1 2 3 4	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
5 6 7	In the Matter of the) DEFAULT ORDER OF Teaching License of) DENIAL OF REINSTATEMENT JAMES R. NORTON) OF TEACHING LICENSE
8 9	On August 14, 2009, the Teacher Standards and Practices Commission (Commission)
10	issued a Notice of Opportunity for Hearing to James R. Norton (Norton) in which the
11	Commission denied his application for reinstatement of his teaching license for having failed to
12	furnish evidence satisfactory to the Commission of good moral character, mental and physical
13	health, and trustworthiness that the Commission considers necessary to establish fitness to
14	serve as an educator. The Commission's action is taken under ORS 342.143(2), ORS
15	342.175(3), and its administrative rules implementing that legal authority under OAR Chapter
16	584 Division 020, OAR 584-050-0018. The Notice was sent via U.S. First Class Mail and U.S.
17	Certified Mail Receipt 7008 1140 0002 8580 9492 to the address on file with the Commission.
18	The U.S. Postal Service delivered the notice which Norton signed for on August 17, 2009. The
19	Notice of Opportunity of Hearing, dated August 14, 2009, and signed by Victoria Chamberlain,
20	Executive Director, stated:
21 22 23 24 25 26	"You, James R. Norton, are entitled to a hearing on the proposed action of the Commission. If you want a hearing, you must file a written request for a hearing with the Commission within 60 days of the date of this notice. If you do not request a hearing or if you fail to appear at a hearing, the Commission will adopt an Order of Default which may include the revocation or suspension of your license or other discipline."
27	Mr. Norton did not request a hearing. The Commission, therefore, finds Mr. Norton to be
28	in default and enters the following findings of fact, conclusions of law and order, based on the
29	files and records of the Commission concerning this matter.
30	FINDINGS OF FACT
31	1. On or about October 12, 2008, James Norton applied to the Commission for reinstatement of
32	his revoked license. Mr. Norton's license was revoked on September 7, 2005, following a
33	contested case hearing in connection with failing to disclose criminal convictions for one cour

of Assaulting a Public Safety Officer, one count of Assault IV and one count of Criminal

Mischief. The convictions stemmed from an altercation in a parking lot involving one person

and several police officers. You were found to have engaged in gross neglect of duty in

connection with these incidents.

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2. As part of Mr. Norton's reinstatement application, he submitted several letters explaining the circumstances leading to the conviction. In these letters, Mr. Norton denied responsibility for the conviction and stated the counts against him were false. Mr. Norton minimized the circumstances of the incident by shifting responsibility away from him.

CONCLUSIONS OF LAW

Mr. Norton's October 12, 2008, application for reinstatement of his revoked license is denied because the information submitted, along with his reinstatement documents, did not establish that he possess good moral character, trustworthiness, or physical and mental health to hold an educator's license. The conduct Mr. Norton engaged in that resulted in revocation, including the criminal conviction and surrounding circumstances; and the failure to disclose his criminal convictions as raised in the revocation hearing, demonstrates that he does not possess good moral character, trustworthiness, or physical and mental health to hold an educator's license as required by OAR 584-050-0018. The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

1 **FINAL ORDER** 2 The Commission hereby denies James R. Norton's application to reinstate his educator 3 license. 4 5 Approved by the Commission on November 6, 2009, effective November 9, 2009. IT IS SO ORDERED THIS 12th day of July, 2010. 6 7 TEACHER STANDARDS AND PRACTICES COMMISSION 9 10 Victoria Chamberlain, Executive Director 12 13 NOTICE OF APPEAL OR RIGHTS 14 15 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY 16 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 17 ORS 183.482 TO THE OREGON COURT OF APPEALS. 18

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CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

James R. Norton PO Box 1752

Pleasanton CA 94566-0175

Dated this _

_day of July, 2010.

By:

Melody Hanson

Executive Assistan