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Teacher Standards & Practices Commission

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

3 In the Matter of the ) STIPULATION OF FACTS AND  
4 Educator License of ) FINAL ORDER OF SUSPENSION  
5 DAVID SCOTT TALBOT ) AND PROBATION  
6

7 On or about August 30, 2011, the Teacher Standards and Practices Commission  
8 (Commission) learned that David Scott Talbot (Talbot) was working as a teacher on an  
9 expired license. This prompted a referral investigation of the licensure of Talbot, a  
10 teacher at the Harper Charter School of the Harper School District.

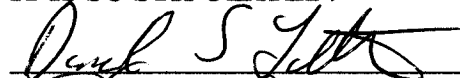
11 After review of the matters alleged, Talbot and the Commission agree that their  
12 respective interests, together with the public interest, are best served by a stipulation to  
13 certain facts, the imposition of a thirty (30) day suspension of his educators license  
14 followed by a four (4) year probation and monitoring period.

15 By signing below, Talbot acknowledges, understands, stipulates, and agrees to  
16 the following: (i) he has been fully advised of his rights to notice and a hearing to contest  
17 the findings of fact, conclusions of law, and order set forth below, and fully and finally  
18 waives all such rights and any rights to appeal or otherwise challenge this Stipulation of  
19 Facts and Final Order of Suspension and Probation (Stipulation and Final Order); (ii)  
20 this Stipulation and Final Order is a public document and disclosed to the public upon  
21 request by the Commission; (iii) this Stipulation and Final Order is contingent upon and  
22 subject to approval and adoption by the Commission. If the Commission does not  
23 approve and adopt this Stipulation and Final Order, then neither Talbot nor the  
24 Commission are bound by the terms herein; (iv) he has fully read this Stipulation and  
25 Final Order, and understands it completely; (v) he voluntarily, without any force or  
26 duress, enters into this Stipulation and Final Order and consents to issuance and entry of  
27 the Stipulated Final Order below; (vi) he states that no promise or representation has  
28 been made to induce him to sign this Stipulation and Final Order; and (vii) he has  
29 consulted with an attorney regarding this Stipulation and Final Order and has been fully  
30 advised with regard to his rights thereto, or waives any and all rights to consult with an  
31 attorney prior to entering into this Stipulation and Final Order and issuance and entry of  
32 the Stipulated Final Order below. Talbot understands that the probation will be subject  
33 to specific terms and conditions.

1 **STIPULATION OF FACTS**

- 2 1. Talbot has been licensed as an Educator in Oregon since August 26, 2006.  
3 Talbot's current Initial I Teaching License, issued on August 18, 2011, with  
4 endorsements in Integrated Science (HS, ML), Multiple Subjects (MIDLVL) and  
5 Multiple Subjects Self Contained (ECE, ELE), expires on March 15, 2015. During  
6 all relevant times, Talbot was employed by the Harper Charter School.
- 7 2. Talbot was issued an Emergency Teaching License to allow him to continue to  
8 teach while Talbot completed his requirements for renewal of his Initial I  
9 Teaching License. Talbot's Emergency Teaching License was valid from March 6,  
10 2010, through September 30, 2010. Talbot did complete his required coursework,  
11 but Talbot failed to make application for his Initial I Teaching License until  
12 August 15, 2011. Talbot was issued his Initial I teaching license on August 18,  
13 2011. As a result, Talbot was not licensed from September 30, 2010, until August  
14 18, 2011. Talbot explained that he mistakenly believed his Emergency License  
15 was valid for a period of one year. Talbot had been provided information and  
16 materials explaining when his Emergency License expired and when he had to  
17 make application for his Initial I License. Talbot continued to teach without a  
18 valid license during the 2010-11 school year.

19  
20 IT IS SO STIPULATED:

21   
22 \_\_\_\_\_  
23 David Scott Talbot

6/27/13  
\_\_\_\_\_  
Date

23   
24 \_\_\_\_\_  
25 Victoria Chamberlain, Executive Director  
26 Teacher Standards and Practices Commission

7-8-13  
\_\_\_\_\_  
Date

27 **CONCLUSION OF LAW**

28 David Scott Talbot worked as a teacher for a combined period of approximately  
29 12 months without a valid educator license; this constitutes gross neglect of duty in  
30 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-  
31 020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(4)(r) (*Knowingly*  
32 *working without a license*).

33 The Commission's authority to impose discipline in this matter is based upon  
34 ORS 342.175.  
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**ORDER**

The Commission hereby adopts and incorporates herein the above findings of fact, conclusions of law, and based thereon hereby imposes a thirty (30) day suspension of licensure as follows:

David Scott Talbot's licensure is hereby suspended for thirty (30) days following the adoption of this order.

Furthermore, the Commission imposes four (4) years of probation upon Talbot to commence the date of successful reinstatement of licensure and subject to the following terms and conditions of probation:

- 1. He will ensure he is always properly licensed or registered as required by law and Commission rule.
- 2. He will comply with the Standards for Competent and Ethical Performance of Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

Violation of any term or condition of probation shall constitute an independent basis for the Commission to otherwise impose discipline, up to and including revocation of Talbot's teaching license, after first providing Talbot with notice and opportunity for hearing.

Issued and dated this 26<sup>th</sup> day of July, 2013.

**TEACHER STANDARDS AND PRACTICES COMMISSION  
STATE OF OREGON**

By *Victoria Chamberlain*  
Victoria Chamberlain, Executive Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing Stipulation of Facts and Final Order of Suspension and Probation, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail — Return Receipt Requested, addressed to:

David Scott Talbot  
1005 Enterprise Ave  
Nyssa, OR 97913-5309

DATED this 5<sup>th</sup> day of August, 2013.

By: Patty Liddell  
Patty Liddell  
Investigative Assistant