## BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON

5 6 7	In the Matter of the ) Teaching License of ) DEFAULT ORDER OF DAVID EDWARD DEMING ) LICENSE REVOCATION
8	On August 18, 2005, the Teacher Standards and Practices Commission (Commission)
9	issued a Notice of Opportunity for Hearing to David Edward Deming (Deming) in which the
10	Commission charged him with misconduct under ORS 342.175. The Notice was sent via U.S.
11	First Class Mail and U.S. Certified Mail Receipt 7005 0390 0005 5794 8415 to the address
12	Mr. Deming provided to the Commission on his application for licensure. The certified mail
13	receipt was signed and dated by Heidi Deming on August 21, 2005. The Notice of Opportunit
14	of Hearing, dated August 18, 2005, and signed by Victoria Chamberlain, Executive Director,
15	stated:
16 18 19 20 21 22	"You, David Edward Deming, 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 21 days of the date of this notice. Attached to this notice is a copy of the procedures, right of representation and other rights of parties relating to the conduct of a hearing as required under ORS 183.413(2)."
23	Mr. Deming did not request a hearing. The Commission, therefore, finds
24	Mr. Deming to be in default and enters the following findings of fact, conclusions of law
25	and order, based on the files and records of the Commission concerning this matter.
26	FINDINGS OF FACT
27	1. Mr. Deming has been licensed by the Commission since December 31, 1996.
28	Mr. Deming holds a Basic Teaching License with a Basic Elementary endorsement, issued
29	April 11, 2003, valid until June 22, 2006.
30	2. Mr. Deming was employed as a teacher for La Grande High School, La Grande
31	Public Schools. He began his employment with the District in 1997. Mr. Deming was
2	terminated from employment on March 28, 2005.

3. During the 2002-2003 school year at LaGrande High School Mr. Deming videotaped or somehow obtained a video of a nude male student showering and showed the tape to female 3 students in his motel room on an out-of-town swim meet. 4. During the 2003-2004 school year at LaGrande High School Mr. Deming videotaped 4 5 an 18-year old female student, nude in the shower (with the student's consent), and sent 6 photographs of naked males from the District's computer to the same student. 7 5. During the 2002-2003, 2003-2004 and 2004-2005 school years at LaGrande High School Mr. Deming used district equipment to view Internet porn sites and mailed photographs 8 9 of his genitals to a female student. **CONCLUSIONS OF LAW** 10 11 The above conduct constitutes Gross Neglect of Duty in violation of OAR 584-020-12 0040(4)(a), (f) and (g). This conduct constitutes Gross Neglect of Duty. The Commission's authority to impose discipline in this matter is based upon ORS 342.175. **ORDER** The Commission hereby revokes the Oregon Basic Teaching License issued to David 15 16 Edward Deming. 17 IT IS SO ORDERED this day of November, 2005. 18 TEACHER STANDARDS AND PRACTICES COMMISSION 19 20 Victoria Chamberlain, Executive Director 21 22 NOTICE OF APPEAL OR RIGHTS 23 24 25 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 26 OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 27 183.482 TO THE OREGON COURT OF APPEALS. 28

## CERTIFICATE OF MAILING

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<i>3</i>	I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me
5	as such by U.S. First Class Mail to the Attorney of record for David Edward Deming:
6	
7	Aruna A. Masih
8	Attorney at Law
9	Bennett, Hartman, Morris & Kaplan, LLP
10	111 SW Fifth Avenue, Suite 1650
11	Portland OR 97204-3627
12	. ia
13	10th
14	Dated this <u>//</u> day of December, 2005.
15	
16	
17	
18	By: / lloty / unson
19	Melody Hanson, Executive Assistant