

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

In the Matter of the)
Teaching License of)
TIMOTHY JAMES RASH)

On May 13, 2009, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Timothy James Rash (Rash) in which the Commission charged him with Gross Neglect of Duty pursuant to OAR 584-020-0040(4)(n). The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7008 1140 0002 8580 9263 to the address on file with the Commission. The U.S. Postal Service returned the certified mail receipt, signed by Mr. Rash, to the Commission on May 15, 2009. The Notice of Opportunity of Hearing, dated May 13, 2009, and signed by Victoria Chamberlain, Executive Director, stated:

"You, Timothy James Rash, 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."

Mr. Rash did not request a hearing. The Commission, therefore, finds Mr. Rash to be in default and enters the following findings of fact, conclusions of law and order, based on the files and records of the Commission concerning this matter.

FINDINGS OF FACT

1. Mr. Rash was first enrolled in the Charter School Registry on September 7, 2007. His current registry was issued on September 7, 2007 and is valid until September 7, 2010.
2. On or about January 16, 2008, while teaching in the Camas Valley School District, Mr. Rash grabbed a student by the arm and led him away from an altercation with another student for a distance of approximately 25 feet. After the student pulled free, Mr. Rash grabbed his arm a second time.
3. While employed with the Camas Valley School District, Mr. Rash made inappropriate comments with sexual orientation overtones to students in his class. These comments

1 included suggesting that students were gay or engaged in sexual activities, or using
2 terms such as "fag" or "queer." In making these or other comments to students, Mr.
3 Rash used profanity, including "shit;" "god-damn;" "son-of-a-bitch;" or "fuck." He also
4 made comments to students in which he judged other colleagues or school officials.

5 CONCLUSIONS OF LAW

6 Physically grabbing a student as described in paragraph 2 above constitutes gross
7 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(d) (*Unreasonable*
8 *physical force against students, fellow employees, or visitors to the school, except as*
9 *permitted under ORS 339.250*).

10 Making inappropriate comments as described in paragraph 3 above constitutes gross
11 neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(o) as it incorporates
12 584-020-0035(c)(D) (*Maintain an appropriate professional student-teacher relationship by*
13 *honoring appropriate adult boundaries with students in conduct and conversations at all*
14 *times*); OAR 584-020-0040(4)(n) as it incorporates 584-020-0010(5) (*Use professional*
15 *judgment*).

16 FINAL ORDER

17 The Commission hereby imposes a public reprimand on Timothy James Rash's Charter
18 School Registration.

19 IT IS SO ORDERED THIS 10th day of August, 2009.

20 TEACHER STANDARDS AND PRACTICES COMMISSION

21
22 By: 
23 Victoria Chamberlain, Executive Director
24
25

26 NOTICE OF APPEAL OR RIGHTS

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28 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY
29 BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE
30 SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF
31 ORS 183.482 TO THE OREGON COURT OF APPEALS.