

**BEFORE THE  
COMMISSION ON TEACHER CREDENTIALING  
STATE OF CALIFORNIA**

**In the Matter of the Accusation and  
Statement of Issues Against:**

**MORGAN M. WALTON, Respondent.**

**Case No. 2-17702067**

**OAH No. 2022060448**

**PROPOSED DECISION**

Administrative Law Judge Sarah Sandford-Smith, State of California, Office of Administrative Hearings, heard this matter on September 27, 2022, by videoconference.

Deputy Attorney General Christopher Young represented Mary Vixie Sandy, Ed.D., Executive Director of the Commission on Teacher Credentialing, State of California.

Respondent Morgan M. Walton represented himself and was present throughout the hearing.

The record was closed and the matter was submitted for decision on September 27, 2022.

## **FACTUAL FINDINGS**

1. Mary Vixie Sandy, Ed.D., made the accusation and statement of issues solely in her capacity as the Executive Director of the California Commission on Teacher Credentialing (Commission).

2. The Commission is responsible for issuing teaching credentials, including Limited Assignment Single Subject Teaching Permits, Short-Term Staff Permits, 30-Day Substitute Permits, and Certificates of Clearance.

3. Respondent Morgan M. Walton holds or has held the following:

a) A Preliminary Five-Year Single Subject Teaching Credential, originally issued on October 7, 2014, authorizing respondent to teach foundational-level mathematics to students in grades 12 and below, and in classes organized primarily for adults. This credential expired on November 1, 2019, and has not been renewed.

b) A General Education Limited Assignment Single Subject Teaching Permit, originally issued on October 1, 2017, authorizing respondent to teach foundational-level general science to students in grades 12 and below, and in classes organized primarily for adults. This permit expired on November 1, 2018, and has not been renewed.

c) A 30-Day Substitute Teaching Permit, originally issued on September 23, 2013, which expired on October 1, 2014.

d) A Short-Term Staff Permit, originally issued on February 28, 2014, which expired on July 1, 2014.

///

e) A Certificate of Clearance, originally issued on January 21, 2009, which expired on February 1, 2014.

4. On October 23, 2019, respondent submitted an application for a Preliminary Two-Year Single Subject Teaching Credential. The application was submitted under penalty of perjury.

5. On October 29, 2020, the Commission notified respondent that the Committee of Credentials found probable cause to recommend appropriate adverse action.

6. Respondent timely requested an administrative hearing.

## **Respondent's Conduct**

### **PALO ALTO UNIFIED SCHOOL DISTRICT**

7. Respondent was hired to work as a substitute teacher by the Palo Alto Unified School District (PAUSD) on September 23, 2015. Respondent worked for PAUSD for a little more than a year.

8. The Substitute Services department received more than 10 complaints regarding respondent's conduct during the time he served as a substitute in PAUSD. These complaints generally revolved around respondent's failure to maintain professional boundaries with his students, including telling the students stories that were unrelated to the curriculum, encouraging a student petition to have him hired, and engaging in unnecessary physical contact with an elementary student.

9. PAUSD terminated respondent's employment effective December 14, 2016, and placed him in "Do Not Rehire" status. At hearing, respondent testified that

he assumed in December 2016 that he had been terminated from PAUSD, but that he did not receive a termination letter.

## **REDWOOD CITY SCHOOL DISTRICT**

10. Respondent was hired to work as a substitute teacher by the Redwood City School District (RCSD) on January 31, 2017. Respondent worked for RCSD for approximately four months before RCSD terminated his employment.

11. During the period respondent worked for RCSD, there were complaints that respondent did not properly manage students' classroom behavior, including that respondent allowed students to throw a football in class, allowed two students to kiss on the couch in a classroom, and did not notice when a student drew a phallic image on a projector, which was projected for the class to see. A teacher also complained that while respondent was serving as a substitute in her classroom, he told the students she was lazy and disorganized.

