

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

In the Matter of the )  
Teaching License of )  
BENJAMIN RALPH BLIESNER )

On September 14, 2011, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Benjamin Ralph Bliesner (Bliesner) in which the Commission charged him with Gross Neglect of Duty pursuant to ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5), OAR 584-020-0010(1), OAR 584-020-0040(4)(d), OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D), and OAR 584-020-0040(4)(e). The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7010 2780 0000 2187 6867 to the address on file with the Commission. Bliesner signed for the Certified Mail on September 15, 2011. The Notice of Opportunity of Hearing, dated September 14, 2011, and signed by Victoria Chamberlain, 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 OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE.”**

Bliesner did not request a hearing. The Commission, therefore, finds Bliesner 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. Bliesner has been licensed as a teacher in Oregon since August 23, 2000. Bliesner's current Five-Year Career and Technical Teaching License, with an authorization in Manufacturing Technology, issued on December 22, 2008, is valid until December 21, 2013. During all relevant times, Bliesner was employed by the Colton School District.
2. On November 18, 2009, Bliesner struck a student on the chest with his fist, and pushed him with his fist. During this contact Bliesner told the student, "*Quit screwing around.*"
3. On November 24, 2009 Bliesner told his Principal that he taps students on the leg, pokes students in the sternum, elbowed a student several times, grabbed students around the

1 shoulders and lower neck, and had stated, “*You deserve a punch in the gut for that,*” and  
2 that he had tapped a student on the head.

3 4. During the week of September 21, 2009, Bliesner called a student “24” after explaining that  
4 someone with 24 chromosomes meant they were retarded.

5 5. During the 2009-2010 school year other incidents were reported of Bliesner making  
6 inappropriate comments to students, utilizing force to maintain order and his classroom,  
7 using physical exercise as punishment, and other inappropriate means of dealing with  
8 student behavioral issues.

### 9 CONCLUSIONS OF LAW

10 Benjamin Ralph Bliesner’s conduct as described in #2 above constitutes gross neglect of  
11 duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-  
12 020-0010(5) (*Use professional judgment*), OAR 584-020-0010(1) (*Recognize the worth and*  
13 *dignity of all persons and respect for each individual*); and OAR 584-020-0040(4)(d)  
14 (*Unreasonable physical force against students, fellow employees, or visitors to the school,*  
15 *except as permitted under ORS 339.250*).

16 Bliesner’s conduct as described in #3 above constitutes gross neglect of duty in violation  
17 of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates ), OAR 584-020-0010(1)  
18 (*Recognize the worth and dignity of all persons and respect for each individual*), OAR 584-  
19 020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(o) as it incorporates OAR  
20 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and*  
21 *conversations at all times*); and OAR 584-020-0040(4)(d) (*Unreasonable physical force*  
22 *against students, fellow employees, or visitors to the school, except as permitted under ORS*  
23 *339.250*).

24 Bliesner’s conduct as described in #4 above constitutes gross neglect of duty in violation  
25 of ORS 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*), OAR 584-  
27 020-0010(5) (*Use professional judgment*); and OAR 584-020-0040(4)(o) as it incorporates  
28 OAR 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in*  
29 *conduct and conversations at all times*).

30 Bliesner’s conduct as described in #5 above constitutes gross neglect of duty in violation  
31 of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates ), OAR 584-020-0010(1)  
32 (*Recognize the worth and dignity of all persons and respect for each individual*), OAR 584-  
33 020-0010(5) (*Use professional judgment*); OAR 584-020-0040(4)(o) as it incorporates OAR  
34 584-020-0035(1)(c)(D) (*Honoring appropriate adult boundaries with students in conduct and*

1 conversations at all times), OAR 584-020-0040(4)(d) (*Unreasonable physical force against*  
2 *students, fellow employees, or visitors to the school, except as permitted under ORS 339.250*),  
3 and OAR 584-020-0040(4)(e) (*Violent or destructive behavior on school premises or at a*  
4 *school-sponsored activity*).

5 The Commission's authority to impose discipline in this matter is based upon ORS  
6 342.175.

7 **FINAL ORDER**

8 The Commission hereby revokes Benjamin Ralph Blisner's Five Year Career and  
9 Technical Teaching license.

10 IT IS SO ORDERED THIS 2<sup>nd</sup> day of November, 2011.

11 TEACHER STANDARDS AND PRACTICES COMMISSION

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14 By:   
15 Victoria Chamberlain, Executive Director  
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19 **NOTICE OF APPEAL OR RIGHTS**

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