

1 **FINDINGS OF FACT**

2 1. In October of 1993 female students attending Paisley School reported to the
3 Superintendent of Paisley School District and CSD that Mr. Elder touched them and
4 made inappropriate comments to them.

5 2. On January 13, 2000, sixth grade female students attending Stearns
6 Elementary School in Klamath County School District reported that Mr. Elder touched
7 them inappropriately, made inappropriate comments to them and directed them to write
8 letters to his girlfriend.

9 3. On or about September 25, 2002, Mr. Elder signed and submitted an
10 Application for Educator License Form C-1 requesting a Standard Teaching License.
11 The Commission wrote to Mr. Elder indicating that he did not meet requirements for a
12 Standard Teaching License. On October 18, 2002, Mr. Elder wrote to the Commission
13 requesting that he application be treated as a renewal of his expired Substitute
14 Teaching License.

15 4. In the character question section of the application Mr. Elder failed to respond
16 affirmatively to character question 1 disclosing that he left employment on January 13,
17 2000, involuntarily, while the subject of an investigation at Stearns Elementary School,
18 Klamath Falls School District.

19 5. In the character question section of the application Mr. Elder failed to respond
20 affirmatively to character question 2 indicating that he is currently the subject of a State
21 Police investigation regarding misconduct on January 13, 2000, at Stearns Elementary
22 School, Klamath Falls School District.

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CONCLUSIONS OF LAW

The conduct described in Findings of Fact numbers 1 and 2 above constitute gross neglect of duty in violation of OAR 584-020-0040(4)(f) and are sufficient basis for denial of licensure pursuant to OAR 584-020-0040(3)(c). The conduct described in Findings of Fact numbers 3 and 4 above constitute gross neglect of duty in violation of OAR 584-020-0040(4)(c) and are sufficient basis for denial of licensure pursuant to OAR 584-020-0040(3)(c). The Commission's authority to deny licensure in this matter is based upon ORS 342.143.

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ORDER

The Commission denies issuance of licensure to John Douglas Elder.

IT IS SO ORDERED this 10 day of January 2003.

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TEACHER STANDARDS AND PRACTICES COMMISSION

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By 
Victoria Chamberlain, Executive Director

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NOTICE OF APPEAL RIGHTS

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

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing default order of denial of licensure, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail--Return Receipt Requested, addressed to:

John Douglas Elder
PO Box 1205
Lakeview OR 97630

Dated this 16th day of January 2003.

By:


Melody Hanson
Executive Assistant to the Commission