On May 25, 2017, Warren Sedar, the principal at Adelante Selby Spanish Immersion School (one of the schools in RCSD where respondent worked), wrote an email to Leslie Crane, the Director of Human Resources for RCSD. In the email, Sedar noted that he had received complaints regarding respondent, including that respondent made inappropriate comments in one of the classes. Sedar went on to explain that he had previously spoken with respondent regarding professional conduct, and that he did not want respondent to return to his school.

12. On May 26, 2017, respondent was serving as a substitute teacher and wrote assignments on a classroom whiteboard, with an unexplained reference to "KKK."

13. Respondent explained that his whiteboard notation, "KKK," was taken out of context. Respondent did not demonstrate an understanding that the abbreviation could have caused students to feel uncomfortable.

14. By way of a letter dated May 26, 2017, Crane terminated respondent's employment with RCSD, effective May 27, 2017.

### **RAVENSWOOD CITY SCHOOL DISTRICT**

15. Respondent was hired to work as a substitute teacher for the Ravenswood City School District (Ravenswood) on March 7, 2017. Effective October 4, 2017, Ravenswood employed respondent to work in a temporary teaching assignment at Cesar Chavez Academy. On February 23, 2018, Ravenswood notified respondent that he would be released from his temporary employment at the end of the school year.

16. At the beginning of March 2018, respondent had an outburst of anger when the students in his classroom were not behaving properly during a testing day. A female student treated respondent in a way he considered to be disrespectful, and in response, respondent threw a chime ringer at the board, raised both middle fingers at the girl, and muttered "fuck" under his breath. Respondent's conduct was brought to the attention of the principal on March 1, 2018, and respondent was placed on administrative leave effective March 2, 2018.

17. On March 5, 2018, respondent was released from his temporary employment with Ravenswood, effective that same day.

///

///

## **SAN MATEO-FOSTER CITY SCHOOL DISTRICT**

18. Respondent was hired to work as a substitute teacher in the San Mateo-Foster City School District (SMFCSD) on August 20, 2018. Respondent worked for SMFCSD until December 10, 2018, when he informed the substitute coordinator that he was unavailable to work because he had taken a long-term assignment in another school district.

19. On September 6, 2018, respondent was substitute teaching at Borel Middle School. Respondent teased a student (D.A.) about the student's name, after D.A. informed respondent that other students were suggesting that D.A. jump off a bridge. D.A. was upset and, along with other students, reported the incident to the assistant principal.

20. The Director of Human Resources for SMFCSD met with respondent and directed him not to make inappropriate comments, including those that could be construed as discriminatory. The Director of Human Resources also notified respondent that he was prohibited from substitute teaching at Borel Middle School.

21. Respondent continued to serve as a substitute teacher at other school sites in SMFCSD through December 10, 2018.

## **SAN JOSE UNIFIED SCHOOL DISTRICT**

22. Respondent was hired to work as a part-time, as-needed, substitute teacher in the San Jose Unified School District (SJUSD) on March 2, 2017, and worked through January 25, 2019.

23. During March 2018, respondent worked in a math class at Willow Glen Middle School. K.L. was a 14-year old student. K.L. and her friends would spend time in

respondent's classroom after school, while they waited for their rides home, because they thought respondent was nice and friendly. One of K.L.'s friends asked respondent if he wanted to join their Snapchat thread, and respondent agreed.

24. Shortly thereafter, respondent engaged in communication with K.L. over Snapchat. Such correspondence occurred even after April 2018, when respondent was no longer serving as a substitute teacher at Willow Glen Middle School. Specifically, on May 25, 2018, respondent told K.L., "I miss you very much too," and "You are so beautiful."

