

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

In the Matter of the)	DEFAULT ORDER OF DENIAL OF
Educator License of)	APPLICATION AND REVOCATION
VINCENT REYES AGUILERA)	OF RIGHT TO APPLY FOR LICENSE

On December 7, 2023, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Vincent Reyes Aguilera (Aguilera) in which the Commission charged him with Gross Neglect of Duty and Gross Unfitness. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 9589 0710 5270 0844 8664 94 to the address found in Oregon Circuit Court records and Josephine County Jail records. The Notice designated the Commission file as the record for purposes of proving a prima facie case. The Notice sent Certified Mail was not returned to the Commission and assumed delivered. The regular First-Class mail was not returned to the Commission and assumed delivered. The Notice of Opportunity of Hearing, dated December 7, 2023, and signed by Melissa Goff, Interim 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, 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.”

Aguilera did not request a hearing. The Commission, therefore, finds Aguilera 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.

FINDINGS OF FACT

1. Vincent Reyes Aguilera has been licensed by Commission since August 26, 2020. Aguilera held an Emergency Teaching License, with an endorsement in Special Education – Generalist (PK12), valid from August 16, 2021, through June 30, 2022. On July 13, 2022, Aguilera submitted a renewal application with the Commission for an Emergency Teaching License. The application was placed on hold pending the outcome of this matter. During all relevant times, Aguilera was employed by the Three Rivers School District (TRSD).

2. On August 10, 2022, the Commission received a report from the Oregon Department of Human Services (DHS) indicating Aguilera and a minor aged student were involved in an inappropriate relationship. The specific allegations reported were Aguilera spent time with a seventeen-year-old, female student at Aguilera's residence and other off-campus locations; Aguilera had digital communications with the same student via cellphone and social media platforms; and Aguilera was observed holding hands with the student off-campus. On October 4, 2022, the Commission received a report from DHS alleging Aguilera was involved in a sexual relationship with the seventeen-year-old student.
3. Investigation found Aguilera worked as a special educator at Illinois High School, TRSD, for the 2019-20, 2020-21, and 2021-22 school years. The TRSD anticipated Aguilera's return for the 2022-23 school year. During Aguilera's employment with the District, he also served as a coach for various student athletic teams in the TRSD, including the Girls Basketball Coach at Hidden Valley High School (HVHS), for the 2021-22 season. On or about August 10, 2022, the District received allegations of an inappropriate relationship between Aguilera and a seventeen-year-old female student. On August 10, 2022, law enforcement was notified. On August 10, 2022, Aguilera was placed on administrative leave pending the outcome of the investigations.
4. The TRSD and law enforcement investigations found Aguilera developed a personal relationship with the seventeen-year-old student who attended HVHS and was a member of the HVHS Girls Basketball Team. The relationship began during the 2020-21 school year. Aguilera and the female student attended college basketball games together; ate dinner together on several occasions; and used cell phone calls, texts, and social media platforms, to communicate. Aguilera allowed the student to use his personal automobile. Aguilera's relationship with the student continued into the 2021-22 school year. During the summer of 2022, Aguilera was observed holding hands with the student, rubbing the students back, and inviting the student and two of her peers to Aguilera's residence, where they all stayed until approximately 2:00 AM. Aguilera continued to communicate with the student via cell phone and social media. Over the summer of 2022, Aguilera and the student kissed on several occasions.
5. On August 17, 2022, Aguilera was given a Letter of Reprimand from the district regarding his inappropriate relationship with the student.

