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

4 5 6 7	In the Matter of the ) Teaching License of ) DEFAULT ORDER OF LAMARR JAMES ) LICENSE REVOCATION
8	On April 20, 2007, the Teacher Standards and Practices Commission (Commission)
9	issued a Notice of Opportunity for Hearing to LaMarr James (James) in which the Commission
10	charged him with misconduct under ORS 342.175. The Notice was sent via U.S. First Class
11	Mail and U.S. Certified Mail Receipt 7005 1160 0001 0494 2932 to the address obtained by the
12	Commission. The certified mail receipt and U.S. First Class Mail addressed to LaMarr James
13	were returned to the Commission undeliverable on April 30, 2007. The Notice of Opportunity of
14	Hearing, dated April 20, 2007, and signed by Victoria Chamberlain, Executive Director, stated:
15 16 17 29 20	"You, LaMarr James, 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)."
21	Mr. James did not request a hearing. The Commission, therefore, finds
22	Mr. James to be in default and enters the following findings of fact, conclusions of law
23	and order, based on the files and records of the Commission concerning this matter.
24	FINDINGS OF FACT
25	1. Mr. James has been licensed by the Commission since May 9, 1985. The
26	Commission issued a Standard Teaching License to Mr. James on March 17, 2003, valid until
27	April 2, 2008, with Basic Language Arts and Standard Advanced Mathematics Endorsements.
28	2. Mr. James began employment with Jackson County School District in September
29	1986. Mr. James resigned October 20, 2004, in lieu of termination.
30	3. In October of 2004, the Commission received complaints from a former student and
31	the Superintendent of the Jackson County School District alleging that Mr. James engaged in a
7.	sexual relationship with the student during the 1999-2000 school year at Eagle Point High

School. Our investigation concluded that Mr. James engaged in a sexual relationship with a student during assigned work hours on district property in Mr. James' classroom. 3 4. During the 1999-2000 school year, while teaching for Eagle Point High School, Mr. 4 James engaged in sexual conduct with a student which included sexual intercourse in his 5 residence and vehicle. Although this sexual contact did not occur on school grounds or during 6 student contact hours there is a nexus between this conduct and Mr. James professional 7 responsibilities because he engaged in sexual activity with a student. Although this relationship continued after the student graduated, Mr. James first approached the student about a sexual 8 9 relationship while she was a student and on school grounds. 10 **CONCLUSIONS OF LAW** 11 12 LaMarr James' conduct during the 1999-2000 school year when he engaged in a sexual 13 relationship with a female student constitutes Gross Neglect of Duty in violation of OAR 584-14 020-0040(4)(f) and OAR 584-020-0040(4)(o), as it incorporates OAR 584-020-0035(1)(b), OAR 584-020-0035(1)(c) and OAR 584-020-0035(3)(a). Mr. James' conduct with a female student 16 which included sexual intercourse in his residence and vehicle constitutes Gross Neglect of 17 Duty in violation of OAR 584-020-0040(5). The Commission has the authority to impose 18 discipline in this matter under ORS 342.120 through 342.430 and OAR Chapter 584. 19 **DEFAULT ORDER** 20 The Commission adopts and incorporates herein the above findings of facts and 21 conclusions of law, and based thereon, hereby revokes the Standard Teaching License issued 22 to LaMarr James. Issued and dated this 2/ day of May, 2007. 23 24 TEACHER STANDARDS AND PRACTICES COMMISSION 25 STATE OF OREGON 26 Victoria Chamberlain, Executive Director

## **NOTICE OF APPEAL OR RIGHTS**

- 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
- 5 OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS
- 6 183.482 TO THE OREGON COURT OF APPEALS.

## **CERTIFICATE OF MAILING**

I hereby certify that I served the foregoing order by mailing a true copy thereof certified by me as such by U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

LaMarr James
1140 Yankee Creek Road
Eagle Point, OR 97524

Dated this 12th day of June, 2007.

Melogy Hanson, Executive Assistant