1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON						
4 5 6 7	Educat	Matter of the tor License of T LAYTON YORKE))	DEFAULT ORDER OF REVOCATION AND REVOCATION OF RIGHT TO APPLY			
8 9	On August 17, 2016, the Teacher Standards and Practices Commission						
10	(Com:	(Convergion) issued a Notice of Opportunity for Hearing to Scott Layton 101ke (101ke)					
11	•	which the Commission charged him with Gross Neglect of Duty and Gross Officeros.					
12	The Nation was contained U.S. First Class Mail and U.S. Certified Mail Receipt 7013 3010						
13	and out 1064 to the address on file with the Commission. The Notice designated the						
13	Garage file as the record for purposes of proving a prima facte case. The certified						
15	No. 12 are noturned signed to the Commission on August 25, 2016. The regular first class						
16	mail	mail was not returned to the Commission. The Notice of Opportunity of Hearing, dated					
17	A1101	Li- agif and signed	by Dr. Monica B	eane, Executive Director, stated.			
18 19 20 21 22 23	Augu	"IF A REQUEST FOR PERIOD, YOUR RIGH UNLESS YOUR FAIL REASONABLE CONT YOU FAIL TO APPEA	HEARING IS N HT TO A HEARI URE TO REQUI TROL. IF YOU I AR AT A HEARI T WHICH MAY	OT RECEIVED WITHIN THIS 21-DAY NG SHALL BE CONSIDERED WAIVED EST A HEARING WAS BEYOND YOUR OO NOT REQUEST A HEARING OR IF NG, THE COMMISSION WILL ADOPT AN INCLUDE THE REVOCATION OR R OTHER DISCIPLINE."			
24 25		Yorke did not request a hearing. The Commission, therefore, finds Yorke to be in default					
26	of law, and findings of fact, conclusions of law, and find order, based on			aclusions of law, and final order, based on			
27	and	files and records of the	Commission con	cerning this matter.			
28		files and records of the	FINDING	S OF FACT			
29		~ Vowlzo hog	been licensed by	the Commission since October 24, 2012.			
30	1.	Scott Layton Torke has	og License, with	an endorsement in Music (ML/HS), was			
31		Yorke's Initial I Teaching	eo12 through A	agust 7, 2016. During all relevant times,			
32		valid from October 24, a	the Butte Centr	al High School in Hamilton, Montana.			
33	3	Yorke was employed by	rt of a plea agree	ment, Yorke was convicted of Sexual Assault,			
34		On July 15, 2010, as par	Felony Negliger	nt Endangerment, MCA 45-5-208, a			
3:		MCA 45-5-502(1)(3), a	awful Transactio	ons with Children, MCA 45-5-623(1)(c), a			
3	6	misdemeanor, and one	avilui IIuiionoti				

1 2 3 4 5 6 7 8 9	3.	misdemeanor in the Ravalli County District Court of Montana. Yorke was sentenced in part, to 20 years in prison, and required to register as a sex offender. Yorke's convictions arose from allegations that on or about March 6, 2015, while supervising students at a school event (traveling and staying at an away girls' basketball tournament), Yorke subjected a student, under the age of 18, to sexual contact without consent. Yorke's sexual contact included digital penetration and oral sex. Investigation determined Yorke also provided minor aged students with alcoholic beverages, and failed to care for these same intoxicated students when they became ill and required care.
		CONCLUSIONS OF LAW
11		Verke's convictions constitute gross neglect of duty in violation of ORS
12 13	9	A = (3)(b); OAR = 84-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (USE
13		un feering live dament): and OAR 584-020-0040(1) (The Commission will deny, revoke
15	_	and demy the right to apply for a license or charter school registration to any applicant
16	_	an advector who has been convicted of any of the crimes listed in UKS 342.143, or the
17		1 startist equivalent of any of those crimes if convicted in another jurisdictions,
18	•	= cluding OAR = 84-020-0040(1)(0) (ORS 163.427 - Sexual Abuse in the First Degree).
19	_	This conduct also constitutes gross unfitness in violation of ORS 342.1/5(1)(c), Oring
20	_	-94, 000, 0040(5)(e) (Admission of or engaging in acts constituting criminal conduct,
21		even in the absence of a conviction). Additionally, Yorke's convictions constitute "gross even in the absence of a conviction) and (d) as
22		unfitness" in violation of ORS 342.175(1)(c), OAR 584-020-0040(3)(a) and (d) as
23		defined by OAR 584-020-0040 (5) ("Gross unfitness is any conduct which renders an
24		educator unqualified to perform his or her professional responsibilities").
25		() A DAR 584 020-0040(1) the Teacher Standards
26)	Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards
27	7	and Practices Commission must revoke Yorke's license and Yorke's right to apply for a
28	3	license based on conviction of any of the crimes listed in ORS 342.143(3)(a), or the
29)	substantial equivalent of any of those crimes.
30)	Furthermore, the conduct underlying Yorke's indictments and convictions
3	1	Furthermore, the conduct underlying forkes mais-

1	constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-				
2	0040(4)(n) as it incorporates OAR 584-020-0010(5) (Use professional judgment); OAR				
3	584-020-0040(4)(k)(Violation of any rule or order of the Commission); OAR 584-				
4	020-0040(4)(f) (Any sexual conduct with a student) as defined by OAR 584-020-				
5	0005(5); OAR 584-020-0040(4)(0) as it incorporates OAR 584-020-0035(1)(c)(D)				
6	(Honoring appropriate adult boundaries with students in conduct and conversations				
7	at all times); and OAR 584-020-0035(3)(a)(Maintain the dignity of the profession by				
8	respecting and obeying the law, exemplifying personal integrity and honesty).				
9	Additionally, Yorke's conviction and conduct related to Yorke's conviction constitute				
10	"gross unfitness" in violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(a) and (d) as				
11	defined by OAR 584-020-0040 (5) ("Gross unfitness is any conduct which renders an				
12	educator unqualified to perform his or her professional responsibilities").				
13					
14	The Commission's authority to impose discipline in this matter is based upon ORS				
15	342.175.				
16	FINAL ORDER				
17	The Commission hereby revokes Scott Layton Yorke's Oregon educator license				
18	and his right to apply for licensure.				
19	IT IS SO ORDERED THIS day of September, 2016.				
20	TEACHER STANDARDS AND PRACTICES COMMISSION				
21					
21	Maria Reases				
22 23	By:				
23 24	Dr. Monica Beane, Executive Director				
25					
26 27					
28	NOTICE OF APPEAL OR RIGHTS				
29 30	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY				
31	BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF				
32 33	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:

Scott Layton Yorke #3018345 c/o Montana State Prison 700 Conley Lake DR Deer Lodge, MT 59722

Dated this _____day of September, 2016.

Patty(Sheldon

Investigative Assistant