1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4	In the Matter of the) DEFAULT ORDER OF
5	Educator License of) REVOCATION OF
6 7	JEFFERY L. COMSTOCK) LICENSURE
8	On January 29, 2021, the Teacher Standards and Practices Commission
9	(Commission) issued a Notice of Opportunity for Hearing to Jeffery L. Comstock
10	(Comstock) 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 8553 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 to the Commission signed on February 3,
15	2021. The regular first class mail was not returned to the Commission, and assumed
16	delivered. The Notice of Opportunity of Hearing, dated January 29, 2012, 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	UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
21	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 25	APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF
26	YOUR LICENSE OR OTHER DISCIPLINE."
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28	Comstock did not request a hearing. The Commission, therefore, finds Comstock to be
29	in 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.
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32	FINDINGS OF FACT
33	1. The Commission has licensed Comstock since June 29, 2004. Comstock holds a
34	Professional Teaching License, with endorsements in Social Studies (PK-12);
35	Elementary – Multiple Subjects (PK-12); and Legacy Middle Level (PK-12), valid
36	from January 19, 2016, through January 12, 2022. During all relevant times,
37	Comstock was employed by the North Santiam School District (NSSD).

- 2. On January 23, 2020, the Commission received information from the NSSD indicating Comstock may have committed acts which constitute gross neglect of duty. The district reported that on or about January 7, 2020, Comstock worked under the influence of intoxicants at his assigned place of duty.
- 3. Investigation determined that on the morning of January 7, 2020, while Comstock was teaching at Mari-Linn School, NSSD, multiple staff and students reported to school administrators that during duty hours, they observed Comstock falling asleep in the classroom, that he was unsteady on his feet, that his eyes were blood-shot, that his breath smelled of alcohol, that his speech was slurred and incoherent, and that he had a loss of inhibitions. Before staff could meet with Comstock, he drove away from campus in his personal automobile. Later in the day, Comstock returned to campus and met with school officials.
- 4. On February 14, 2020, Comstock told a TSPC investigator by phone that he had no intention to return to teaching, he wished to relinquish his license and he declined to participate in a TSPC investigative interview. On February 20, 2020, Comstock provided TSPC a letter reiterating what he told the investigator on February 14, 2020, and that he admitted no guilt and would not defend his actions.

CONCLUSIONS OF LAW

Jeffery L. Comstock's conduct described above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*); and OAR 584-020-0040(4)(g) (*Appearing on duty or at any district-sponsored activity while under the influence of alcohol or any controlled substance*).

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

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Ł	FINAL OKDER
2	The Commission hereby revokes Jeffery L. Comstock's Oregon educator license.
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4	IT IS SO ORDERED THIS/\day of June, 2021.
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6	TEACHER STANDARDS AND PRACTICES COMMISSION
7	By: Anthony J. Rosiles
8	Dr. Anthony Rosilez, Executive Director
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0	NOWIGE OF ARREST OR RECEIVE
2	NOTICE OF APPEAL OR RIGHTS
3	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
4	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
5	SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
6	ORS 183.482 TO THE OREGON COURT OF APPEALS.