

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

4 In the Matter of the ) DEFAULT ORDER OF  
5 Teaching License of ) LICENSE REVOCATION AND  
6 MICHAEL SEAN DOUGHERTY ) REVOCATION OF RIGHT TO  
7 ) APPLY FOR A LICENSE  
8

9 On November 9, 2004, the Teacher Standards and Practices Commission (Commission)  
10 issued a Notice of Opportunity for Hearing to Michael Sean Dougherty (Dougherty) in which the  
11 Commission charged him with conviction of crimes listed in ORS 342.143(3). The Notice was  
12 sent via U.S. First Class Mail and U.S. Certified Mail Receipt #7003 2260 0000 8922 8852 to  
13 the address obtained by the Commission. The certified mail receipt was signed by  
14 Jake Dougherty and returned to the Commission on November 18, 2004. The Notice of  
15 Opportunity of Hearing, dated November 9, 2004, and signed by Victoria Chamberlain,  
16 Executive Director, stated:

17 "You, Michael Sean Dougherty, are entitled to a hearing on the proposed action  
18 of the Commission. If you want a hearing, you must file a written request for a  
19 hearing with the Commission within 21 days of the date of this notice. Attached  
20 to this notice is a copy of the procedures, right of representation and other rights  
21 of parties relating to the conduct of a hearing as required under ORS  
22 183.413(2)."  
23

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

27 **FINDINGS OF FACT**

- 28 1. Mr. Dougherty held a Transitional Teaching License issued March 18, 1999, with a  
29 Music endorsement. Said license expired on March 18, 2002.
- 30 2. On July 22, 2004, Michael Sean Dougherty was convicted of seven counts of Sexual  
31 Misconduct in the First Degree, RCW 9A.44.093(1)(b) in the Superior Court of Washington

1 County of Lewis, which is substantially equivalent to ORS 163.415 Sexual Abuse in the Third  
2 Degree; ORS 163.435 Contributing to the Sexual Delinquency of a Minor; and ORS 163.445  
3 Sexual Misconduct. These crimes are all listed in ORS 342.143(3)(a)(A).

4 **CONCLUSIONS OF LAW**

5 The multiple convictions, in another jurisdiction, of Sexual Misconduct in the First Degree  
6 (seven counts) as defined in RCW 9A.44.093(1)(b) are crimes that are substantially equivalent  
7 to ORS 342.143(3). The Commission is required to revoke Michael Sean Dougherty's right to  
8 apply for a license pursuant to ORS 342.175(2).

9 **ORDER**

10 The Commission hereby revokes Michael Sean Dougherty's right to apply for a teaching  
11 license.

12 IT IS SO ORDERED this 13 day of January, 2005.

13  
14 **TEACHER STANDARDS AND PRACTICES COMMISSION**

15  
16 By: Victoria Chamberlain  
17 Victoria Chamberlain, Executive Director  
18

19 **NOTICE OF APPEAL OR RIGHTS**

20  
21 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE  
22 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE  
23 OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS  
24 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

2  
3 I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me  
4 as such by U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed  
5 to:

6  
7 Michael Sean Dougherty DOC#871479  
8 Larch Corrections Center  
9 15314 NE Dole Valley Road  
10 Yacolt, WA 98675-9531

11  
12 Dated this 3<sup>rd</sup> day of January, 2005.

13  
14  
15 By: Melody Hanson  
16 Melody Hanson, Executive Assistant  
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