

1 several arrest and convictions which were not included in Spencer's written response
2 to his application's character questions. The arrests and convictions noted on the
3 criminal check were as follows:

4 a. On March 4, 2014, Spencer was arrested in North Carolina for Failing to Report a
5 Vehicle Accident; Hit and Run Vehicle Accident with Property Damage; Reckless
6 Driving to Endanger Persons/Property; Resisting/Delaying/Obstructing Public
7 Officer while Discharging Duties. Spencer was found guilty and convicted on two
8 counts of reckless driving and sentenced to one (1) year probation and fined.

9 b. On December 4, 2014, Spencer was arrested in New York for Assault with Intent
10 to Cause Serious Injury with a Weapon; Assault with Intent to Cause Physical
11 Injury with a Weapon/Instrument; and Criminal Possession of a Weapon. The
12 matter was dismissed.

13 c. On March 19, 2015, Spencer was arrested in North Carolina for Assault on a
14 Female; Disorderly Conduct/Violent Conduct; and Simple Assault. The matter
15 was dismissed.

16 d. On August 13, 2016, Spencer was arrested in Kentucky for Operating a Motor
17 Vehicle While Under the Influence of Alcohol/Drugs/Etc. Spencer was found
18 guilty and convicted of being a Fugitive and his license suspended for one (1)
19 year.

20 e. On August 7, 2019, Spencer was arrested in Albany, Oregon, for Driving Under
21 the Influence of Intoxicants; Reckless Driving; and Criminal Driving While
22 Suspended. The matter was dismissed.

23
24 3. Investigation determined that Spencer wrote on his application he was arrested in
25 North Dakota for Driving Under the Influence and later charged with driving with a
26 suspended license. Additional information obtained in Spencer's investigation
27 showed the arrest in North Dakota occurred on December 2, 2018, for Driving Under
28 the Influence. Spencer plead guilty and was convicted. Spencer was sentenced to ten
29 (10) days in jail, one (1) year probation, fined \$750, and his license was suspended
30 for one (1) year.

1 In Spencer's interview with TSPC investigators, Spencer admitted to all the arrests
2 and convictions. Spenser admitted to using a knife to injure persons in an incident in
3 New York, which resulted in his arrest and the matter later being dismissed. Spenser
4 admitted to having a physical altercation with a male in North Carolina, which
5 resulted in his arrest and the matter later being dismissed.

6
7 On Spencer's application, he answered "NO" to the Character Question, "*Have you
8 ever left any educational or school-related employment, voluntarily or
9 involuntarily, while the subject of or within the six months following an inquiry,
10 review or investigation of alleged misconduct? Have you ever left educational or
11 school-related employment when you had reason to believe an investigation for
12 misconduct was underway or imminent?*" In Spencer's interview with TSP
13 investigators, he admitted to leaving a teaching position in North Dakota because he
14 was on duty under the influence of alcohol and the district sought his removal if
15 Spencer did not resign.

16 17 **CONCLUSIONS OF LAW**

18 Jonathan R. Spencer's conduct as described in sections two (2) and three (3)
19 above constitute gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-
20 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR
21 584-020-0040(o) as it incorporates OAR 584-020-0035(3)(a) (*Maintain the dignity of
22 the profession by respecting and obeying the law, exemplifying personal integrity and
23 honesty*); OAR 584-020-0040(4)(c) (*Falsification of any document or knowing
24 misrepresentation directly related to licensure, employment, or professional duties*);
25 OAR 584-020-0040(4)(g) (*Appearing on duty or at any district-sponsored activity
26 while under the influence of alcohol or any controlled substance*).

27 Spencer's conduct described in section two (2) and three (3) above also
28 constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-0040 (5)(b)
29 (*Fraud or misrepresentation*); OAR 584-020-0040(5)(c) (*Conviction of violating any
30 federal, state, or local law. A conviction includes any final judgment of conviction by a
31 court whether as the result of guilty plea, no contest plea or any other means*) and OAR

1 584-020-0040(5)(e) (*Admission of or engaging in acts constituting criminal conduct,*
2 *even in the absence of a conviction.*

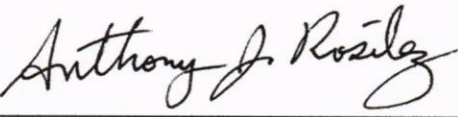
3
4 The Commission's authority to impose discipline in this matter is based upon
5 ORS 342.175.

6 **FINAL ORDER**

7 The Commission hereby denies Jonathan R. Spencer's application and revokes
8 Jonathan R. Spencer's right to apply for an educator license.

9
10 IT IS SO ORDERED THIS 29th day of September, 2020.

11 TEACHER STANDARDS AND PRACTICES COMMISSION

12 By: 
13 Dr. Anthony Rosilez, Executive Director

14 **NOTICE OF APPEAL OR RIGHTS**

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16
17 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
18 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
19 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
20 ORS 183.482 TO THE OREGON COURT OF APPEALS.