



1 3. On February 11, 2003, Mr. O'Hearn engaged in acts constituting criminal conduct  
2 (Disorderly Conduct and Harassment). Mr. O'Hearn struck a man with his fist while the man  
3 was seated in a vehicle in the parking lot of an apartment complex in Corvallis.

4 3. On February 28, 2003, Mr. O'Hearn was convicted of Disorderly Conduct in the  
5 Circuit Court of the State of Oregon for Benton County.

6 **CONCLUSIONS OF LAW**

7 Mr. O'Hearn's criminal conviction and behavior engaging in acts constituting criminal  
8 conduct constitute Gross Unfitness in violation of OAR 584-020-0040(5)(c) and OAR 584-020-  
9 0040(5)(e). Mr. O'Hearn's unreasonable physical force against a student constitutes Gross  
10 Neglect of Duty in violation of OAR 584-020-0040(4)(d). The Commission's authority to impose  
11 discipline in this matter is based upon ORS 342.175.

12 **ORDER**

13 The Commission hereby revokes Daniel Perry O'Hearn's right to apply for licensure.  
14 IT IS SO ORDERED this 7<sup>th</sup> day of May, 2004.

15 TEACHER STANDARDS AND PRACTICES COMMISSION

16  
17 By:   
18 Victoria Chamberlain, Executive Director  
19  
20

21 **NOTICE OF APPEAL OR RIGHTS**

22  
23 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE  
24 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE  
25 OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS  
26 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

1  
2  
3 I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me  
4 as such by regular U.S. mail and by U.S. Certified Mail—Return Receipt Requested, addressed  
5 to:  
6

7 Daniel Perry O'Hearn  
8 PO Box 812  
9 Philomath, OR 97370-0812

10 Dated this 24<sup>th</sup> day of May, 2004.  
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14  
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16  
By: Melody Hanson

Melody Hanson, Executive Assistant