

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

In the Matter of the)	DEFAULT ORDER OF
Educator License of)	REVOCATION AND REVOCATION
MCLAUCHLIN, CHARLES EUGENE)	OF RIGHT TO APPLY

On June 13, 2014, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Charles Eugene McLauchlin (McLauchlin) 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 7012 1010 0003 2804 4395 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 on June 18, 2014. The regular mail was not returned to the Commission. The Notice of Opportunity of Hearing, dated June 13, 2014, 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.”

McLauchlin did not request a hearing. The Commission, therefore, finds McLauchlin 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. Charles Eugene McLauchlin has been licensed by the Commission since June 20, 1986. McLauchlin's Standard Teaching License, with endorsements in Basic Mathematics (018) and Standard Biology (020), was issued on January 31, 2011, and expires on January 30, 2016. During all relevant times, McLauchlin was employed by the Bandon School District.
2. On January 29, 2014, McLauchlin was found guilty of the following crimes: two counts of Online Sexual Corruption of a Child in the first degree, ORS 163.433, a

1 class B felony, and approximately 25 counts of Sexual Abuse in the second degree,
2 ORS 163.425, a class C felony. Both of these crimes are listed in ORS 342.143 and
3 OAR 584-020-0040(1) for mandatory revocation of licensure or right to apply for
4 licensure. McLauchlin was sentenced to approximately 10 years of incarceration, 44
5 months of probation and must register as a sex offender.

6 3. McLauchlin's convictions arose from allegations that McLauchlin committed the
7 following unprofessional acts:

- 8 a. McLauchlin failed to maintain professional boundaries with then 16 year
9 old, female, student SC. McLauchlin spent time running with SC alone
10 outside of school hours. McLauchlin inappropriately shared hugs with SC
11 on multiple occasions while alone in the classroom with SC.
- 12 b. While attending the Steens Mountain Running Camp in August 2012,
13 McLauchlin's interactions with student SC, who was also in attendance,
14 caused concern amongst the staff of the event. These observed interactions
15 with SC included, McLauchlin cuddling with SC at the amphitheater,
16 giving SC back rubs, hugging and giving kisses on the cheek to female
17 runners, including SC, loitering around the "girls" tent even after told not
18 to, and mud wrestling with SC and another student.
- 19 c. During the course of the law enforcement investigation, it was determined
20 that McLauchlin had exchanged inappropriate text messages with SC,
21 inappropriately hugged SC, kissed SC and taught her how to French kiss.
22 McLauchlin discussed sexual activities with SC and provided SC with an
23 iPod so McLauchlin could communicate discreetly with SC. McLauchlin
24 and SC told each other that they loved one another. McLauchlin and SC
25 engaged in physical sexual activities that included performing oral sex on
26 each other at least five separate times and McLauchlin penetrating SC's
27 vagina with his fingers and fondling her breasts.

28 CONCLUSIONS OF LAW

29 McLauchlin's convictions constitutes gross neglect of duty in violation of ORS
30 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(5) (*Use*
31 *professional judgment*), OAR 584-020-0040(1)(n) (*The Commission will deny, revoke*

1 or deny the right to apply for a license or charter school registration to any applicant
2 or educator who, has been convicted of any of the crimes listed in ORS 342.143;
3 specifically ORS 163.425 (Sexual Abuse in the Second Degree); and OAR 584-020-
4 0040(1)(q) (The Commission will deny, revoke or deny the right to apply for a license
5 or charter school registration to any applicant or educator who, has been convicted of
6 any of the crimes listed in ORS 342.143; specifically ORS 163.433 (Online Sexual
7 Corruption of a child in the first degree) . This conduct also constitutes gross unfitness
8 in violation of ORS 342.175(1)(c); OAR 584-020-0040(5)(c) (Conviction of violating
9 any federal, state, or local law. A conviction includes any final judgment of conviction
10 by a court whether as the result of guilty plea, no contest plea or any other means),
11 specifically ORS 163.425 (Sexual Abuse in the Second Degree) and ORS 163.433 (Online
12 Sexual Corruption of a Child in the First Degree).

13
14 Furthermore, the conduct underlying McLauchlin's indictments and conviction
15 constitutes gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-
16 0040(4)(n) as it incorporates OAR 584-020-0010(1) (Recognize the worth and dignity
17 of all persons and respect for each individual), OAR 584-020-0010(5) (Use
18 professional judgment); OAR 584-020-0040(4)(o) as it incorporates OAR 584-020-
19 0035(1)(c)(D) (Honoring appropriate adult boundaries with students in conduct and
20 conversations at all times); and OAR 584-020-0040(4)(f) (Any sexual conduct with a
21 student) as that term is defined by OAR 584-020-0005(5).

22
23 The Commission's authority to impose discipline in this matter is based upon ORS
24 342.175.

25 **FINAL ORDER**

26 The Commission hereby revokes Charles Eugene McLauchlin's educator license
27 and revokes his right to apply for an educator license.

28 IT IS SO ORDERED THIS 28th day of July, 2014.

29 **TEACHER STANDARDS AND PRACTICES COMMISSION**

Victoria Chamberlain

By: _____
Victoria Chamberlain, 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.