## BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION 1 2 OF THE STATE OF OREGON 3 4 In the Matter of the Educator License of DEFAULT ORDER OF 5 MICHAEL RALPH MONTGOMERY ) REVOCATION AND REVOCATION 6 OF RIGHT TO APPLY 7 8 On February 22, 2013, the Teacher Standards and Practices Commission (Commission) 9 issued a Notice of Opportunity for Hearing to Michael Ralph Montgomery (Montgomery) in which the Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First Class 10 Mail and U.S. Certified Mail Receipt 7011 2000 0001 1292 0219 to the address on file with the 11 Commission. The Notice designated the Commission file as the record for purposes of proving a 12 prima facie case. The Certified Mail receipt was returned, signed to the Commission on February 27, 13 2013. The regular mail was not returned to the Commission. The Notice of Opportunity of Hearing, 14 dated February 22, 2013, and signed by Victoria Chamberlain, Executive Director, stated: 15 "IF A REOUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, 16 YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR 17 FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF 18 19 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 20 21 REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE." 22 Montgomery did not request a hearing. The Commission, therefore, finds Montgomery to be in 23 default and enters the following findings of fact, conclusions of law, and final order, based on the 24 files and records of the Commission concerning this matter. 25 FINDINGS OF FACT 26 1. Michael Ralph Montgomery has been licensed by the Commission since December 20, 1985. 27 Montgomery's Standard Teaching License, with endorsements in Basic French (018), Basic 28 Language Arts (020), Basic Social Studies (020) and Standard Spanish (018) was issued March 29 30 16, 2010, and expires on March 15, 2015. During all relevant times, Montgomery was employed by the Salem-Keizer School District. 31 2. On August 23, 2012, Montgomery pled guilty and was subsequently convicted of four counts of 32 Sexual Abuse in the Second Degree (ORS 163.425) a class C felony and one count of Contempt of 33 Court (ORS 33.055). Montgomery were sentenced to 50 months of incarceration, four years of 34 post-prison supervision, and required to register as a sex offender upon his release. 35 Montgomery's conviction arose from allegations that included Montgomery having a sexual 36 37 relationship with a female student on or about April 2012.

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## **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:

Michael Ralph Montgomery #19446563 C/O Warner Creek Correctional Facility PO Box 1500 20654 Rabbit Hill Rd Lakeview, OR 97630

Patty Ligdell

**Investigative Assistant**