- 1 6. On August 18, 2022, after the investigations began, the student emailed a District staff
2 member investigating the matter and wrote the following regarding her relationship
3 with Aguilar, *"while our relationship was inappropriate in the sense that we were*
4 *closer and spent more time together than a normal coach and athlete should, it was*
5 *never sexual."*
- 6
- 7 7. In early October 2022, TRSD and law enforcement received additional information
8 indicating Aguilera engaged in a sexual relationship with the student. Law enforcement
9 found Aguilera suggested to the student that she should marry him, and that the
10 student should take measures to keep their private exchanges from being known.
11 During the late summer of 2022, Aguilera engaged in sexual activity with the female
12 student.
- 13
- 14 8. On October 13, 2022, local law enforcement arrested Aguilera on one (1) felony count
15 of Sexual Abuse in the Second Degree and one (1) misdemeanor count of Official
16 Misconduct in the First Degree. After Aguilar's arrest, the student reported Aguilera
17 engaged in sexual intercourse with her. On October 20, 2022, the Josephine County
18 Grand Jury indicted Aguilera on three (3) felony counts of Sexual Abuse in the Second
19 Degree. On August 31, 2023, Aguilera plead guilty to and was convicted on one (1)
20 felony count of Sexual Abuse in the Second Degree. On October 12, 2022, Aguilera was
21 sentenced to ninety (90) days in jail, required to register as a sex offender, given
22 probation for sixty (60) months, and required to pay associated fees.
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24 CONCLUSIONS OF LAW

25 Vincent Reyes Aguilera's criminal conviction as described in section eight (8) above,
26 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
27 incorporates OAR 584-020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(1) (*The*
28 *Commission will deny, revoke or deny the right to apply for a license or charter school registration*
29 *to any applicant or educator who, has been convicted of any of the crimes listed in ORS 342.143, or*
30 *the substantial equivalent of any of those crimes if convicted in another jurisdiction*), including ORS
31 *163.425 Sexual Abuse in the Second Degree*. This conduct also constitutes gross unfitness in
32 violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (*Conviction of violating any federal, state,*
33 *or local law. A conviction includes any final judgment of conviction by a court whether as the result*
34 *of guilty plea, no contest plea or any other means*); OAR 584-020-0040(5)(d) (*Commission of an*
35 *act listed in OAR 584-020-0040(1)*); and OAR 584-020-0040(5)(e) (*Admission of or engaging in*

1 acts constituting criminal conduct, even in the absence of a conviction).

2 Pursuant to ORS 342.175(3) and OAR 584-020-0040(1) the Teacher Standards and Practices
3 Commission must revoke Andry's license and/or his right to apply for a license based on his
4 conviction of any of the crimes listed in ORS 342.143(3)(a), or the substantial equivalent of any of
5 those crimes, or convicted of attempt to commit such crimes as defined in ORS 161.405.

6 Aguilera's conduct underlying his conviction, as described in section four (4), six (6), and
7 seven (7) above, constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-
8 0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*); OAR 584-020-
9 0025(2)(e) (*Using district lawful and reasonable rules and regulations*); OAR 584-020-0040(4)(f)
10 (*Any sexual conduct with a student*) as defined by OAR 580-020-0005(8); and OAR 584-020-
11 0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(A) (*Not demonstrating or expressing*
12 *professionally inappropriate interest in a student's personal life*), OAR 584-020-0035(1)(c)(D)
13 (*Honoring appropriate adult boundaries with students in conduct and conversations at all times*)
14 and 584-020-0035(3)(a) (*Maintain the dignity of the profession by respecting and obeying the law,*
15 *exemplifying personal integrity and honesty*).

16 Additionally, Aguilera's criminal conviction and conduct related to his conviction constitute
17 "gross unfitness" in violation of ORS 342.175(1)(c); OAR 584-020-0040(3)(c) and (d) as defined by
18 OAR 584-020-0040 (5) (*Gross unfitness is any conduct which renders an educator unqualified to*
19 *perform his or her professional responsibilities*).

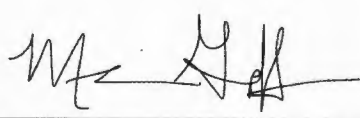
20 The Commission's authority to impose discipline in this matter is based upon ORS 342.175.

21
22 **FINAL ORDER**

23 The Commission hereby denies Vincent Reyes Aguilera's application for an Oregon educator
24 license and revokes Aguilar's right to apply for an Oregon educator license.

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26 IT IS SO ORDERED THIS 22 day of January, 2024.

27
28 TEACHER STANDARDS AND PRACTICES COMMISSION

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30
31 By: 
32 _____
33 Melissa Goff, Interim Executive Director
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4 NOTICE OF APPEAL OR RIGHTS
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6 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE
7 OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF
8 THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO
9 THE OREGON COURT OF APPEALS.