Mark Patrick Warren (Warren) in which the
10 Commission charged him with Gross Neglect of Duty and Gross Unfitness. The Notice was sent
11 via U.S. First Class Mail and U.S. Certified Mail Receipt 7011 2000 0001 1292 1346 to the
12 address on file with the Commission. The Notice designated the Commission file as the record
13 for purposes of proving a prima facie case. The Certified Mail was not returned to the
14 Commission, and the return receipt was not received by TSPC. The regular mail was not
15 returned to the Commission. The Notice of Opportunity of Hearing, dated November 8, 2012,
16 and signed by Victoria Chamberlain, Executive Director, stated:

17 “IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD,
18 YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR
19 FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL.
20 IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A
21 HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY
22 INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER
23 DISCIPLINE.”
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25 Warren did not request a hearing. The Commission, therefore, finds Warren to be in default and
26 enters the following findings of fact, conclusions of law, and final order, based on the files and
27 records of the Commission concerning this matter.

28 **FINDINGS OF FACT**

- 29 1. Mark Patrick Warren has been licensed by the Commission since October 26, 2009.
30 Warren’s Substitute Teaching License with an endorsement in Substitute Any Specialty (PP-
31 12), was issued October 26 2009, and expired on October 26, 2012. During all relevant
32 times, Warren was employed by the Hillsboro School District.
33 2. On or about April 2010 through July 2012, Warren was investigated by the Oregon Department of
34 Justice Internet Crimes Against Children Task Force (DOJ). Investigators received at least five
35 “cyber tips” or complaints regarding Warren’s activities on line. Investigators determined that
36 Warren participated in the following conduct:

- 1
- 2 a. Warren communicated with multiple female children ages twelve to sixteen via internet chat
- 3 rooms or other online methods as well as over the telephone on some occasions. Warren's
- 4 communications with these minors were sexually explicit and included overt attempts to
- 5 physically meet with these children for sexual purposes. Warren encouraged these children to
- 6 masturbate, while Warren also masturbated during these conversations. Warren expressed his
- 7 desire to have one child pose for him wearing "thong underwear" and a "bikini". Warren had
- 8 sent children photographs of himself, and requested photos of the children; at least one of the
- 9 child's photographs was sexual in nature as reported by Warren to investigators.
- 10
- 11 b. Warren told DOJ investigators that he had been communicating with minor females in the
- 12 above described manner for a period of several years. Warren also advised that he was addicted
- 13 to pornography and that addiction had ruined several of Warren's past adult relationships.
- 14 Warren admitted to investigators that he had employed prostitutes in the past, both while
- 15 residing in Arizona and Oregon.
- 16 3. The DOJ investigation determined that Warren's actions involving his communications with these
- 17 minor females were "manipulative and sexually explicit", but did not meet the threshold for
- 18 criminal charges.
- 19 4. TSPC investigators sent Warren a certified letter requesting an interview. Warren received
- 20 and signed for this correspondence in September 2012. Additional requests for interviews by
- 21 TSPC investigations were refused or ignored by Warren. Warren was informed in these
- 22 letters that refusing to cooperate as requested would result in him being charged with failure
- 23 or refusal by an educator under investigation to respond to requests for information or to
- 24 participate in interviews with a Commission representative, OAR 584-020-0040(4)(p).

25 **CONCLUSIONS OF LAW**

26 Warren's conduct described above, constitutes gross neglect of duty in violation of ORS

27 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*

28 *professional judgment*); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(b)

29 (*Refrain from exploiting professional relationships with any student for personal gain, or in*

30 *support of persons or issues*), OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing*

31 *professionally inappropriate interest in a student's personal life*), OAR 584-020-0035(1)(c)(B)

32 (*Not accepting or giving or exchanging romantic or overly personal gifts or notes with a*

33 *student*), OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students*

34 *in conduct and conversations at all times*); and OAR 584-020-0040(4)(f) (*Any sexual conduct*

1 *with a student*). Statements made by you to special agents and investigators during the DOJ
2 investigation regarding your solicitation of prostitution, constitutes gross unfitness in violation
3 of ORS 342.175 (1)(c); OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting*
4 *criminal conduct, even in the absence of a conviction*). The conduct described in section 4 above
5 constitutes gross neglect of duty in violation of OAR 584-020-0040(4)(p) (*Subject to the*
6 *exercise of any legal right or privilege, failure or refusal by an educator under investigation to*
7 *respond to requests for information, to furnish documents or to participate in interviews with*
8 *a Commission representative relating to a Commission investigation*).

9 Furthermore, the conduct described above demonstrates that you lack good moral
10 character, mental or physical fitness to hold a license as required under ORS 342.143(2).

11 The Commission's authority to impose discipline in this matter is based upon ORS
12 342.175.

13 **FINAL ORDER**

14 The Commission hereby revokes Mark Patrick Warren's right to apply for licensure.

15 IT IS SO ORDERED THIS 14th day of December, 2012.

16 TEACHER STANDARDS AND PRACTICES COMMISSION

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19 By: _____
20 Victoria Chamberlain, Executive Director

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24 **NOTICE OF APPEAL OR RIGHTS**

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26 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
27 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
28 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
29 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:

Mark Patrick Warren
3832 NW Chemult Pl
Portland, OR 97229

Dated this 14th day of December, 2012.

By: *Patty Liddell*
Patty Liddell
Investigative Assistant