

1 **STATE OF OREGON**

2 **TEACHER STANDARDS AND PRACTICES COMMISSION**

3 In the Matter of the )  
Teaching License of )  
4 JEFFREY ALLEN JOHNSON ) FINAL ORDER BY DEFAULT  
5 )

6 On April 3, 1997, the Teacher Standards and Practices Commission (the  
7 "Commission") issued a Notice of Opportunity for Hearing to Jeffrey Allen Johnson,  
8 proposing to revoke his Oregon Teaching License. On April 23, 1997, Mr. Johnson  
9 requested a hearing, and a hearing was scheduled for August 20, 1997. Mr. Johnson  
10 did not appear at the hearing. The Commission finds Mr. Johnson in default and  
11 enters this Order based on the hearing record in this matter.

12 The following exhibits were received into evidence without objection:

13 TSPC Exhibits:

- 14 1. Notice of Opportunity for Hearing dated April 3, 1997.  
15 2. Letter from Mr. Johnson dated April 23, 1997 requesting a hearing.  
16 3. Mr. Johnson's Application for License Authorizing Public School  
17 Service Form C-1 dated June 26, 1996.  
18 4. Letter from TSPC to California Commission on Teacher Credentialing  
("CTCC") dated March 26, 1997.  
19 5. Letter from CCTC to TSPC dated March 28, 1997 noting actual issue  
20 date of Mr. Johnson's California Teaching License.  
21 6. Letter from CCTC to TSPC confirming that Mr. Johnson's credentials  
were valid through 8/1/95 and were eventually revoked.  
22 7. Notice from CCTC to Mr. Johnson dated May 8, 1996 that his  
23 credentials had been revoked.  
24 8. Letter from TSPC to Mr. Johnson dated October 17, 1996 asking for  
clarification on arrests and convictions.  
25 9. Letter from Mr. Johnson to TSPC dated stamped November 12, 1996  
26 explaining arrests and convictions.

PAGE 1 - FINAL ORDER BY DEFAULT

- 1 10. Mr. Johnson's Plea of Guilty Form to the charge of Unlawful Sex with a  
2 Minor dated September 14, 1995.  
3 11. El Centro Police Department Report on the investigation into the charge  
4 of Unlawful Intercourse with a Minor - Case No. 95-2554.

### 5 FINDINGS OF FACT

- 6 1. On or about June 27, 1996, Mr. Johnson made application to receive an  
7 Oregon Teaching License endorsed for Elementary and Secondary Education.  
8 2. On the application, Mr. Johnson indicated "no" on Character Questions 4 and 7  
9 relating to the status of his teaching license and whether disciplinary action had  
10 been taken against that license.  
11 3. On or about May 2-3, 1996, CTCC revoked Mr. Johnson's teaching license  
12 based on his conviction for having unlawful sex with a minor. The decision to  
13 revoke was effective June 7, 1996.  
14 4. The police report from the California authorities, the information provided by  
15 the CCTC and Mr. Johnson's Plea of Guilty Form indicate that Mr. Johnson's  
16 teaching credentials were revoked for reasons and using procedures that are  
17 substantially equivalent to those permitting similar action in Oregon.  
18 5. On the C-1 Application Form, Mr. Johnson answered "no" to Character  
19 Question # 10 relating to convictions or nolo contendere pleas for felonies,  
20 misdemeanors or major traffic violations.  
21 6. Mr. Johnson pled no contest to the charge of unlawful sex with a minor, who  
22 was his student at the time, on September 14, 1995. He was placed on  
23 probation for three years, ordered to perform 500 hours of community service,  
24 and pay a fine of \$1000.00. Mr. Johnson was also required not to have further  
25 contact with the victim, participate in the Sex Offender Counseling Program  
26 and not to be employed as a teacher of minors or utilize his teaching credentials

PAGE 2 - FINAL ORDER BY DEFAULT

1 while on probation.

