

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 Teaching License of) REVOCATION OF
6 KOLTEN HENRY KOCK) RIGHT TO APPLY FOR A LICENSE
7

8 On February 5, 2008, the Teacher Standards and Practices Commission (Commission) issued
9 a Notice of Opportunity for Hearing to Kolten Henry Kock (Kock) in which the Commission charged
10 him with conviction of a crime listed in ORS 342.143(3). The Notice was sent via U.S. First Class Mail
11 and U.S. Certified Mail Receipt 7006 0810 0001 4602 2265 to the address obtained by the
12 Commission. The U.S. Certified Mail was signed for and receipt returned to the Commission on
13 February 15, 2008. The Notice of Opportunity of Hearing, dated February 5, 2008, and signed by
14 Victoria Chamberlain, Executive Director, stated:

15 "You, Kolten Henry Kock, are entitled to a hearing on the proposed action of the
16 Commission. If you want a hearing, you must file a written request for a hearing with
17 the Commission within 21 days of the date of this notice. Attached to this notice is a
18 copy of the procedures, right of representation and other rights of parties relating to the
19 conduct of a hearing as required under ORS 183.413(2)."
20

21 Mr. Kock did not request a hearing. The Commission, therefore, finds Mr. Kock to be
22 in default and enters the following findings of fact, conclusions of law and order, based on the
23 files and records of the Commission concerning this matter.

24 **FINDINGS OF FACT**

25 1. The Commission has licensed Mr. Kock since September 7, 2004. On September 7, 2004,
26 the Commission issued Mr. Kock a Transitional Teaching License valid until September 7, 2007, with
27 Agriculture Science and Technology and Multiple Subjects Endorsements.

28 2. Mr. Kock was employed by the Burnt River SD 30J.

29 3. On January 28, 2008, in the Circuit Court of the State of Oregon for the County of Baker,
30 Mr. Kock was convicted of one (1) count of Contributing to the Sexual Delinquency of a Minor. This
31 conviction constitutes gross neglect of duty in violation of OAR 584-020-0040(1)(n) and ORS 163.435.

32 4. On June 16, 2007, during an interview with TSPC Investigators, Mr. Kock denied having

1 sexual contact with one of his students when in fact Mr. Kock did have sexual contact with the student
2 in question. This conduct constitutes Gross Neglect of Duty in violation of OAR 584-020-0040(4)(c).
3 (Knowing falsification of any document or knowing misrepresentation directly related to licensure,
4 employment, or professional duties.)

5 5. On or about May 21, 2007, Mr. Kock had sexual contact with a female student. This conduct
6 constitutes Gross Neglect of Duty in violation of OAR 584-020-0040(4)(f). (Any sexual conduct with a
7 student.)

8 CONCLUSIONS OF LAW

9 Mr. Kock's conviction of one (1) count of Contributing to the Sexual Delinquency of a Minor,
10 ORS 163.435, constitutes a conviction for which the Commission shall revoke a license pursuant to
11 OAR 584-020-0040(1). The Commission is required to revoke Mr. Kock's right to apply for a license
12 pursuant to ORS 342.175(2). The Commission's authority to impose discipline in this matter is based
13 upon ORS 342.175.

14 ORDER

15 The Commission hereby revokes Kolten Henry Kock's right to apply for a teaching license.

16 IT IS SO ORDERED this 19 day of May, 2008.

17 TEACHER STANDARDS AND PRACTICES COMMISSION

18
19 By


Victoria Chamberlain, Executive Director

21 NOTICE OF APPEAL OR RIGHTS

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23
24 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
25 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
26 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE
27 OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

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I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by U.S. First Class Mail to the Attorney of record for Kolten Henry Kock:

Ralph E. Wiser
Attorney at Law
1 Centerpointe Drive, Suite 570
Lake Oswego OR 97035

Dated this 3rd day of June, 2008.

By: Melody Hanson
Melody Hanson, Executive Assistant