

1 Specifically, the information reported that Byington had been arrested for various
2 criminal offenses and jailed on several occasions, and that Byington was serving a
3 thirteen (13) month prison sentence for theft.
4

5 3. Investigation identified numerous records from Oregon Judicial Department for
6 Byington, indicating he was arrested fifteen (15) times since August 1, 2014, with
7 thirteen (13) of those arrests since January 5, 2018. Byington's thirteen (13)
8 arrests 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

1 County. Convicted and ordered to pay traffic 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)(o) 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 local law. A conviction includes any final judgment of conviction by a court*

1 *whether as the result of guilty plea, no contest plea or any other means*); and OAR 584-
2 *020-0040(5)(e) (Admission of or engaging in acts constituting criminal conduct, even*
3 *in the absence of a conviction).*

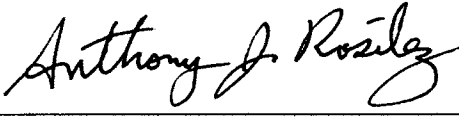
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5 The Commission’s authority to impose discipline in this matter is based upon
6 ORS 342.175.

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8 **FINAL ORDER**

9 The Commission hereby revokes Drew A. Byington’s Right to Apply for an
10 Oregon educator license.

11
12 IT IS SO ORDERED THIS 29th day of July, 2021.

13
14 **TEACHER STANDARDS AND PRACTICES COMMISSION**

15 By: 
16 Dr. Anthony Rosilez, Executive Director
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18

19 **NOTICE OF APPEAL OR RIGHTS**

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21 **YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY**
22 **BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE**
23 **SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF**
24 **ORS 183.482 TO THE OREGON COURT OF APPEALS.**