

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

In the Matter of the )  
Educator License of )  
BATLINER, DERRICK J. )

On September 24, 2021, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Derrick J. Batliner, (Batliner) in which the Commission charged him with Gross Neglect of Duty and /or Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7021 0350 000 8183 7865 to the address on file with the Commission. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Certified Mail receipt was returned to the Commission signed. The regular first class mail was not returned to the Commission, and assumed delivered. The Notice of Opportunity of Hearing, dated September 24, 2021, and signed by Anthony Rosilez, Executive Director, stated:

**“IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW YOUR REQUEST FOR HEARING, OR IF YOU FAIL TO APPEAR AT A HEARING, OR NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE.”**

On October 7, 2021 TSPC received a request for a formal hearing from Batliner's attorney, John Bishop (Bishop). A hearing on this matter was scheduled for January 18-19, 2023. In early January, 2023, TSPC and the Oregon Department of Justice (DOJ) received confirmation from Bishop that he was no longer representing Batliner. On January 13, 2023 Batliner sent an email to TSPC, the DOJ, and the ALJ assigned to hear the case indicating that he did not want to proceed with a hearing and that he would not appear for the hearing. The Commission, therefore, finds Batliner to be in default and enters the following findings of fact, conclusions of law, and final order, based on the files and records of the Commission concerning this matter.

## FINDING OF FACT

- 1
- 2 1. The Commission has licensed Batliner since June 9, 2006. Batliner currently
- 3 holds a Professional Teaching License, with endorsements in Elementary:
- 4 Advanced Mathematics (PK-12) and Legacy Middle Level (PK-12), valid from
- 5 March 21, 2021 through March 20, 2026. During all relevant times, Batliner was
- 6 employed by the Portland Public School District (PPS).
- 7
- 8 2. On May 7, 2021, the Commission received a School District Misconduct Report
- 9 from PPS. The report alleged that Derrick Batliner, a mathematics teacher at
- 10 Jefferson High School (JHS), engaged in a sexual/romantic relationship with an
- 11 18-year-old female student, SK.
- 12
- 13 3. A review of PPS investigative documents indicate that on March 18, 2020,
- 14 Batliner initiated personal contact with SK by emailing her school email account
- 15 from his school email account. In that email, Batliner told SK:

16

17 *"I don't know what is going to happen going forward with respect to*

18 *school, but I am going to miss seeing you every day until it starts up*

19 *again. You are without a doubt, probably, maybe, kind of, my favorite*

20 *student sorta ever."*

21

22 PPS interviewed SK, and she provided testimony and evidence that Batliner had

23 begun giving her special attention, rubbing her back, and grooming her since she

24 was 15 years old. She reported that Batliner would often "caress her on the back"

25 and spend time alone in his classroom with her discussing personal matters. SK

26 reported that Batliner "groomed" her until she was 18 years old. She reported

27 that Batliner would frequently make inappropriate comments/compliments

28 about her body and her physical appearance. She reported that shortly after she

29 turned 18 Batliner asked her to meet up for lunch, and she and Batliner began

30 communicating on a regular basis over text message and Snapchat. SK reported

31 that Batliner frequently engaged in highly sexualized conversation with her and

32 would send each other nude photos. SK reported that Batliner would also engage

1 in phone sex and FaceTime videos with one another and would masturbate on  
2 camera (stroking his penis in front of her). SK reported that she met up with  
3 Batliner several times after she turned 18, however stated that he had told her  
4 that he was "too nervous" to kiss her or touch her. PPS substantiated the  
5 allegations based on documentary evidence and direct testimony of SK. In lieu of  
6 termination, Batliner resigned his position with the district on June 21, 2021 via a  
7 Separation Agreement. No criminal charges were filed in this matter due to SK  
8 being 18 years old.

- 9  
10 4. TSPC investigative staff attempted to interview Batliner regarding this matter,  
11 but he declined to participate. Through his attorney, Batliner provided the  
12 following statement to TSPC:

13  
14 *"I am in receipt of the TSPC's letter requesting an interview with me. I*  
15 *have discussed the interview with my attorney, and I am declining to*  
16 *interview with regard to the investigation of the alleged conduct in*  
17 *connection with my Oregon teaching license. I understand that declining*  
18 *to interview carries potential consequences. Still, given my particular*  
19 *circumstances, I do not wish to be interviewed. I am writing this letter to*  
20 *document this decision for my TSPC investigation file and having been*  
21 *advised on this decision by my attorney in this matter.*

## 22 23 CONCLUSIONS OF LAW

24 The conduct described above constitutes gross neglect of duty in violation of ORS  
25 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1)  
26 (*Recognize the worth and dignity of all persons and respect for each individual*),  
27 OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0025(2)(e)  
28 (*Using district lawful and reasonable rules and regulations*); OAR 584-020-  
29 0040(4)(o) as it incorporates OAR 584-020-0035(1)(b) (*Refrain from exploiting*  
30 *professional relationships with any student for personal gain, or in support of*  
31 *persons or issues*), OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing*  
32 *professionally inappropriate interest in a student's personal life*), and OAR 584-

020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and conversations at all times*); and OAR 584-020-0040(4)(w) (*Failure of an educator to cooperate with an investigation conducted by the Teacher Standards and Practices Commission under ORS 339.370 to ORS 339.400 and ORS 342.176, except subject to the exercise of any legal right or privilege*).

The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

## FINAL ORDER

The Commission hereby revokes Batliner's Oregon teaching license. Batliner will be eligible to apply for reinstatement after a period of one (1) year.

IT IS SO ORDERED THIS 18 day of January, 2023.

TEACHER STANDARDS AND PRACTICES COMMISSION

By: Anthony J. Rosilez  
Dr. Anthony Rosilez, 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 OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.