1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4 5 6 7	In the Matter of the DEFAULT ORDER OF REVOCATION Educator License of AND REVOCATION OF RIGHT TO HENRY J. CLAXTON APPLY FOR LICENSURE
8	On May 3, 2024, the Teacher Standards and Practices Commission (Commission)
9	issued a Notice of Opportunity for Hearing to Henry J. Claxton (Claxton) in which the
10	Commission charged him with Gross Neglect of Duty and/or Gross Unfitness. The
11	Notice was sent via U.S. First-Class Mail and U.S. Certified Mail Receipt 9589 0710
12	5270 0408 4715 60 to the address on file with the Commission. The Notice designated
13	the Commission file as the record for purposes of proving a prima facie case. The return
14	receipt for the Notice sent Certified Mail was signed on May 8, 2024, and returned to
15	the Commission. The regular First-Class mail was not returned to the Commission, and
16	assumed delivered. The Notice of Opportunity of Hearing, dated May 3, 2024, and
17	signed by Melissa Goff, Interim Executive Director, stated:
18 19 20 21 22 23 24 25 26 27	"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."
28	On May 28, 2024, Claxton's attorney sent the Commission an email indicating Claxton
29	would not contest the matter. The Commission, therefore, finds Claxton to be in default
30	and enters the following findings of fact, conclusions of law, and final order, based on
31	the files and records of the Commission concerning this matter.
32	
33	FINDINGS OF FACT
34	1. The Commission has licensed Claxton since September 20, 2019. Claxton held a
35	Preliminary Teaching License, with endorsements in Elementary – Multiple
36	Subjects (PK-12), valid from January 14, 2021, through October 12, 2023. During
37	all relevant times. Claxton was employed by the Dayton School District (DSD).

2. On August 2, 2022, the Commission received a report from the DSD indicating Claxton was arrested and charged with criminal conduct that could constitute a violation of Commission rules. Specifically, the DSD reported Claxton was arrested and charged with Sexual Abuse in the First Degree which involved a minor-aged female.

3. Investigation found that in the evening on or about June 23, 2022, Claxton was visiting an adult friend at the friend's residence in McMinnville. Also present in the residence were the friend's two (2) children. During the visit, Claxton socialized with and watched a movie with the family. Claxton intended to spend the night at the friend's residence. While Claxton was watching the movie in the living room, Claxton was resting on a portable mattress located on the floor which would serve as his bed for the evening. Also resting on the mattress and watching the movie was the friend's ten (10) year-old daughter. Claxton fell asleep watching the movie. The daughter also fell asleep on the mattress.

4. Investigation found early in the morning hours on or about June 24, 2022, Claxton touched the clothed buttocks of the daughter. Claxton then touched the daughter's body under her clothing. As this occurred, the daughter immediately arose from the bed and indicated she was going to sleep in her father's bedroom.

5. On July 18, 2022, Claxton was arrested by the McMinnville Police Department on one felony count of Sexual Abuse in the First Degree which involved the friend's ten (10) year-old daughter. On October 18, 2023, Claxton accepted a plea agreement in which he plead guilty to one misdemeanor count of Harassment by intentionally subjecting the ten (10) year-old to offensive physical contact by touching her intimate parts. On October 19, 2023, Claxton was convicted of one misdemeanor count of Harassment. On May 26, 2022, Claxton was sentenced in Yamhill County Circuit Court to a suspended sentence and supervised probation for eighteen (18) months. Some of the conditions of Claxton's probation include not being around persons under eighteen (18) years of age or visiting places know

1	to be frequented by persons under eighteen (18) years of age without written
2	approval by supervising official.
3	
4	CONCLUSIONS OF LAW
5	Henry J. Claxton' conduct as described in section four (4) above constitutes gross
6	neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(f) (Any sexual
7	conduct with a student) as defined by OAR 584-020-0005(5); OAR 584-020-
8	0040(4)(n) as it incorporates OAR 584-020-0010(1) (Recognize the worth and dignity
9	of all persons and respect for each individual), OAR 584-020-0010(5) (Use
10	professional judgment); OAR 584-020-0040(4)(0) as it incorporates and OAR 584-
11	020-0035(1)(c)(D) (Honoring appropriate adult boundaries with students in conduct
12	and conversations at all times) and OAR 584-020-0035(3)(a) (Maintain the dignity of
13	the profession by respecting and obeying the law, exemplifying personal integrity and
14	honesty).
15	Claxton's criminal conviction and conduct related to his conviction as described
16	in sections four (4) and five (5) above, constitutes gross unfitness in violation of ORS
17	342.175(1)(c); OAR 584-020-0040(5) (Gross unfitness is any conduct which renders an
18	educator unqualified to perform his or her professional responsibilities), and OAR 584-
19	020-0040(5)(e) (Admission of or engaging in acts constituting criminal conduct, even
20	in the absence of a conviction).
21	The Commission's authority to impose discipline in this matter is based upon
22	ORS 342.175.
23	
24	FINAL ORDER
25	The Commission hereby revokes Henry J. Claxton's Oregon educator license and
26	Claxton's right to apply for an Oregon educator license.
27 28	IT IS SO ORDERED THIS day of June, 2024.
29 30 31 32 33	TEACHER STANDARDS AND PRACTICES COMMISSION

By: 1 2 Melissa Goff, Interim Executive Director 3 4 5 6 NOTICE OF APPEAL OR RIGHTS 7 8 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY 9 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE 10 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS. 11