

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

3 In the Matter of the ) DEFAULT ORDER  
4 Licensure of ) DENIAL OF REINSTATEMENT  
5 DONALD LEE BALL ) OF REVOKED LICENSE  
6 )  
7 )

8 On September 12, 2002, the Teacher Standards and Practices Commission  
9 issued a Notice of Opportunity for Hearing to Donald Lee Ball, in which the  
10 Commission proposed to deny issuance of a license under ORS 342.143(2), ORS  
11 342.175(1)(e) and its administrative rules implementing that legal authority OAR 584-  
12 050-0006(1) and (5). The Notice was sent via U.S. First Class Mail and U.S. Certified  
13 Mail Receipt #7001 0320 0005 0740 8629 to the address Mr. Ball provided to the  
14 Commission. The certified mail receipt was signed and dated by Mr. Ball on  
15 September 16, 2002, and returned to the Commission on September 17, 2002.  
16 Donald Lee Ball did not request a hearing.

17 The Notice of Opportunity for Hearing, signed by Victoria Chamberlain, Executive  
18 Director, stated:

19 If a request for hearing is not received within this 21-day period, your right to  
20 hearing shall be considered waived unless your failure to request a hearing  
21 was beyond your reasonable control. If you do not request a hearing or if  
22 you fail to appear at a hearing, the Commission will uphold the denial of  
23 your application for an Oregon teaching license.  
24

25 Based on the foregoing, the Commission finds Donald Lee Ball in default and  
26 such default is hereby entered. Based on the records and files of the Commission, the  
27 Commission enters the following findings of fact, conclusions of law and order.

28 **FINDINGS OF FACT**

29 1. On December 2, 1997, the Commission adopted a default order revoking the

1 License of Donald Lee Ball. In that order the findings of fact indicate that Mr. Ball  
2 violated OAR 584-020-0040(4)(f) and OAR 584-020-0040(4)(c).

3 2. On or about May 24, 2002, Mr. Ball signed and submitted an Application for  
4 Educator License Form C-1 requesting an Initial Administrator License. Mr. Ball failed  
5 to respond affirmatively to character questions 4 and 7, "knowing misrepresentation  
6 directly related to licensure...", a violation of OAR 584-020-0040(4)(c).

7 3. Mr. Ball has failed to establish fitness for reinstatement of a revoked license.

### 8 CONCLUSIONS OF LAW

9 The conduct described in finding of fact number 2 is a basis for denial of  
10 licensure pursuant to OAR 584-020-0040(3)(b) and ORS 342.143. The conduct  
11 described in finding of fact number 3 is a basis for denial of reinstatement of a revoked  
12 license pursuant to OAR 584-050-0006(5) and ORS 342.143.

### 13 ORDER

14 The Commission denies reinstatement of licensure to Donald Lee Ball.  
15 IT IS SO ORDERED this 10<sup>th</sup> day of January 2003.

16 TEACHER STANDARDS AND PRACTICES COMMISSION

17  
18 By   
19 Victoria Chamberlain, Executive Director

### 20 NOTICE OF APPEAL RIGHTS

21  
22 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL  
23 REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60  
24 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT  
25 TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing Default Order Denial of Reinstatement of Revoked License, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail--Return Receipt Requested, addressed to:

Donald Lee Ball  
9426 N Edison Street Apt #1  
Portland, OR 97203-2916

Dated this 16<sup>th</sup> day of January 2003.

By: Melody Hanson  
Melody Hanson  
Executive Assistant to the Commission