25. Even though respondent was no longer a substitute teacher at the site, respondent attended the middle school graduation ceremony at Willow Glen, in which K.L. was a participant. After the ceremony, respondent sent K.L. a Snapchat message that stated, "Yes, I was there. I saw you best when you posed for picture . . . ." Approximately three weeks later, respondent sent K.L. another Snapchat message that said, "How are you? I miss seeing you. Oh I loved your smile and voice and how you would say hi to me. It always brightened my day." Respondent sent K.L. a Snapchat message on December 26, 2018, wherein he told her that he missed her, and added a heart emoji. Respondent subsequently commented on a picture of K.L., with a heart emoji with an arrow through its middle, and the comment, "cute as ever." K.L. felt uncomfortable and took a snapshot of some of respondent's messages. Respondent messaged K.L. immediately and asked her why she took a snapshot of his messages. K.L. did not respond to respondent.

26. On January 25, 2019, the San Jose Police Department (SJPd) received a report that respondent engaged in inappropriate communication with K.L. The SJPd investigated the allegations and obtained copies of Snapchat messages. Respondent was not arrested or convicted based on the SJPd's investigation.

27. At hearing, respondent acknowledged that his Snapchat messages with K.L. were inappropriate, and noted that this correspondence was his biggest mistake. Respondent stated that he knew he did not have the best boundaries with students, and that he had been working to address his boundary issues.

### **SANTA CLARA UNIFIED SCHOOL DISTRICT**

28. Respondent was hired by the Santa Clara Unified School District (SCUSD) on August 7, 2019, as a probationary teacher. Respondent did not inform anyone from SCUSD that he had been under investigation by SJUSD or the SJPd, or that he had previously been terminated from other school districts.

29. Respondent was assigned to teach math at New Valley High School. During one of his classes, a student, who respondent suspected had attention deficit hyperactivity disorder (ADHD), made noises that sounded like a turkey gobbling. Respondent asked the student to go outside, and then told the student that he was "being a dick."

30. On another occasion, a student reached across respondent to retrieve candy while respondent was sitting at his desk. In response, respondent captured the student's wrist and moved the student's hand out of respondent's personal space.

31. In November 2019, respondent was called to his principal's office and questioned about an interaction he had with three students in his sophomore algebra class in October 2019. The students were misbehaving, which frustrated respondent, so he approached them and said, "[N-word], please," because he had heard the students say the same things to each other on numerous occasions.

///



32. After his meeting with the principal in November 2019, respondent reached out to his Beginning Teacher Support and Assessment (BTSA) mentor, Gina Corsello, to share that he had not been honest in his job application for the position at SCUSD, and that he left SJUSD because he was under investigation for sending inappropriate messages to a female student and for stepping aside to allow a student fight to occur. After respondent's conversation with Corsello, Corsello reached out to Kevan Keegan, the Assistant Superintendent of Human Resources for SCUSD, to share what respondent told her.

33. Respondent met with Keegan, to discuss his use of the N-word, as well as the information respondent shared with his BTSA mentor. On January 9, 2020, respondent submitted his irrevocable resignation from his position with SCUSD, in lieu of SCUSD moving forward with non-reelecting respondent and/or filing formal dismissal charges.

34. Respondent admitted to using the N-word with his students, and that it was inappropriate for him to do so. He downplayed this error, however, asserting several justifications reflecting a complete failure to understand this slur's potential to harm students and student-teacher relationships. Respondent further attempted to justify his statement by asserting that the students had been misbehaving and making inappropriate comments.

## **2017 PERMIT APPLICATION**

35. Respondent applied for a Limited Assignment Permit, authorizing him to teach foundational-level general science, on November 2, 2017. Respondent signed the application under penalty of perjury.

///

36. In respondent's permit application, in response to professional fitness question 4.a., respondent indicated that he had never been dismissed, non-reelected, suspended without pay for more than ten days, retired, or resigned from or otherwise left school employment because of allegations of misconduct or while allegations of misconduct were pending. This statement was false, and the matters stated in Factual Findings 9 and 14 confirm that respondent knew it was false when he made it. His testimony that he believed his answer true when he submitted the application is not credible.

37. In response to professional fitness question 4.b., respondent stated that he had never been convicted of any felony or misdemeanor in California or any other place. This statement was false: respondent had been convicted for driving under the influence approximately 26 years prior to his 2017 permit application. Respondent knew when he made this statement that it was false.

