BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 1 2 OF THE STATE OF OREGON In the Matter of the 3 Teaching License of **DEFAULT ORDER OF** 4 PATRICK JOHN KENNEDY **DENIAL OF LICENSURE** 5 6 7 8 On June 25, 2002, the Teacher Standards and Practices Commission issued a 9 Notice of Opportunity for Hearing to Patrick John Kennedy, in which the Commission 10 proposed to deny issuance of a Teaching License under ORS 342.143. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt #7001 0320 0005 11 12 0740 8704 to the address Mr. Kennedy provided to the Commission. The certified mail receipt was signed and dated by Mr. Kennedy on June 27, 2002, and returned to 13 the Commission on June 28, 2002. Patrick John Kennedy did not request a hearing. 14 15 The Notice of Opportunity for Hearing, signed by Victoria Chamberlain, Executive Director, stated: 16 17 If a request for hearing is not received within this 21-day period, your right to hearing shall be considered waived unless your failure to request a hearing 18 was beyond your reasonable control. If you do not request a hearing or if 19 you fail to appear at a hearing, the Commission will uphold the denial of 20 your application for an Oregon teaching license. 21 22 23 Based on the foregoing, the Commission finds Patrick John Kennedy in default and such default is hereby entered. Based on the records and files of the Commission, 24 25 the Commission enters the following findings of fact, conclusions of law and order. 26 FINDING OF FACTS 1. On or about March 27, 1990, Mr. Kennedy was convicted of DUII in Municipal 27 28 Court for the City of Salem, Oregon.

- 2. On or about August 30, 1993, Mr. Kennedy was convicted of DUII in Douglas
 County District Court, Roseburg, Oregon.
- 3. On or about February 2, 1998, Mr. Kennedy was convicted of DUII in Linn
 4. County Circuit Court, Albany, Oregon.
- 4. On or about September 20, 1999, Mr. Kennedy was convicted of Disorderly
 Conduct in Municipal Court for the City of Roseburg, Oregon.
- 5. On or about November 1, 1999 and November 15, 1999, Mr. Kennedy was convicted of Contempt of Court-Violation of Restraining Order in Douglas County Circuit Court, Roseburg, Oregon.

CONCLUSIONS OF LAW

- 1. The conduct described in Finding of Fact Number 1 constitutes gross neglect of duty in violation of OAR 584-020-0040(5)(c).
- 2. The conduct described in Finding of Fact Number 2 constitutes gross unfitness in violation of OAR 584-020-0040(5)(c).

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- 3. The conduct described under Finding of Fact Number 3 constitutes gross neglect of duty in violation of OAR 585-020-0040(5)(c).
- 4. The conduct described in Finding of Fact No. 4 constitutes gross unfitness in violation of OAR 584-020-0040(5)(c).
- 5. The conduct described in Finding of Fact No. 5 constitutes gross unfitness in violation of OAR 584-020-0040(5)(c).
- Any one of the findings of facts set forth above are a sufficient basis standing alone for denial of licensure pursuant to OAR 584-020-0040(3). The Commission's authority to deny licensure in this matter is based upon ORS 342.143.

ORDER 1 The Commission denies issuance of a teaching license to Patrick John Kennedy. 2 Dated this and day of August 2002. 3 TEACHER STANDARDS AND PRACTICES COMMISSION 4 5 ictoria Chamberlain, Executive Director 8 **NOTICE OF APPEAL RIGHTS** 9 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL 10 REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 11 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT 12 TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS. 13

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing default order of denial of licensure, certified by me as such, by mailing U.S. Certified Mail--Return Receipt Requested, addressed to:

> Patrick John Kennedy 887 Oakdale Street Apt 159 Springfield, OR 97477

Dated this <u>U</u> day of August 2002.

Executive Assistant to the Commission