

1 STATE OF OREGON

2 TEACHER STANDARDS AND PRACTICES COMMISSION

3 In the Matter of the ~~Basic~~ ^{Am} Teaching License of | HOP FILE NO. 20010730
4 DARREN J. STRAND | FINAL ORDER

5
6 On April 24, 2001, Hearing Officer Catherine P. Coburn issued a proposed order to
7 revoke the Oregon Initial Teaching License of Darren Jay Strand. The proposed order contained
8 a notice permitting Mr. Strand to file written exceptions to the proposed order with the Teacher
9 Standards and Practices Commission within 30 days following service of the proposed order.
10 Mr. Strand has not filed written exceptions.

11 The Commission has reviewed the proposed order, and is now fully advised.

12 NOW, THEREFORE, IT IS HEREBY ORDERED that the findings of fact, conclusions
13 of law and proposed sanction in the proposed order are adopted and incorporated into this final
14 order by reference, and the Oregon Teaching License of Darren Jay Strand is hereby revoked.

15 DATED this 11th day of July, 2001.

16 TEACHER STANDARDS AND PRACTICES COMMISSION

17
18 By: David V. Myton
19 David V. Myton, Executive Director

20 NOTICE: You are entitled to judicial review of this order. Judicial review may be obtained by
21 filing a petition for review within 60 days of the service of this order. Judicial review is pursuant
22 to the provision of ORS 183.482 to the Oregon Court of Appeals.
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STATE OF OREGON
BEFORE THE HEARING OFFICER PANEL

for
THE TEACHER STANDARDS AND PRACTICES COMMISSION

In the Matter of the Teaching License of)
Darren Jay Strand)

DOJ File No.: 584-001-GE0040-01
HOP File No.: 20010730

TEACHER STANDARDS)
AND PRACTICES COMMISSION)

PROPOSED ORDER

v.)

DARREN JAY STRAND)

On December 6, 2000, the Teacher Standards and Practices Commission (Commission) filed a Notice of Opportunity for Hearing (Notice) alleging that Darren Jay Strand (respondent) was convicted of three criminal statutes. On December 28, 2000, respondent, represented by Attorney at Law Angela L. Pitts timely appealed the Notice. On March 7, 2001, the Commission, represented by Assistant Attorney General Joe Gordon McKeever filed a Motion for Ruling on a Legal issue pursuant to OAR 137-003-0580.

NOTICE

On December 6, 2000, the Commission issued a Notice which proposed to revoke respondent's Oregon Teaching License pursuant to ORS 342.175 through 342.190 and the Standards for Competent and Ethical Performance of Oregon Educator, OAR 584, Division 020.

The Commission alleged the following misconduct:

1. On or about October 2, 2000, respondent was convicted of Contributing to the Sexual Delinquency of a Minor (Count 1), ORS.163.435.
2. On Or about December 2, 2000, respondent was convicted of Sexual Abuse in the Third Degree (Count 2), ORS 163.415 .
3. On or about December 2, 2000, respondent was convicted of Furnishing Liquor to a Minor (Count 4) ORS 471.410.

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ISSUES

The issue is whether revocation of respondent's Oregon Teaching License is warranted where he was convicted of ORS 163.435, ORS 163.415 and ORS 471.410.

EVIDENTIARY RULINGS

The Commission attached Exhibits 1 and 2 to the Motion for Ruling on a Legal Issue dated March 7, 2001. Having received no objection to these exhibits, I now consider them.

FINDINGS OF FACT

Respondent holds an Oregon Initial Teaching License. The effective date is August 24, 1999 and the expiration date is August 15, 2003. (Ex. 1). On October 2, 2000, respondent was convicted of Count 1: Contributing to the Sexual Delinquency of a Minor; Count 2: Sexual Abuse in the Third Degree and Count 4: Furnishing Liquor to a Minor. (Ex. 2).

OPINION AND CONCLUSIONS OF LAW

ORS 342.175(2) provides:

“Notwithstanding ORS 670.280, the Commission shall revoke any license or registration *** when the holder or person has been convicted of any crime described in ORS 342.143(3).”

The crimes listed under ORS 342.143(3) include Contributing to the Sexual Delinquency of a Minor, ORS 163.435 and Sexual Abuse in the Third Degree ORS 163.414. The statute establishes a *per se* rule. Without exception, revocation of the Oregon Teaching License of a person who is convicted of crimes listed under ORS 342.143(3) is mandatory.

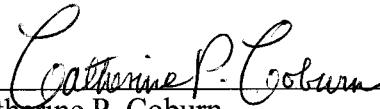
Based on the evidence, I find that there is no genuine issue as to any material fact that is relevant to the issue whether revocation is warranted. Pursuant to OAR 137-003-0580(4), I conclude that the Commission is entitled to a favorable ruling as a matter of law.

1 **ORDER**

2 The Oregon Initial Teaching License of Darren Jay Strand shall be revoked.

3 IT IS SO ORDERED.

4 Dated this 24th day of April, 2001 at Salem, Oregon.

5 
6 Catherine P. Coburn
7 Administrative Law Judge
8 Hearing Officer Panel

9 **NOTICE OF OPPORTUNITY FOR ADMINISTRATIVE REVIEW**

10 NOTICE: Pursuant to OAR 137-003-0650, you are entitled to file written exceptions to this
11 Proposed Order. Written exceptions must be received by the Teacher Standards and Practices
12 Commission within 30 days following the date of service of this Proposed Order. Mail
13 exceptions to:

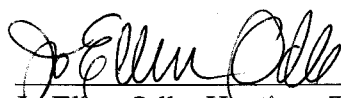
14 Teacher Standards and Practices Commission
15 Public Service Building
16 255 Capitol Street NE
17 Salem, OR 97310-1332
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served copies of the foregoing Proposed Contested Case Hearing Order for Darren Jay Strand, Case No. 584-001-GE0040-01, upon the following parties by causing to be mailed on the 24th day of April, 2001, a true, exact and full copy thereof, enclosed in an envelope with postage prepaid, addressed to:

Darren Jay Strand
745 Greenwood Street
Junction City, OR 97448

Joe G. McKeever
Assistant Attorney General
1162 Court Street NE
Salem OR 97301-4096

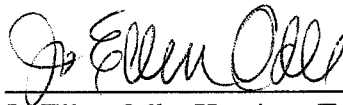


Jo Ellen Odle, Hearings Technician
Hearing Officer Panel

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3 **AMENDED CERTIFICATE OF SERVICE**

4 I HEREBY CERTIFY that I have served copies of the foregoing Proposed Contested
5 Case Hearing Order for Darren Jay Strand, Case No. 584-001-GE0040-01, upon the following
6 parties by causing to be mailed on the 24th day of April, 2001, a true, exact and full copy thereof,
7 enclosed in an envelope with postage prepaid, addressed to:

8 Angela J. Pitts
9 Attorney at Law
10 1099 SW Columbia
11 Suite 300
12 Portland OR 97201

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Jo Ellen Odle, Hearings Technician
19 Hearing Officer Panel
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