



1 misdemeanor in the Ravalli County District Court of Montana. Yorke was sentenced  
2 in part, to 20 years in prison, and required to register as a sex offender.

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4 3. Yorke's convictions arose from allegations that on or about March 6, 2015, while  
5 supervising students at a school event (traveling and staying at an away girls'  
6 basketball tournament), Yorke subjected a student, under the age of 18, to sexual  
7 contact without consent. Yorke's sexual contact included digital penetration and oral  
8 sex. Investigation determined Yorke also provided minor aged students with  
9 alcoholic beverages, and failed to care for these same intoxicated students when they  
10 became ill and required care.

### 11 CONCLUSIONS OF LAW

12 Yorke's convictions constitute gross neglect of duty in violation of ORS  
13 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*  
14 *professional judgment*); and OAR 584-020-0040(1) (*The Commission will deny, revoke*  
15 *or deny the right to apply for a license or charter school registration to any applicant*  
16 *or educator who, has been convicted of any of the crimes listed in ORS 342.143, or the*  
17 *substantial equivalent of any of those crimes if convicted in another jurisdiction*),  
18 including OAR 584-020-0040(1)(o) (*ORS 163.427 – Sexual Abuse in the First Degree*).  
19 This conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR  
20 584-020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct,*  
21 *even in the absence of a conviction*). Additionally, Yorke's convictions constitute "gross  
22 unfitness" in violation of ORS 342.175(1)(c), OAR 584-020-0040(3)(a) and (d) as  
23 defined by OAR 584-020-0040 (5) (*"Gross unfitness is any conduct which renders an*  
24 *educator unqualified to perform his or her professional responsibilities"*).

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26 Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards  
27 and Practices Commission must revoke Yorke's license and Yorke's right to apply for a  
28 license based on conviction of any of the crimes listed in ORS 342.143(3)(a), or the  
29 substantial equivalent of any of those crimes.

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31 Furthermore, the conduct underlying Yorke's indictments and convictions

1 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-  
2 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR  
3 584-020-0040(4)(k) (*Violation of any rule or order of the Commission*); OAR 584-  
4 020-0040(4)(f) (*Any sexual conduct with a student*) as defined by OAR 584-020-  
5 0005(5); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D)  
6 (*Honoring appropriate adult boundaries with students in conduct and conversations*  
7 *at all times*); and OAR 584-020-0035(3)(a) (*Maintain the dignity of the profession by*  
8 *respecting and obeying the law, exemplifying personal integrity and honesty*).  
9 Additionally, Yorke's conviction and conduct related to Yorke's conviction constitute  
10 "gross unfitness" in violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(a) and (d) as  
11 defined by OAR 584-020-0040 (5) (*Gross unfitness is any conduct which renders an*  
12 *educator unqualified to perform his or her professional responsibilities*).  
13

14 The Commission's authority to impose discipline in this matter is based upon ORS  
15 342.175.

16 **FINAL ORDER**

17 The Commission hereby revokes Scott Layton Yorke's Oregon educator license  
18 and his right to apply for licensure.

19 IT IS SO ORDERED THIS 30<sup>th</sup> day of September, 2016.

20 TEACHER STANDARDS AND PRACTICES COMMISSION

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*Monica Beane*

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By: \_\_\_\_\_  
Dr. Monica Beane, Executive Director

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**NOTICE OF APPEAL OR RIGHTS**

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:

Scott Layton Yorke #3018345  
c/o Montana State Prison  
700 Conley Lake DR  
Deer Lodge, MT 59722

Dated this 30<sup>th</sup> day of September, 2016.

By: Patty Sheldon  
Patty Sheldon  
Investigative Assistant