1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON	
3 4 5 6 7	In the Matter of the DEFAULT ORDER OF REVOCATION OF RIGHT TO APPLY FOR LICENSURE DREW A. BYINGTON	
8	On June 23, 2021, the Teacher Standards and Practices Commission	
9	(Commission) issued a Notice of Opportunity for Hearing to Drew A. Byington	
10	(Byington) in which the Commission charged him with Gross Neglect of Duty and/or	
11	Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail	
12	Receipt 7019 2970 0000 4903 8744 to the address on file with the Commission. The	
13	Notice designated the Commission file as the record for purposes of proving a prima	
14	facie case. The Certified Mail was returned unsigned to the Commission on June 29,	
15	2021. The regular first class mail was not returned to the Commission, and assumed	
16	delivered. The Notice of Opportunity of Hearing, dated June 23, 2021, and signed by	
17	Anthony Rosilez, Executive Director, stated:	
18	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY	
19	PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED	
20 21	UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING,	
22	WITHDRAW YOUR REQUEST FOR HEARING, OR IF YOU FAIL TO APPEAR	₹
23	AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT	-
24	APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF	
25	DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF	7
26	YOUR LICENSE OR OTHER DISCIPLINE."	
27 28	Byington did not request a hearing. The Commission, therefore, finds Byington to be i	in
29	default and enters the following findings of fact, conclusions of law, and final order,	
30	based on the files and records of the Commission concerning this matter.	
31		
32	FINDINGS OF FACT	
33	1. The Commission has licensed Byington since January 20, 2006. Byington held	a
34	Preliminary Teaching License, with an endorsements in Biology (PK-12), valid	
35	from April 11, 2016, through May 2, 2019.	
36	2. On October 23, 2019, the Commission received information alleging Byington	
37	may have committed acts of gross neglect of duty and/or gross unfitness.	

1		Speci	ifically, the information reported that Byington had been arrested for various
2		crimi	inal offenses and jailed on several occasions, and that Byington was serving a
3		thirte	een (13) month prison sentence for theft.
4			
5	3.	Inves	stigation identified numerous records from Oregon Judicial Department for
6		Bying	gton, indicating he was arrested fifteen (15) times since August 1, 2014, with
7		thirte	een (13) of those arrests since January 5, 2018. Byington's thirteen (13)
8		arres	ts are on the below listed charges and dates with the court adjudication and
9		dates	
10			
11		a.	Theft in the second degree on January 5, 2018, in Klamath County.
12			Convicted and sentenced to 12 months' probation on March 5, 2018.
13		b.	Theft in the second degree on March 1, 2018, in Klamath County.
14			Convicted and case was discharged on July 17, 2018.
15		c.	Theft in the second degree and Criminal Trespass in the first degree on
16			June 5, 2018, in Klamath County. Convicted and ordered to pay restitution
17			on July 17, 2018.
18		d.	Theft in the second degree and Criminal Trespass in the first degree on
19			June 5, 2018, in Klamath County (different court case). Convicted and case
20			was discharged on July 17, 2018.
21		e.	Unlawful Possession of Methamphetamine on June 6, 2018, in Klamath
22			County. Convicted and discharged on July 17, 2018.
23		f.	Criminal Trespass in the first degree on June 7, 2018, in Klamath County.
24			Convicted and discharged on July 17, 2018.
25		g.	Theft in the third degree (reduced to a misdemeanor) and Criminal
26			Trespass in the first degree on June 18, 2018, in Klamath County.
27			Convicted and conditional discharge on July 17, 2018. Charges were to be
28			dismissed if graduates from Veterans Court. Sentence was amended on
29			October 16, 2018, to thirty (30) days' incarceration.
30		h.	Violation of Driving While Suspended or Revoked, Driving Uninsured, and
31			Failure to Yield When Entering Roadway on August 8, 2018, in Marion

ī		County. Convicted and ordered to pay trame fines of \$1,185.00 on			
2		September 20, 2018.			
3	i.	Violation of Driving While Suspended or Revoked and Driving Uninsured			
4		on August 17, 2018, in Deschutes County. Convicted and ordered to pay			
5		traffic fines of \$705.00 on October 25, 2018.			
6	j.	Theft in the first degree, Unlawful Possession of Methamphetamine and			
7		Failure to Appear in first degree on October 5, 2018, in Linn County.			
8		Convicted for Theft in first degree and other charges dismissed, sentenced			
9		to thirteen (13) months' incarceration with Oregon Department of			
10		Corrections and twelve (12) months' post-prison supervision on March 18,			
11		2019.			
12	k.	Theft in second degree on November 19, 2018, in Washington County.			
13		Dismissed on February 25, 2019. Case was merged with arrest from			
14		February 4, 2019, below (item m.)			
15	l.	Theft in the second degree and Criminal Trespass in the first degree on			
16		December 5, 2018, in Klamath County. Court disposition dismissed			
17		September 19, 2019.			
18	m.	Theft in the second degree on February 4, 2019, in Washington County.			
19		Convicted February 25, 2019 and sentenced to bench probation for			
20		eighteen (18) months, forty-five (45) days' incarceration, and \$600 fine.			
21					
22		CONCLUSIONS OF LAW			
23	Drew	A. Byington's conduct and criminal convictions/arrests as described above			
24	are grounds to revoke his right to apply for licensure under ORS 343.143(2).				
25	Additionally, the allegations described above constitute gross neglect of duty in violation				
26	of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-				
27	0010(5) (Use professional judgment); OAR 584-020-0040(4)(0) as it incorporates OAR				
28	584-020-0035(3)(a) (Maintain the dignity of the profession by respecting and obeying				
29	the law, exemplifying personal integrity and honesty). The conduct and criminal				
30	convictions/arrests as described above also constitutes gross unfitness in violation of				
31	ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (Conviction of violating any federal,				
32	state, or loc	al law. A conviction includes any final judgment of conviction by a court			

020-0040(5)(e) (Admission of or engaging in acts constituting criminal conduct, even
in the absence of a conviction).
The Commission's authority to impose discipline in this matter is based upon
ORS 342.175.
FINAL ORDER
The Commission hereby revokes Drew A. Byington's Right to Apply for an
Oregon educator license.
IT IS SO ORDERED THIS 29 day of July, 2021.
TEACHER STANDARDS AND PRACTICES COMMISSION
By:
Dr. Anthony Rosilez, 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.