## **2019 CREDENTIAL APPLICATION**

38. Respondent applied for a Preliminary Two-Year Single Subject Teaching Credential on October 23, 2019. Respondent signed the application under penalty of perjury.

39. In respondent's permit application, in response to professional fitness question 4.a., respondent indicated that he had never been dismissed, non-reelected, suspended without pay for more than ten days, retired, or resigned from or otherwise left school employment because of allegations of misconduct or while allegations of misconduct were pending. This statement was false, and the matters stated in Factual Findings 9, 14, 32, and 33 confirm that respondent knew when he made this statement

that it was false. His testimony that he believed his answer true when he submitted the application is not credible.

## **Additional Evidence**

40. Respondent acknowledged that he had general problems with classroom management and controlling his anger. Respondent stated that he now reads books about mindfulness and is working with a therapist. Respondent has a psychiatrist and currently takes medication to help manage his anxiety. Respondent also manages his stress by engaging in physical exercise, studying Spanish, and playing the guitar.

41. Respondent is currently employed by the Huntington Learning Center, located in San Mateo, as a tutor. Respondent was hired by the Huntington Learning Center in June 2020. Respondent enjoys his work as a tutor because it allows him to give students multiple opportunities to succeed.

42. Geetanjali Bahl is respondent's current supervisor at Huntington Learning Center. Bahl wrote a character letter for respondent and testified at the hearing. Bahl is aware of the allegations against respondent but believes respondent has changed his practices to be a successful teacher. Bahl stated that respondent has a genuine passion for teaching math to students. Bahl noted that the Huntington Learning Center specializes in working with children who have learning disabilities, and respondent works well with the students. Bahl testified that respondent is collaborative and reliable, is respectful to other staff, and has good communication skills. Bahl also noted that parents often request to have respondent work with their children. Bahl stated that she has never heard anyone complain that respondent made racist comments, and that she has observed respondent work well with all types of students.

43. Respondent provided 11 character letters, including the letter from Bahl.

a) Adam Borison is respondent's brother-in-law. Borison is familiar with the allegations against respondent. Borison noted that respondent is "a decent, dedicated and talented individual." Borison stated that respondent had anger issues, but that Borison has observed respondent acknowledge his issues and work to remedy them. Borison asserted that he never observed respondent to treat anyone poorly based on that person's race, creed, gender, or other characteristics.

b) Hilary Walton-Borison is respondent's sister. Walton-Borison is familiar with the allegations against respondent. Walton-Borison stated that she has seen respondent improve himself, and develop emotional regulation, resilience, persistence, compassion, and a positive outlook. Walton-Borison noted that respondent's "own challenges make him particularly empathic," and that his persistence in the face of adversity inspires her. Walton-Borison stated that she has never observed respondent exhibit any sort of racism and has never heard him make racist remarks.

c) Hania Igbal is the Center Coordinator for Huntington Learning Center in San Mateo. Igbal has worked closely with respondent since March 2021. Igbal noted that respondent is cooperative and reliable, and is well-regarded by his students. Igbal also stated that respondent has worked well with several students with disabilities. Igbal did not indicate knowledge of the allegations against respondent.

d) Greta Ruttenberg is a tutor and programming specialist at the Huntington Learning Center in San Mateo. Ruttenberg has worked with respondent in a professional capacity for over one year. Ruttenberg stated that respondent is hard-working and passionate individual, "whose creative and engaging methods help his students succeed where they have been struggling." Ruttenberg noted that respondent is knowledgeable about math education and can use real-world and

cultural examples to convey math concepts. Ruttenberg also stated that respondent works well with students of all abilities and backgrounds.

e) Jesse Soza, Ed.D., worked with respondent in an unofficial capacity during the time period respondent worked at New Valley High School in SCUSD. Soza noted that respondent endeavored to create positive relationships with students and staff, build the math curriculum, and explore ways to improve his teaching practices. Soza did not indicate knowledge of the allegations against respondent.

