1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
4 5 6 7 8	In the Matter of the Educator) DEFAULT ORDER OF License of) PUBLIC REPRIMAND EARL CHESTER JAY PRATER)
9	On March 29, 2018, the Teacher Standards and Practices Commission (Commission)
10	issued a Notice of Opportunity for Hearing to Earl Chester Jay Prater (Prater) in which the
11	Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First
12	Class Mail and U.S. Certified Mail Receipt 7017 0190 0000 6246 9075 to the address on file
13	with the Commission. The Notice designated the Commission file as the record for purposes
14	of proving a prima facie case. The Certified Mail receipt was returned to the Commission
15	signed on April 2, 2018. The first class mail was not returned to the Commission. The Notice
16	of Opportunity of Hearing, dated March 29, 2018, and signed by Anthony Rosilez, Executive
17	Director, stated:
18 19 20 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	Prater did not request a hearing. The Commission, therefore, finds Prater to be in default
27	and enters the following findings of fact, conclusions of law, and final order, based on the
28	files and records of the Commission concerning this matter.
29	FINDINGS OF FACT
30	1. Prater has been licensed by the Commission since September 11, 2015. Prater
31	holds a Substitute Teaching License, with an endorsement in Substitute Any
32	Specialty (PP-12), valid from March 11, 2017 through July 14, 2021.
33	2. On January 23, 2017 the Commission referred Prater's application for renewal to
34	the Professional Practices Unit based on information received indicating that
35	Prater may have failed to answer his application's character questions accurately.
36	Subsequent investigation determined the following:
37	a. On or about July 15, 1999, the California Commission on Teacher

Credentialing suspended Prater's teaching credential for a period of ten (10) days related to allegations of poor classroom management, placing personal long distance calls from the district phone totaling \$283.26, and other concerns regarding Prater's general fitness to perform the duties of his license.

- b. Review of Prater's first application to the Commission for a license, (2015) indicated Prater had failed to disclose the California discipline as part of his character question response. Review of Prater's license renewal application of 2017 also indicated that Prater failed to disclose the California discipline as part of his character question process. The Commission application process includes several character questions including, "Have you ever had any adverse action taken on a professional certificate, license or charter school registration? Have you ever been placed on probationary status for alleged misconduct while holding a professional license, certificate, registration, or credential?" and "Have you ever been disciplined by any public agency responsible for licensure of any kind, including but not limited to educational licensure?" Prater inaccurately answered "No" to both of these questions. Review of Prater's October 2015, employment application with EMS Sub Desk also showed that Prater inaccurately answered "No" to the question, "Have you ever surrendered a professional certificate (sic) revoked or suspended?"
- c. When questioned about his inaccurate answers, Prater advised investigators that he believed the California action was old and minor and did not require mentioning.

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CONCLUSIONS OF LAW

Earl Chester Jay Prater's unprofessional conduct, as described above, constitutes Gross Neglect of Duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0025(2)(e) (Using district lawful and reasonable rules and regulations); OAR 584-020-0040(4)(c) (Falsification of any document or knowing misrepresentation directly related

1	to licensure, employment, or professional duties); and OAR 584-020-0040(0) as it
2	incorporates OAR 584-020-0035(3)(a) (Maintain the dignity of the profession by
3	respecting and obeying the law, exemplifying personal integrity and honesty).
4	
5	The Commission's authority to impose discipline in this matter is based upon ORS
6	342.175.
7	FINAL ORDER
8	The Commission hereby issues a Public Reprimand upon Earl Chester Jay Prater's
9	Oregon educator licensure.
10 11 12	IT IS SO ORDERED THIS day of June, 2018.
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14	TEACHER STANDARDS AND PRACTICES COMMISSION
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	By:
16	By:
17 18	Dr. Anthony Rosilez, Executive Director
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21	NOTICE OF APPEAL OR RIGHTS
22	NOTE A DE ENTREMENT ED TIO AND LOUIS DE PROPERTIES DE PROPERTIES DE L'AND LOUIS DE L'AND L
23 24	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW 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.