

1 BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION
2 OF THE STATE OF OREGON

3
4 In the Matter of the Educator)
5 License of)
6 SEAN DAMMAR ELLIS)

DEFAULT ORDER OF
REPRIMAND AND PROBATION

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9 On December 30, 2011, the Teacher Standards and Practices Commission
10 (Commission) issued a Notice of Opportunity for Hearing to Sean Dammar Ellis (Ellis) in
11 which the Commission charged him with Gross Neglect of Duty. The Notice was sent via
12 U.S. First Class Mail and U.S. Certified Mail Receipt 7010 2780 0000 2187 4306 to the
13 address on file with the Commission. The Notice designated the Commission file as the
14 record for purposes of proving a prima facie case. The Certified Mail receipt was returned to
15 the Commission “signed” on January 4, 2012. The first class mail was not returned to the
16 Commission. The Notice of Opportunity of Hearing, dated December 30, 2011, and signed
17 by Victoria Chamberlain, 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 OR IF YOU
22 FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER
23 OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF
24 YOUR LICENSE OR OTHER DISCIPLINE.”

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26 On January 6, 2012, Ellis requested a hearing. The hearing was scheduled for May 21, 2014,
27 but Ellis did not appear at the hearing. Administrative Law Judge Gutman ruled the case to
28 be defaulted. After convening the hearing, TSPC staff became aware of an email dated May
29 21, 2014 at 6:37 am from Ellis, advising that he was withdrawing his request for a hearing.
30 The Commission, therefore, finds Ellis to be in default and enters the following findings of
31 fact, conclusions of law, and final order, based on the files and records of the Commission
32 concerning this matter.

33 **FINDINGS OF FACT**

- 34 1. Ellis applied for an Initial Teaching License on July 1, 2011. At the time of Ellis’
35 application, Ellis was licensed in the State of Virginia and not actively employed by
36 an Oregon School District. During the course of the investigation, Ellis was issued an
37 Oregon Initial I Teaching License on September 1, 2011, with an endorsement in

1 Special Education (ML/HS, ECE/ELEL), which expired on March 1, 2013. Ellis'
2 license status is currently "Expired".
3

- 4 2. On Ellis' application, which the Commission received on July 1, 2011, Ellis answered
5 "No" to each of the character questions contained on page four of the application.
6 This application was signed by Ellis and dated June 30, 2011. According to Ellis'
7 criminal history report, Ellis failed to report a misdemeanor criminal conviction of
8 "Interference with a Police Officer" that occurred on February 6, 2007, in the State of
9 Wyoming. When interviewed by TSPC investigators, Ellis admitted that he had failed
10 to answer the character question(s) accurately. In his explanation, Ellis stated he
11 believed the conviction was a minor offense similar to a parking ticket. Wyoming
12 Court records indicate the conviction is a misdemeanor and that the offense was
13 serious in nature. According to police records, during the same incident, Ellis was
14 also arrested for Unlawful Possession of Drugs (Marijuana), a Felony, but that
15 charge was later dismissed.
16

17 CONCLUSIONS OF LAW

18 Sean Dammar Ellis engaged in unprofessional conduct as described above. This
19 conduct constitutes Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-
20 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*): OAR
21 584-020-0040(4)(c) (*Knowing falsification of any document or knowing*
22 *misrepresentation directly related to licensure, employment, or professional duties*). This
23 conduct also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-
24 0040(5)(c) (*Knowing falsification of any document or knowing misrepresentation directly*
25 *related to licensure, employment, or professional duties*), and OAR 584-020-0040(5)(c)
26 (*Conviction of violating any federal, state, or local law. A conviction includes any final*
27 *judgment of conviction by a court whether as the result of guilty plea, no contest plea or*
28 *any other means*), and OAR 584-020-0040(5)(e) (*Admission of or engaging in acts*
29 *constituting criminal conduct, even in the absence of a conviction*).
30
31

1 The Commission's authority to impose discipline in this matter is based upon ORS
2 342.175.

3 **FINAL ORDER**

4 The Commission hereby issues a Public Reprimand upon Sean Dammar Ellis'
5 Educator licensure, and places Ellis on probation for a period of four (4) years from the date
6 of renewal of his licensure. This probation period is subject to the following terms and
7 conditions:

- 8 1. Ellis shall comply with the Standards for Competent and Ethical Performance of
9 Oregon Educators under Oregon Administrative Rules Chapter 584, Division 020.

10
11 Violation of any term or condition of probation shall constitute an independent basis
12 for the Commission to revoke Ellis' teaching license or otherwise impose discipline,
13 after first providing Ellis with notice and opportunity for hearing.

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16 IT IS SO ORDERED THIS 29th day of May, 2014.

17 TEACHER STANDARDS AND PRACTICES COMMISSION



18 By: _____
19 Victoria Chamberlain, Executive Director

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21 **NOTICE OF APPEAL OR RIGHTS**

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23 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW
24 MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM
25 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE
26 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:

Sean Dammar Ellis
6 Front St
Asheville, NC 28804-3212

Dated this 29th day of May, 2014.

By: Patty Liddell
Patty Liddell
Investigative Assistant