f) Samia Shoman, Ed.D., is the Manager of English Learner and Academic Support Programs for the San Mateo Union High School District. Shoman explained that respondent was hired by the district in the middle of the year, and took the assignment knowing that it would be a challenge. Shoman noted that respondent tried different teaching and classroom management strategies, and was open to feedback. Shoman stated that, even though he had some struggles, respondent was committed to the students. Shoman did not indicate knowledge of the allegations against respondent.

g) Christie H. Filios is the Dean of Faculty and Students at Valley International Academy. Filios was the Dean of Students at Magnolia Science Academy during the 2013-2014 school year, when respondent worked there. Filios stated that respondent was hired as a replacement teacher in the mathematics department, and had to work to engage the students because the previous teacher had not done so. Filios observed that respondent started his class on time, required his students to work, and would not let students disrupt the classroom. Filios noted that respondent had good communication with his students' families and genuinely appeared to like his students. Filios did not indicate knowledge of the allegations against respondent.

h) Howard M. Jensen was respondent's National University student teaching supervisor during the fall semester of 2013, when respondent was working at Sequoia High School. Jensen noted that respondent had a good grasp of the subject matter he was teaching, could modify his lessons to address a variety of instructional needs, and effectively used different tools to assess his students. Jensen did not indicate knowledge of the allegations against respondent.

i) Lucilla Shin is the Director of C2 Irvine Center. Shin certified that respondent worked at the C2 Irvine center for 20 hours in 2008, teaching Math and English. Shin noted that respondent thoughtfully prepared for his sessions and was eager to do his best for the students. Shin did not indicate knowledge of the allegations against respondent.

j) Cherish Larsen is a teacher in PAUSD. Larsen noted that respondent substitute taught for her during the 2015-2016 school year, and always followed the directions she left for him. Larsen stated that she received positive student feedback regarding respondent, and that respondent always left organized notes for her. Larsen did not indicate knowledge of the allegations against respondent.

44. Respondent provided performance evaluations from San Mateo Union High School District, where respondent taught from November 2018 through June 2019. The performance evaluations note that respondent was respectful with other teachers, turned in his grades on time, communicated about necessary things in a timely manner, and was always willing to help when needed. Regarding respondent's interactions with students, the evaluations noted, "[respondent] had the will to do the best he could with the students, and was transparent about challenges and wanted advice on how to address them."

Respondent additionally provided the "Team Spirit Award" he received while teaching at New Valley High School. The award noted that it was given to respondent for ensuring a safe and positive learning environment.

45. Respondent apologized for the things he has done that hurt the educational community and voiced a desire to do better. Respondent wants his existence to be positive and wants to keep trying.

## **LEGAL CONCLUSIONS**

1. Education Code section 44421 authorizes the Commission to discipline a teaching credential for "immoral or unprofessional conduct," "persistent defiance of, and refusal to obey, the laws regulating the duties of persons serving in the public school system," and "evident unfitness for service." Education Code sections 44421 and 44345, subdivision (e), authorize the Commission to discipline a teaching credential, or deny an application for a Certificate of Clearance and a 30-Day Substitute Teaching Permit, for the commission of an act of moral turpitude, or for intentionally practicing any material deception or fraud in his application.

2. The standard of proof applied in a hearing to discipline a teaching credential is clear and convincing evidence, and the burden is on the complainant. (*Cornell v. Reilly* (1954) 127 Cal.App.2d 178, 183-184.) The standard of proof applied in a hearing to deny an application for a Preliminary Two-Year Single Subject Teaching Credential is a preponderance of the evidence, and the burden is on respondent. (*Martin v. Alcoholic Beverage Control Appeals Bd.* (1959) 52 Cal.2d 238; Gov. Code, § 11504; Evid. Code, §§ 115, 500.)