2 7. Mr. Johnson told the victim after they had sex that she did not have to attend  
3 his class anymore, and that he would give her an "A" at the end of the  
4 semester, despite her lack of attendance.

5 8. When applying for his Oregon Teaching License, Mr. Johnson altered the  
6 expiration date on his revoked California Teaching Credential from 1995 to  
7 1996 and submitted it to TSPC as a basis for Oregon Licensure. However, his  
8 license was valid only until August 1, 1995, and had been revoked effective  
9 June 7, 1996.

### 10 **ULTIMATE FINDINGS OF FACT**

11 1. Mr. Johnson knowingly submitted a document to the Commission when making  
12 application for an Oregon Teaching License containing numerous  
13 misrepresentations including: (1) the failure to acknowledge his prior conviction  
14 for unlawful sex with a minor, who was his student at the time, and (2) the  
15 failure to acknowledge disciplinary action taken by CTCC that resulted in the  
16 revocation of his California Teaching Credentials.

17 2. Mr. Johnson also knowingly altered the expiration date of his revoked  
18 California Teaching Credential when he submitted it to TSPC as a basis for  
19 obtaining his Oregon Teaching License.

### 20 **CONCLUSIONS OF LAW**

21 1. Mr. Johnson violated OAR 584-20-040(4)(c) when he submitted an application  
22 to the Commission containing knowing misrepresentations.

23 2. Mr. Johnson also violated OAR 584-20-040(4)(c) when he submitted an altered  
24 version of his California Teaching Credential to TSPC when applying for his  
25 Oregon licensure.

1 3. Mr. Johnson is grossly unfit to serve as an educator within the meaning of  
2 OAR 584-20-040(5) as evidenced by: (1) the revocation of his California  
3 Teaching Credentials for reasons and through procedures that are the same as,  
4 or substantially equivalent to those permitting similar action by TSPC; (2) the  
5 misrepresentations contained in his application form; and (3) his conviction for  
6 unlawful sex with a minor.

7 **OPINION**

8 Mr. Johnson's numerous misrepresentations and other actions indicate that he is  
9 grossly unfit to serve as an educator. Not only did he have sex with one of his  
10 students, but he then excused the student from attending his class and awarded her an  
11 unearned grade. Mr. Johnson's apparent violation of his probation, committed when  
12 he applied for his Oregon Teaching License, is additional evidence that he is neither a  
13 competent or ethical educator as those terms are used in the TSPC rules. Notification  
14 to the proper authorities of this possible parole violation is strongly recommended.

15 Mr. Johnson will be eligible to reapply for an Oregon Substitute Teaching  
16 License after a period of one year from the date of this Order. If Mr. Johnson  
17 reapplies, he shall:

18 1. Read the application carefully, answer all questions truthfully, and  
19 provide all necessary documents to support and clarify answers on the application.

20 2. Document that he has completed sex offender counseling.

21 3. Document that Mr. Johnson has complied with and completed all terms  
22 of his probation and has been a productive, law-abiding citizen.

23 At the time of reapplication, Mr. Johnson shall have the burden of proof to  
24 present evidence of fitness to serve as an educator.

1 **ORDER**

2 Mr. Johnson's misrepresentations and other actions were substantial and  
3 concerned matters directed related to his fitness as a educator. The Oregon Teaching  
4 License of Jeffrey Allen Johnson is hereby revoked.

5 DATED this 24<sup>th</sup> day of September, 1997.

6  
7 **TEACHER STANDARDS AND PRACTICES COMMISSION**

8 By:   
9 David M. Myton, Executive Secretary

10 **NOTICE: YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER.**  
11 **JUDICIAL REVIEW MAY BE OBTAINED BY FILING FOR**  
12 **JUDICIAL REVIEW WITHIN 60 DAYS OF THE SERVICE OF**  
13 **THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE**  
14 **PROVISIONS OF ORS 183.482 THROUGH THE OREGON**  
15 **COURT OF APPEALS.**

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PAGE 5 - FINAL ORDER BY DEFAULT