

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

3
4 In the Matter of the Educator) DEFAULT ORDER OF
5 License of) PUBLIC REPRIMAND AND PROBATION
6 JANET I. RICHARD)
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9 On April 10, 2024 the Teacher Standards and Practices Commission (Commission)
10 issued a Notice of Opportunity for Hearing to Janet I. Richard (Richard) in which the
11 Commission charged her with Gross Neglect of Duty. The Notice was sent via U.S. First
12 Class Mail and U.S. Certified Mail Receipt 9589 0710 5270 0408 4714 16 to the address on
13 file with the Commission. The Notice designated the Commission file as the record for
14 purposes of proving a prima facie case. The first-class mail was not returned to the
15 Commission and Richard confirmed delivery when she called TSPC and spoke with
16 investigative staff on April 18, 2024. The Notice of Opportunity of Hearing, dated April 10,
17 2024, and signed by Melissa Goff, Interim Executive Director, stated:

18 "IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY
19 PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED
20 UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR
21 REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING, WITHDRAW
22 YOUR REQUEST FOR HEARING, IF YOU FAIL TO APPEAR AT A HEARING, OR
23 NOTIFY THE COMMISSION THAT YOU WILL NOT APPEAR AT HEARING, THE
24 COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE
25 THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER
26 DISCIPLINE."
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28 Richard did not request a hearing. The Commission, therefore, finds Richard to be in default
29 and enters the following findings of fact, conclusions of law, and final order, based on the
30 files and records of the Commission concerning this matter.
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32 **FINDINGS OF FACT**

- 33 1. The Commission has licensed Richard since October 7, 2021. Richard holds a
34 Professional Teaching License, with endorsements in Special Education:
35 Generalist, (PK-12). The license was issued on October 8, 2022, and expires on
36 April 24, 2026. During all relevant times, Richard was employed by the
37 Beaverton School District (BSD).
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- 2 2. On February 21, 2023, TSPC received a School District Misconduct Report from
- 3 the BSD, alleging that Richard, a substitute teacher, had physical contact with a
- 4 student by placing him in a “choke hold.” The report alleged that at the time of
- 5 the incident, Richard was upset with the student’s lack of progress and focus in
- 6 the class. The report further alleges that when questioned about this matter by
- 7 BSD administration, Richard made negative comments about the student, telling
- 8 administrators that the student must be “angry” or in “special education” due to
- 9 their negative reaction to her physically touching them.
- 10
- 11 3. According to BSD records and TSPC investigation, the following occurred:
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- 13 • On February 17, 2023, Richard was working as substitute for an academic
 - 14 coach at Aloha Huber Park K-8 School.
 - 15 • Richard was having behavioral issues with three students in the classroom.
 - 16 • Student DC (age 11) reported that at one point during class, Richard placed
 - 17 him in a “choke hold” for 10-15 seconds due to his behavior and lack of focus.
 - 18 • Student DC described the “choke hold” for BSD administration as Richard
 - 19 having her arm around his neck, with his chin in the bend of her elbow.
 - 20 • Student DC also reported that while Richard had him in the “choke hold”
 - 21 position, Richard held his assignment in front of his face with her other hand.
 - 22 • Student DC did not report that he was injured, and there were no visible
 - 23 marks on his neck or other signs of injury.
 - 24 • Several other students in the classroom reported witnessing Richard with her
 - 25 arm around DC’s neck.
 - 26 • BSD administration questioned Richard about this incident later in the day on
 - 27 February 17, 2023.
 - 28 • During Richard’s meeting with BSD administration, she reported that had not
 - 29 touched DC, or any other student that day.

- Additionally, Richard told BSD administration that student DC must be “a very angry child or maybe he is in special education” to have alleged that she touched him.
- After investigation at the district level, the BSD substantiated the allegations and issued Richard an exclusion letter which prohibited her from returning as a substitute teacher at Aloha Huber Park K-8 and Southridge High School.

4. Richard interviewed with TSPC investigative staff on January 1, 2024 via telephone. During the interview, Richard denied having any physical contact with students, including student DC. During a follow-up call with TSPC investigative staff on March 25, 2024, she was asked where she was currently working, and Richard refused to answer the question stating that she did not want a “misunderstanding” with the BSD to impact her current employment.

CONCLUSIONS OF LAW

The conduct described in sections two (2), and three (3) above constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-0020(2)(d) (*Skill in the supervision of students*), OAR 584-020-0025(2)(e) (*Using district lawful and reasonable rules and regulations*), and 584-020-0040(4)(d) (*Unreasonable physical force against students, fellow employees, or visitors to the school, except as permitted under ORS 339.250*).

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

FINAL ORDER

The Commission hereby issues a public reprimand upon Janet I. Richard’s Educator licensure.

1 Furthermore, the Commission imposes a two (2) year period of probation upon
2 Richard's licensure to commence upon the date of signature of this document, and
3 subject to the following condition:

- 4 1. Richard shall comply with the Standards for Competent and Ethical
5 Performance of Oregon Educators under Oregon Administrative Rules
6 Chapter 584, Division 020.
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10 IT IS SO ORDERED THIS 25 day of February, 2025.

11 TEACHER STANDARDS AND PRACTICES COMMISSION

12 By:  _____
13 Melissa Goff, Interim Executive Director
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23 NOTICE OF APPEAL OR RIGHTS
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25 YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW
26 MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM
27 THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE
28 PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.