///

## **First Cause for Discipline (Immoral Conduct) and Second Cause for Discipline (Unprofessional Conduct)**

3. Immoral conduct is "hostile to the welfare of the general public and contrary to good morals." It includes "shameless conduct showing moral indifference to the opinions of respectable members of the community" and "an inconsiderate attitude toward good order and the public welfare." (*Board of Education v. Weiland* (1960) 179 Cal.App.2d 808, 811.) "Unprofessional conduct" is conduct that "violates the rules or ethical code of a profession or such conduct which is unbecoming a member of a profession in good standing." (*Board of Education of Los Angeles v. Swan* (1953) 41 Cal.2d 546, 553.)

4. In *Morrison v. State Board of Education* (1969) 1 Cal.3d 214, the California Supreme Court held that for purposes of imposing discipline on a teacher's credential, "immoral conduct" and "unprofessional conduct" must be limited to conduct indicating that a teacher is "unfit to teach." The factors relevant to determining whether a teacher's conduct indicates unfitness to teach, are: "the likelihood that the conduct may have adversely affected students or fellow teachers, the degree of such adversity anticipated, the proximity or remoteness in time of the conduct, the type of teaching certificate held by the party involved, the extenuating or aggravating circumstances, if any, surrounding the conduct, the praiseworthiness or blameworthiness of the motives resulting in the conduct, the likelihood of the recurrence of the questioned conduct, and the extent to which disciplinary action may inflict an adverse impact or chilling effect upon the constitutional rights of the teacher involved or other teachers." (*Morrison, supra*, at pp. 229-230.) The California Supreme Court later added "the notoriety and publicity accorded a teacher's conduct" as an additional factor to consider. (*Board of Education v. Jack M.* (1977) 19 Cal.3d 691, 701,



fn. 5.) Only the relevant *Morrison* factors need to be analyzed in any particular matter. (*Morrison, supra*, at p. 229.) Such factors are also set forth in California Code of Regulations, title 5, section 80302.

5. Pursuant to California Code of Regulations, title 5, section 80300, subdivision (b), aggravating factors include: that the misconduct evidences multiple acts of wrongdoing or a pattern of misconduct; that the misconduct was surrounded by or followed by bad faith or dishonesty; that the misconduct significantly harmed a child or the public or the educational system; that the individual demonstrated indifference towards the consequences of the misconduct; and that the individual had prior notice, warnings or reprimands for similar conduct.

6. Pursuant to California Code of Regulations, title 5, section 80300, subdivision (m), mitigating factors include: absence of a prior record of adverse action over many years of educational service coupled with misconduct that is not deemed most serious; lack of harm to the object of the misconduct; emotional or physical difficulties suffered by the individual; a demonstration of good character attested to by references; actions taken by the individual demonstrating remorse and recognition of the misconduct; and the nature and extent of subsequent rehabilitation.

7. Cause for discipline based on immoral conduct was established in light of the matters set forth in Factual Findings 16, and 23 through 39. Respondent's Snapchat conversations with K.L., his use of the N-word, his use of profanity with students, including raising his middle fingers at a student, and his dishonesty on his licensure applications are hostile to the welfare of the general public and contrary to good morals. When analyzed against the *Morrison* factors, such conduct indicates unfitness to teach. The likelihood that respondent's conduct adversely affected students is high, as the matters stated in Factual Findings 19, 25, and 29 confirm.

Respondent's conduct reflected indifference to the emotional health of his students and contains no elements of praiseworthiness. Respondent's conduct in SCUSD was recent, as it occurred in the 2019-2020 school year. Finally, there is a high likelihood that respondent will engage in similar misconduct in the future. Between 2015 and the end of 2019, respondent engaged in numerous instances of misconduct, in six different school districts, as well as through two applications for licensure.

8. Cause for discipline based on unprofessional conduct was established in light of the matters set forth in Factual Findings 8 through 17, and 19 through 39. Respondent's conduct is contrary to the rules and standards of the teaching profession. As set forth in Legal Conclusion 7, when analyzed against the *Morrison* factors, such conduct indicates unfitness to teach.

