

1 **FINDINGS OF FACT**

2 1. Norman Scott has been licensed by the Commission since December 13, 1973.
3 Scott’s Standard Teaching License, with endorsements in Standard Health Education
4 (018) and Standard Physical Education (018), was valid from February 16, 2015,
5 through February 15, 2020. During all relevant times, Scott was employed by the
6 Oregon City School District.

7
8 2. On October 6, 2015, the Commission received a report from the Oregon City School
9 District indicating Scott was under investigation for possible misconduct described
10 as inappropriate behavior. Specifically, that Scott had inappropriately touched
11 multiple students while teaching warm up techniques. On October 27, 2015, the
12 Commission learned that Scott was also under investigation by local law
13 enforcement for the same reported conduct.

14 Subsequent investigations by the school district, law enforcement, and the
15 Commission determined that on or about October 5, 2015, while instructing students
16 in physical education warm ups, Scott inappropriately touched female students on
17 the breast, thigh, back, hair, shoulders and buttocks area. Multiple students
18 complained of the touching and further advised that Scott generally made them feel
19 uncomfortable. Other students complained that during the class Scott required them
20 bend over, or perform other body positions, so Scott could look at their bodies.

21
22
23 3. On July 27, 2016, Scott was indicted in the Clackamas County Circuit Court with
24 multiple counts of Sexual Abuse in the Third Degree (ORS 163.415), for sexual
25 contact by touching an intimate part of a minor, a class A misdemeanor; multiple
26 counts of Harassment (ORS 166.065), for offensive physical contact of an intimate
27 part of the body, a class A misdemeanor; and multiple counts of Harassment (ORS
28 166.065), a class B misdemeanor, for offensive physical contact. On November 17,
29 2017, Scott was convicted of two counts of Sexual Abuse in the Third Degree ORS
30 163.415, and six counts of Harassment ORS 166.065(4). Scott was sentenced in part,
31 to 6 months incarceration, 60 months of supervised probation, to register as a sex
32 offender if required, and mandated to surrender his teaching license. On December

1 7, 2017, the Commission received a letter from Scott advising that he was
2 surrendering his teaching license in compliance with the court order.
3

4 **CONCLUSIONS OF LAW**

5 Norman Scott's criminal convictions constitute gross neglect of duty in violation
6 of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-
7 0010(5) (*Use professional judgment*); and OAR 584-020-0040(1) (*The Commission*
8 *will deny, revoke or deny the right to apply for a license or charter school registration*
9 *to any applicant or educator who, has been convicted of any of the crimes listed in ORS*
10 *342.143, or the substantial equivalent of any of those crimes if convicted in another*
11 *jurisdiction*), including ORS 163.415 – *Sexual Abuse in the Third Degree*. This conduct
12 also constitutes gross unfitness in violation of ORS 342.175(1)(c); OAR 584-020-
13 0040(5)(c) (*Conviction of violating any federal, state, or local law. A conviction*
14 *includes any final judgment of conviction by a court whether as the result of guilty*
15 *plea, no contest plea or any other means*); OAR 584-020-0040(5)(d) (*Commission of*
16 *an act listed in OAR 584-020-0040(1)*); and OAR 584-020-0040(5)(e) (*Admission of or*
17 *engaging in acts constituting criminal conduct, even in the absence of a conviction*).
18

19 Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards
20 and Practices Commission must revoke Scott's license and Scott's right to apply for a
21 license based on conviction of any of the crimes listed in ORS 342.143(3)(a), or the
22 substantial equivalent of any of those crimes.
23

24 Furthermore, the conduct underlying Scott's convictions constitutes gross neglect
25 of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates
26 OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(k)(
27 *Violation of any rule or order of the Commission*); OAR 584-020-0040(4)(f) (*Any*
28 *sexual conduct with a student*) as defined by OAR 584-020-0005(5); OAR 584-020-
29 0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D) (*Honoring appropriate*
30 *adult boundaries with students in conduct and conversations at all times*); and OAR
31 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying*

1 *the law, exemplifying personal integrity and honesty*). Additionally, Scott’s criminal
2 convictions and conduct related to his convictions constitute “gross unfitness” in
3 violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(c) and (d) as defined by OAR
4 584-020-0040 (5) (*Gross unfitness is any conduct which renders an educator*
5 *unqualified to perform his or her professional responsibilities*).


6
7 The Commission’s authority to impose discipline in this matter is based upon
8 ORS 342.175.

9
10 **FINAL ORDER**

11 The Commission hereby revokes Norman Erald Scott’s Oregon educator license
12 and revokes Scott’s right to apply for an Oregon educator license.

13
14 IT IS SO ORDERED THIS 1st day of June, 2018.

15 TEACHER STANDARDS AND PRACTICES COMMISSION

16
17 By: 
18 Dr. Anthony J. Rosilez, Executive Director

19
20
21
22 **NOTICE OF APPEAL OR RIGHTS**

23
24 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
25 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
26 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
27 ORS 183.482 TO THE OREGON COURT OF APPEALS.