



1 **CONCLUSIONS OF LAW**

2 Pinkerton's failure to disclose convictions for Assault IV and Pointing a Firearm at Another  
3 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(c)  
4 (Knowing falsification of any document or knowing misrepresentation directly related to licensure,  
5 employment, or professional duties). Pinkerton's conviction of Assault IV, in connection with the  
6 circumstances surrounding the conviction, constitute gross neglect of duty in violation of ORS  
7 342.175(1)(a) and (b); OAR 584-020-0040(3)(a) (conviction of a crime); OAR 584-020-0040(4)(o) as it  
8 incorporates OAR 584-020-0035(3)(a) (Maintain dignity of the profession by respecting and obeying  
9 the law, exemplifying personal integrity and honesty). Pinkerton's conviction of Pointing a Firearm at  
10 Another, in connection with the circumstances surrounding the conviction, constitute gross neglect of  
11 duty in violation of ORS 342.175(1)(a) and (b); OAR 584-020-0040(3)(a) (conviction of a crime); OAR  
12 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a) (Maintain dignity of the profession by  
13 respecting and obeying the law, exemplifying personal integrity and honesty). The Commission's  
14 authority to impose discipline in this matter is based upon ORS 342.175.

15 **FINAL ORDER**

16 The Commission hereby revokes Richard Leonard Pinkerton's Charter School Registration.  
17 IT IS SO ORDERED this 4<sup>th</sup> day of May 2009.

18 TEACHER STANDARDS AND PRACTICES COMMISSION

19 By: Victoria Chamberlain  
20 Victoria Chamberlain, Executive Director  
21

22 **NOTICE OF APPEAL OR RIGHTS**

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

CERTIFICATE OF MAILING

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

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 and U.S. Certified Mail—Return Receipt Requested, addressed to:

Richard Markell De Pinkerton  
1928 Summerfield Ct. SW  
Albany, OR 97321-7579

Dated this 1<sup>st</sup> day of June, 2009.

By: Melody Hanson  
Melody Hanson, Executive Assistant