### **Third Cause for Discipline and First Cause for Denial of Credential (Moral Turpitude)**

9. Moral turpitude is conduct involving acts of "baseless, vileness or depravity in the private and social duties which a man owes to his fellow men, or to society in general, contrary to accepted customary rule of right and duty between man and man." (*Yakov v. Board of Medical Examiners* (1968) 68 Cal.3d 67, 73.)

10. Cause for discipline and for denial of respondent's application based on conduct involving moral turpitude was not established. While respondent's conduct was reprehensible, it does not rise to the level of baseness or depravity.

///

///

///

#### **Fourth Cause for Discipline (Persistent Defiance of, and Refusal to Obey, Laws Regulating the Duties of Persons Serving in the Public School System)**

11. Cause for discipline based on persistent defiance of, and refusal to obey, laws regulating the duties of persons serving in the public school system was established in light of the matters set forth in Factual Findings 8 through 17, and 19 through 39. Respondent repeatedly engaged in misconduct, in violation of the Education Code. As set forth in Legal Conclusion 7, when analyzed against the *Morrison* factors, such conduct indicates unfitness to teach.

#### **Fifth Cause for Discipline (Evident Unfitness for Service)**

12. Evident unfitness for service has been defined as having a fixed character trait that renders an individual unfit to be a teacher:

“[C]learly not fit, not adapted to or unsuitable for teaching, ordinarily by reason of temperamental defects or inadequacies.” Unlike “unprofessional conduct,” “evident unfitness for service” connotes a fixed character trait, presumably not remediable merely on receipt of notice that one's conduct fails to meet the expectations of the employing school district. (*Woodland Joint Unified Sch. Dist. v. Comm'n on Pro. Competence* (1992) 2 Cal. App. 4th 1429.)

13. Cause for discipline based on evident unfitness for service was established in light of the matters set forth in Factual Findings 8 through 17, and 19

through 39. Respondent has not been able to successfully teach in a public-school setting for a sustained period of time because of his anger issues and inability to maintain professional boundaries. As set forth in Legal Conclusion 7, when analyzed against the *Morrison* factors, such conduct indicates unfitness to teach.

### **Sixth Cause for Discipline and Second Cause for Denial of Credential (Intentionally Practiced Deception on Application)**

14. Cause for discipline and for denial of respondent's application based on respondent having intentionally practiced deception on a licensure application was established in light of the matters set forth in Factual Findings 9, 14, and 35 through 39. As set forth in Legal Conclusion 7, when analyzed against the *Morrison* factors, such conduct indicates unfitness to teach.

### **Disciplinary Considerations**

15. Respondent was genuine in his desire to be a better teacher. Although the matters stated in Factual Findings 40 through 45 show that respondent has been successful as a tutor for the Huntington Learning Center, and is working to address his anger and boundary issues, the matters stated in Factual Findings 9, 13, 14, 34, 36, 37, and 39, show that respondent continues to attempt to justify and deflect from his dishonesty and repeated misconduct over his public school teaching career. By not fully acknowledging his conduct or the harm he caused, there remains a high likelihood of recurrence of the misconduct.

16. Respondent's evidence of rehabilitation is insufficient to overcome the seriousness and repeated nature of his conduct. In light of the matters set forth in Factual Findings 8 through 17, and 19 through 39, and Legal Conclusions 7, 8, 11, 13 and 14, protection of the public requires revocation of all credentials, certificates, and

authorizations issued to respondent. Additionally, it would be against the public interest to grant respondent's application for a Preliminary Two-Year Single Subject Teaching Credential.

## **ORDER**

1. All credentials, certificates, and authorizations issued to respondent Morgan M. Walton are revoked.

2. Morgan M. Walton's application for a Preliminary Two-Year Single Subject Teaching Credential is denied.

DATE: **10/21/2022**

*Sarah Sandford-Smith*

SARAH SANDFORD-SMITH

Administrative Law Judge

Office of Administrative Hearings