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 Teaching License of) SUSPENSION OF RIGHT DANIEL NORMAN JOHNSON) TO APPLY FOR LICENSE
8 9	On May 6, 2010, the Teacher Standards and Practices Commission (Commission)
10	issued a Notices of Opportunity for Hearing to Daniel Norman Johnson (Johnson) in which the
11	Commission charged him with Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR
12	584-020-0010(5) and OAR 584-020-0040(4)(c). The US Postal Service was unable to deliver
13	the Notice as addressed. The Commission located additional addresses for Mr. Johnson and
14	sent Notices on May 17, 2010, and August 3, 2010 to the new addresses. All of the Notices
15	sent were returned to the Commission as undeliverable. The Final Notice was sent via U.S.
16	First Class Mail and U.S. Certified Mail Receipt 7010 0290 0001 6831 4220 to the last known
17	address on file with the Commission. The U.S. Postal Service attempted delivery on August 6,
18	2010, August 14, 2010 and the finally on August 24, 2010 before returning the mail to the
19	Commission as undeliverable. The Notice of Opportunity of Hearing, dated August 3, 2010, and
20	signed by Victoria Chamberlain, Executive Director, stated:
21 22 23 24 25	"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 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."
26 27	Mr. Johnson did not request a hearing. The Commission, therefore, finds Mr. Johnson to be in
28	default and enters the following findings of fact, conclusions of law and order, based on the files
29	and records of the Commission concerning this matter.
30	FINDINGS OF FACT
31	1. On June 2, 2009, Johnson signed and submitted a Student Teaching or Practicum
32	Report – Form PA-1. On this form, Mr. Johnson answered "no" to question 8, "Have you
33	ever been convicted of or been granted conditional discharge by any court for: (a) any

⁻ 1	felony; (b) misdemeanor; or (c) any major traffic violation, such as: driving under the
2	influence of intoxicants or drugs, reckless driving; fleeing from or attempting to elude a
3	police officer; driving while your license was suspended, revoked or used in violation of
4	any license restriction; or failure to perform the duties of a driver or witness at an
5	accident?" Mr. Johnson's response was false. In April of 2003, Mr. Johnson was
6	convicted of misdemeanor DUII, misdemeanor failure to appear in 2004, and
7	misdemeanor driving while revoked/suspended in December of 2004. All of these
8	convictions occurred in the State of Virginia.
9	CONCLUSIONS OF LAW
10	Daniel Norman Johnson's failure to disclose his criminal convictions on his PA-1
11	application form for a Student Teacher Practicum constitutes gross neglect of duty in violation of
12	ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use
13	professional judgment); and OAR 584-020-0040(4)(c) (Knowing falsification of any document or
14	knowing misrepresentation directly related to licensure, employment, or professional duties).
15	FINAL ORDER
16	The Commission hereby suspends Daniel Norman Johnson's right to apply for a license
17	for 30 days.
18	IT IS SO ORDERED THIS 5 ¹ / ₂ day of November, 2010.
19	TEACHER STANDARDS AND PRACTICES COMMISSION
20 21 22 23 24	By: Wanderlain, Executive Director
25 26	NOTICE OF APPEAL OR RIGHTS
27 28 29 30 31	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.

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:

Daniel Norman Johnson 1315 SW E Avenue Apt 410 Corvallis OR 97330

and

Daniel Norman Johnson 1978 Crystal Circle Corvallis OR 97333

Dated this

_day of June, 2011.

Ву: __

Melody Hanson Executive Assis