

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

In the Matter of the)
Educator License of)
DANNY RAY SWANSON)

On December 30, 2016, the Teacher Standards and Practices Commission (Commission) issued a Notice of Opportunity for Hearing to Danny Ray Swanson (Swanson) in which the Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7016 0750 0000 2419 0631 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 signed to the commission on January 5, 2017. The regular mail was not returned to the Commission. The Notice of Opportunity of Hearing, dated December 30, 2016, and signed by Monica Beane, 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.”

Swanson did not request a hearing. The Commission, therefore, finds Swanson 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. Danny Ray Swanson has been licensed by the Commission since September 26, 1983. Swanson's Standard Teaching License; with endorsements in Basic Mathematics (018), Mechanical Systems (024), and Standard Technology Education (018); is valid from August 7, 2012, through May 6, 2018. On June 13, 2016, Swanson submitted a written request / notice that he was surrendering his teaching license, effective on that date, as part of an agreement with the Jackson County District Attorney to settle Swanson's related criminal investigation. During all relevant times, Swanson was employed by the Southern Oregon Education Service

1 District and providing substitute teaching services to the Rouge River School
2 District.

- 3 2. On April 15, 2015, the Commission received a report from the Oregon Department of
4 Human Services alleging that Swanson had inappropriately touched a female
5 student. On June 11, 2015, the Commission received a report from the Rogue River
6 School District asserting similar allegations. On June 15, 2015, the Commission
7 received a report from the Southern Oregon Education Service District, also
8 reporting possible misconduct related to the other reports. The resulting district, law
9 enforcement, and Commission investigations determined that on or about April 2nd
10 and 3rd, 2015, while Swanson was employed as a substitute teacher at Rouge Rive
11 High School, Swanson used inappropriate language to include the word “pussy”, in
12 the classroom, while in the presence of students. Swanson was witnessed looking at
13 the breasts and buttocks of female students while they were seated in the classroom
14 and as they would leave the room. Swanson also inappropriately touched a 14-year-
15 old female student on her buttocks with his hand. The resulting police investigation
16 of sex abuse allegations led to a criminal charge of Harassment (ORS 166.065), a
17 class A misdemeanor. Investigation determined Swanson’s conduct to be
18 inappropriate and in violation of local policy, and Swanson’s employment was
19 terminated. At a later date, the criminal charges were dismissed as a result of a plea
20 agreement that required Swanson to permanently surrender his teaching license. On
21 June 13, 2016, the Commission received a letter from Swanson surrendering his
22 teaching license.

23 CONCLUSIONS OF LAW

24 Danny Ray Swanson’s conduct describes above constitutes gross neglect of duty
25 in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR
26 584-020-0010(1) (*Recognize the worth and dignity of all persons and respect for each*
27 *individual*), OAR 584-020-0010(5) (*Use professional judgment*), OAR 584-020-
28 0025(2)(e) (*Using district lawful and reasonable rules and regulations*); and OAR 584-
29 020-0040(4)(o) as it incorporates OAR 584-020-0035(1)(c)(D) (*Honoring*
30 *appropriate adult boundaries with students in conduct and conversations at all times*).
31

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

3 **FINAL ORDER**

4 The Commission hereby revokes Danny Ray Swanson's Oregon educator license
5 and revokes his right to apply for an Oregon educator license.

6 IT IS SO ORDERED THIS 27th day of February, 2017.

7 TEACHER STANDARDS AND PRACTICES COMMISSION
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10 By: Monica Beane
11 Dr. Monica Beane, Executive Director
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15 **NOTICE OF APPEAL OR RIGHTS**

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