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

In the Matter of the)
Educator License of)
MICHAEL N. TODD)
DEFAULT ORDER OF
REVOCAION AND REVOKE
RIGHT TO APPLY

10 On October 23, 2023, the Teacher Standards and Practices Commission
11 (Commission) issued an Amended Notice of Opportunity for Hearing to Michael N.
12 Todd, (Todd) in which the Commission charged him with Gross Neglect of Duty and /or
13 Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail
14 Receipt 9589 0710 5270 0844 8660 98 to the address on file with the Commission. The
15 Notice designated the Commission file as the record for purposes of proving a prima
16 facie case. The Notice was confirmed as received by Todd’s attorney of record at the
17 time, Aruna Masih. The Notice of Opportunity of Hearing, dated October 23, 2023, and
18 signed by Melissa Goff, Executive Director, stated:

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“IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING,
WITHDRAW YOUR REQUEST FOR HEARING, OR IF YOU FAIL TO APPEAR
AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT
APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF
DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF
YOUR LICENSE OR OTHER DISCIPLINE.”

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21 Per direction by Todd’s current attorney, Margaret Olney, Todd has requested
22 that this matter be resolved via a Default Order. The Commission, therefore, finds Todd
23 to be in default and enters the following findings of fact, conclusions of law, and final
24 order, based on the files and records of the Commission concerning this matter.
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FINDING OF FACT

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1. Todd has been licensed by the Commission since September 4, 2015. Todd held a
Preliminary Teaching License, with endorsements in Elementary Multiple Subjects
(PK-12) and Special Education – General (PK-12), valid from February 24, 2017
through April 21, 2020. Todd’s license has since expired, and the Commission has no

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1 renewal or licensure applications for him currently on file. During all relevant times
2 Todd was employed by Portland Public Schools (PPS) as an elementary school
3 teacher at Creston Elementary School.
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- 5 2. On March 5, 2019, the Commission received a misconduct report from PPS alleging
6 that on September 19, 2018, PPS staff received a phone call from the United States
7 Department of Homeland Security (DHS) notifying the district that Todd was being
8 criminally investigated by DHS for possession of child pornography.
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10 Per PPS records, on September 19, 2018, PPS Legal Counsel, Mary Kane was notified
11 by Federal Immigration and Customs Enforcement Special Agent, Travis Jones that
12 Todd was under investigation for purchasing and viewing illegal child pornography
13 online, via personal computer, outside of school on several dates in 2018. Agent
14 Jones and Kane remained in contact while the criminal investigation was conducted,
15 and Agent Jones relayed to Kane that on September 19, 2018, Todd used his credit
16 card to purchase access to an online fee-based illegal juvenile pornography website.
17 The purchase allowed Todd to view several electronic images of “semi-nude and fully
18 nude pre-pubescent minors.” (Both male and female.) Agent Jones advised Kane
19 that Todd’s credit card had also been used to make additional purchases for access to
20 child pornography in January and February 2018, while Todd was employed with
21 PPS. Agent Jones reported to Kane that Todd had admitted to purchasing/viewing
22 illegal juvenile pornography in the past, “4-5 years ago.” This would have included
23 the time frame Todd was employed with PPS. (Todd’s employment with PPS started
24 in 2015.) On April 18, 2019, Agent Jones advised Kane that a search of Todd’s
25 electronic devices yielded no illegal pornographic material. Agent Jones reported to
26 Kane that the search of Todd’s electronic devices “showed evidence of child
27 pornography in the cache files” but also showed evidence that the electronic evidence
28 had been “purged” using a software program called “C-Cleaner” several days prior to
29 federal investigators visiting his residence in Beaverton, Oregon. As a result, federal
30 prosecutors declined to prosecute or indict Todd on federal charges of possession or
31 distribution of child pornography. PPS requested that Todd participate in an
32 interview related to this investigation, and upon advice of his attorney of record at
33 the time, Ralph Wiser, he declined to participate. PPS terminated Todd’s
34 employment on June 26, 2019.
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- 36 3. On March 15, 2021, Commission investigative staff requested that Todd participate
37 in an interview regarding this matter. On March 16, 2021, the Commission received
38 an email response from Todd’s attorney, Ralph Wiser, declining the interview
39 request. On March 17, 2021, the Commission sent a response to Mr. Wiser,
40 acknowledging Todd’s desire not to participate in an interview, and advising Todd
41 that failure to participate in an interview could be interpreted by the Commission as
42 you failing to cooperate with a TSPC investigation under OAR 584-020-0040. On
43 March 18, 2021, the Commission received an email response from Mr. Wiser,
44 acknowledging this information, and reiterating once again that Todd did not wish to
45 participate in an interview with TSPC.
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1 **CONCLUSIONS OF LAW**

2 The conduct as described in section two (2) above, constitutes gross neglect of
3 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates
4 OAR 584-020-0010(5) (*Use professional judgment*). This conduct also constitutes gross
5 unfitness in violation of ORS 342.175(1)(c); and OAR 584-020-0040(5)(e) (*Admission*
6 *of or engaging in acts constituting criminal conduct, even in the absence of a*
7 *conviction*). Your conduct

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9 The conduct as described in section three (3) above, constitutes gross neglect of
10 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates
11 OAR 584-020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(4)(p)(
12 *Subject to the exercise of any legal right or privilege, failure or refusal by an educator*
13 *under investigation to respond to requests for information, to furnish documents or to*
14 *participate in interviews with a Commission representative relating to a Commission*
15 *investigation*).

16 The Commission’s authority to impose discipline in this matter is based
17 upon ORS 342.175.

18 **FINAL ORDER**

19 The Commission hereby revokes Todd’s Oregon teaching license and revokes his
20 right to apply for a license.

21 IT IS SO ORDERED THIS 18 day of July, 2024.

22 **TEACHER STANDARDS AND PRACTICES COMMISSION**

23 By: 
24 _____
25 Melissa Goff, Interim Executive Director

26 **NOTICE OF APPEAL OR RIGHTS**

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28 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
29 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
30 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
31 ORS 183.482 TO THE OREGON COURT OF APPEALS.