

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON
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4 In the Matter of the) DEFAULT ORDER OF
5 Teaching License of) LICENSE REVOCATION AND
6 JOSEPH MICHAEL JENSEN) REVOCATION OF RIGHT TO APPLY
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8 On April 25, 2012, the Teacher Standards and Practices Commission (Commission) issued a
9 Notice of Opportunity for Hearing to Joseph Michael Jensen (Jensen) in which the Commission
10 charged him with Gross Neglect of Duty and Gross Unfitness. The Notice was sent via U.S. First Class
11 Mail and U.S. Certified Mail Receipt 7009 1410 0002 1925 3365 to the address on file with the
12 Commission. The Notice designated the Commission file as the record for purposes of proving a prima
13 facie case. The Certified Mail was returned as "Unclaimed" on May 16, 2012. The regular mail was not
14 returned to the Commission. The Notice of Opportunity of Hearing, dated April 25, 2012, and signed by
15 Victoria Chamberlain, Executive Director, stated:

16 "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR
17 RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO
18 REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT
19 REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION
20 WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR
21 SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
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23 Jensen did not request a hearing. The Commission, therefore, finds Jensen to be in default and enters
24 the following findings of fact, conclusions of law, and final order, based on the files and records of the
25 Commission concerning this matter.

26 **FINDINGS OF FACT**

- 27 1. Joseph Michael Jensen has been licensed by the Commission since December 4, 2007. Jensen's
28 Initial I Teaching License with an endorsement in Special Education (ECE/ELE E), was issued
29 August 6, 2008, and expired on September 7, 2011. Jensen also held a Substitute Teaching License
30 that expired on August 5, 2008. During all relevant times, Jensen was employed by the Prosser
31 School District in Prosser Washington.
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- 33 2. On March 3, 2011, Jensen plead guilty and was convicted of the following crimes: one count of Utah
34 Criminal Code 76-5-404.1, Attempted Sexual Abuse of a Child 2nd Degree, a second degree felony.
35 Utah Criminal Code 76-5-404.1 is the substantial equivalent to Oregon Revised Statute (ORS)
36 163.427 Sex Abuse in the First Degree, A class B felony and a crime listed in ORS section 342.143.
37 3. The circumstances leading to Jensen's conviction involved the following: In June of 2010, while
38 visiting relatives in Springville, Utah, Jensen sexually touched his three (3) year-old niece while she
39 was sleeping. On August 24, 2010, Jensen self reported the incident to the Richland Washington

1 Police Department, who facilitated the reporting of the incident to Utah law enforcement. On
2 August 25, 2010 Jensen self reported the incident to his employer, Prosser School District. On
3 August 27, 2010, as a result of Jensen's disclosure, he resigned his employment with the Prosser
4 School District.

5 CONCLUSIONS OF LAW

6 Jensen's conviction constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR
7 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-
8 020-0040(1)(o) (*ORS 163.427 – Sex abuse in the First Degree*). This conduct also constitutes gross
9 unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(e) (*Admission of or engaging in*
10 *acts constituting criminal conduct, even in the absence of a conviction*). Pursuant to ORS 342.175(2)(a)
11 and OAR 584-020-0040(1) the Commission will deny, revoke or deny the right to apply for a license or
12 charter school registration to any applicant or educator who, has been convicted of any of the crimes
13 listed in ORS 342.143, or the substantial equivalent of any of those crimes if convicted in another
14 jurisdiction or convicted of attempt to commit such crimes as defined in 161.405.

15 Furthermore, the conduct underlying Jensen's conviction constitutes gross neglect of duty in
16 violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5)
17 (*Use professional judgment*), OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(3)(a)
18 (*Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal*
19 *integrity and honesty*). This conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c);
20 OAR 584-020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct, even in the*
21 *absence of a conviction*).

22 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

23 FINAL ORDER

24 The Commission hereby revokes the licensure of Joseph Michael Jensen and revokes Jensen's
25 right to apply for licensure.

26 IT IS SO ORDERED THIS 20th day of September, 2012.

27 TEACHER STANDARDS AND PRACTICES COMMISSION

28 By: 
29 Victoria Chamberlain, Executive Director

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NOTICE OF APPEAL OR 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 notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Joseph Michael Jensen
5003 Mockingbird Ct.
West Richland, WA 99353-5706

Dated this 20th day of September, 2012.

By: Patty Liddell
Patty Liddell
Investigative Assistant